

Disposal of School Board Land or Improvements

When land or improvements owned by the Board (collectively "the Real Property") becomes surplus to the needs of the School District, the surplus property may be disposed of in accordance with the School Act, applicable Ministerial Orders and this Policy and related Regulations.

The Board has the responsibility for the disposal of its Real Property and may, after considering future educational needs and school space requirements for the School District, deem a property no longer required for further educational purposes or other Board purposes and determine to proceed to dispose of such property. In accordance with the School Act and applicable Ministerial Orders, the Board must not dispose of land or improvements by sale or transfer in fee simple or by way of lease of ten years or more unless such disposal is provided for in the Disposal of Land or Improvements Ministerial Order M193/08 or is approved by the Minister. The Board can dispose of land or improvements by way of lease, other than a lease of ten years or more if such disposition is to an agency or organization for an alternative community use.

The procedure to dispose of Real Property by sale or transfer in fee simple or by way of lease of 10 years or more is as follows:

1.0 Determination of Ownership

1.1 Prior to initiating the disposal of any Real Property, the Board will engage in its own due diligence to conduct a title search to confirm that the property is registered in the name of the Board of Education of School District No. 38 (Richmond) with fee simple ownership. The title search should include a determination as to whether or not the Real Property is held in trust by grant from the Crown, or subject to any registered charges.

2.0 Consultation

2.1 Once ownership has been determined in accordance with 1 above, prior to disposing of Real Property, the Board shall undertake, with stakeholders, local governments, community organizations and/or the public, such consultations as the Board may consider appropriate with respect to the Real Property involved. This consultation process shall include:

- 2.1.1 Consideration of future enrolment growth in the School District, including K-12, adult programs and early learning;
- 2.1.2 Consideration of alternative community use of surplus space in school buildings and other facilities;
- 2.1.3 A fair consideration of the community's input and adequate opportunity for the community to respond the Board's plan for the Real Property.

