

### Disposition of Property

#### BACKGROUND

When land and buildings or other property become surplus to needs, the Board of Trustees shall arrange for the effective disposal of these items.

#### REGULATION

1. The Board of Trustees shall dispose of land and buildings in the best interest of the community and of the students of Northern Lights School Division No. 69 pursuant to existing government legislation and regulation.
2. Disposal of surplus land and buildings requires the approval of the Board of Trustees.

#### Disposition of School Buildings

3. The Board of Trustees shall review at least every three years whether or not it has a use for a school building that has been closed pursuant to the Closure of Schools Regulation.
4. The following criteria shall be used to determine whether the Board of Trustees has use for a school building that has been closed pursuant to the Closure of Schools Regulation:
  - a. Demographic factors and 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 issue.
  - 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 publicly funded school boards with respect to their needs for the school building.
  - e. Any other criteria the Board of Trustees considers necessary.
5. If the Board of Trustees cannot identify a use for a school building in the foreseeable future, the Board of Trustees may attempt to sell the school building in accordance with the Disposition of Property Regulation, and section C of this Policy (if applicable).

#### Disposition of Reserve Land

6. The Board of Trustees shall review at least every three years whether or not its interest in a school reserve, municipal and school reserve or municipal reserve is surplus to the Board of Trustee's needs.

7. The following criteria shall be used to determine whether interest in a school reserve, municipal and school reserve or municipal reserve is surplus to the Board of Trustee's needs:
  - 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 of Trustees' capital plan. Consultation with other publicly funded school boards with respect to their needs for the school reserve, municipal and school reserve or municipal reserve.
  - d. Any other criteria the Board of Trustees considers necessary.
8. If the Board of Trustees is of the opinion that a school reserve, municipal and school reserve or municipal reserve in which the Board of Trustees has an interest is surplus to its needs, the Board of Trustees shall provide the Minister with a declaration to that effect.
9. Where interest in a school reserve, municipal and school reserve or municipal reserve is determined to be surplus, the Board of Trustees will transfer its interest in the land to the municipality where the reserve land is located, for consideration mutually agreed upon between the Board of Trustees and the municipality, as prescribed in the Section 672 of the Municipal Government Act.

#### **Disposal of Real Property**

10. If the Board of Trustees intends to sell real property that has a value of more than \$50,000, it must conduct the sale in accordance with Section 9 of the Disposition of Property Regulation, School Act.
11. If the Board of Trustees sells real property, it 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.
12. Notwithstanding Section 200(2) of the School Act, the Board of Trustees 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.
  - c. Lease a school building or portion of it for 12 months or more if the lease contains a termination provision allowing the Board of Trustees to terminate the lease on 12 months' notice.

### **Disposal of Personal Property**

13. If the Board of Trustees intends to sell personal property that has a value of more than \$10,000, it shall:
  - a. Obtain two or more current independent appraisals of the market value of the property,
  - b. Conduct the sale by tender or public auction, and
  - c. Advertise the sale at least twice in a newspaper circulating in the District prior to the sale
  
14. If the Board of Trustees intends to sell personal property that has a value of less than \$10,000, it shall:
  - a. Follow the procedures outlined in Regulation 13 above or
  - b. Follow such other procedures as may be approved by the Superintendent of Schools or designate.

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