

## 905.1 Disposition of Property

### Policy

The Board may determine whether there is use for a school building, which has been closed pursuant to the *Closure of Schools Regulation* and Board Policy 903.1 School Closure. The Board may also declare for purposes of section 672 of the *Municipal Government Act* that an interest in a school reserve, municipal and school reserve or municipal reserve is surplus to the Division's needs. The Board has the authority for the disposition of property derived from the *Education Act* and the *Disposition of Property Regulation*.

### Regulations

1. If a school building has been closed pursuant to the *Closure of Schools Regulation*, the Superintendent of Schools will provide a recommendation to the Board concerning whether there is no use for the school building, and, if so, whether the school building is temporarily surplus to the Board's (Policy 904.1 – Surplus Space) or permanently surplus to the Board's needs.
2. In determining whether a school is temporarily or permanently surplus to the Board, the Board shall consider all of the following criteria:
  - 2.1 demographic factors, including but not limited to:
    - 2.1.1 population and demographic data for the surrounding area;
    - 2.1.2 the former enrolment of the school, and enrolment trends in the foreseeable future;
    - 2.1.3 the location and proximity of other schools, and their potential enrolment in the foreseeable future.
  - 2.2 other potential public educational uses for the building in the foreseeable future;
  - 2.3 the likely cost to staff and operate an educational program at the school in the foreseeable future;
  - 2.4 the cost to maintain the facility in, or restore the facility to, a usable condition, and other costs of ownership;
  - 2.5 such other criteria as the Board may consider necessary.
3. If the Board determines that there is no present use for the school building, but that there may be a need for the school building in the foreseeable future, the Superintendent may investigate the lease of the school building in accordance with the *Disposition of Property Regulation* and Policy 904.1 Surplus Space.
4. If the Board cannot identify a use for school building in the foreseeable future, the Board may attempt to sell the school building in accordance with the *Disposition of Property Regulation*.

5. The Board may determine, for purposes of section 672 of the *Municipal Government Act*, that an interest in a school reserve, municipal and school reserve, or municipal reserve is surplus to the Board's needs. In so doing the Board shall consider the following criteria:
  - 5.1 enrolment trends within the area intended to be served by the school reserve, municipal and school reserve or municipal reserve;
  - 5.2 student accommodation and transportation issues;
  - 5.3 whether a school on the school reserve, municipal and school reserve or municipal reserve is included in the Board's capital plan;
  - 5.4 the length of time that the school reserve, municipal and school reserve or municipal reserve has existed and has not been needed by the Board;
  - 5.5 such other criteria as the Board may consider necessary.
6. After considering the factors above, the Board determines that the reserve land is surplus to the Board's needs, the Superintendent shall consult with other School Boards operating in the area as to whether those Boards have a need for the reserve lands.
7. If the Board determines that the reserve land is surplus to the Board's needs, the Board shall provide the Minister of Education with a declaration to that effect for Ministerial approval to declare reserve land as surplus.
8. If the Board intends to sell real property with a value of more than \$100,000, then the sale must be conducted in accordance with the Alberta Education *Disposition of Property Regulation*.

The Board delegates to the Superintendent the authority to develop the procedures necessary to implement this policy.

### References

Division Policies:	903.1 School Closure, 904.1 Surplus Space
Education Act:	Section 192
Other:	<i>Municipal Government Act</i> , Revised Statutes of Alberta 2000, Chapter M-26, <i>Disposition of Property Regulation</i> , AR 86/2019