



POLICY 23: DISPOSITION OF REAL PROPERTY

The Board is responsible to assess the needs of the School Division as it relates to land and buildings. When land and buildings become surplus to the needs of the division the Board shall arrange for the effective disposal of said land and buildings.

Guidelines

1. The best interest of the students of the Division and the community should be assessed prior to making a decision to declare land and buildings surplus.
2. The disposition of surplus land and buildings requires the approval of the Board of Trustees of the Division.
3. The following criteria will be used to determine whether interest in a school reserve, municipal and school reserve or municipal reserve is surplus to the board's need;
 - a. Enrolment trends within the area intended to be served by the school reserve, municipal and school reserve or municipal reserve,
 - b. Student accommodation and transportation issues,
 - c. Whether a school on the school reserve, municipal and school reserve or municipal reserve is included in the board's capital plan,
 - d. Consultation with other boards with respect to their needs for the school reserve, municipal and school reserve or municipal reserve, or
 - e. Any other criteria the board considers necessary.
4. If the board is of the opinion that a school reserve, municipal and school reserve or municipal reserve in which the board has an interest is surplus to the board's needs, the board must provide the Minister with a declaration to that effect.
5. Where interest in a school reserve, municipal and school reserve or municipal reserve is determined to be surplus, the board will transfer its interest in the land to the municipality where the reserve land is located, for consideration mutually agreed upon between the board and the municipality, as prescribed in the section 672 of the *Municipal Government Act*.
6. Notwithstanding section 200(2) of the School Act, the board may, without approval of the Minister;
 - a. Lease any real property that is neither a school building nor a portion of a school building,
 - b. Lease a school building or portion of it for less than 12 months, and



- c. Lease a school building or portion of it for 12 months or more if the lease contains a termination provision allowing the board to terminate the lease on 12 months' notice.
- 7. If the board intends to sell real property that has a value of more than \$50,000, the board must conduct the sale in accordance with Section 9 of the *Disposition of Property Regulation, School Act*.
- 8. If the board sells real property, the board must repay all outstanding debt relating to that real property and any proceeds remaining must be distributed as prescribed in Section 10 of the *Disposition of Property Regulation, School Act*.