

## 330: DISPOSAL OF DISTRICT PROPERTY OR FACILITIES (P)

Approved: 86 07 08

Amended: 05 10 11

Amended: 09 09 22

Amended: 18 05 -8

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### **POLICY**

**Where the Board of Education determines that any given land and/or facility is surplus to current future needs, the Board must seek the approval of the Minister prior to disposing of the property by sale, lease or land exchange in whole or in part, unless the sale or lease is to another School Board, the Conseil Scolaire Francophone or an independent school.**

**When disposing of land and/or facilities, it will follow a public process consisting of established guidelines.**

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### **REGULATIONS**

#### **1.0 MINISTER OF EDUCATION APPROVAL PROCESS**

The formal request to the Minister of Education must address the following issues:

1. 1 Verification that the school closure was completed in accordance with the School Opening and Closure Notice.
1. 2 Description of the exceptional circumstances compelling the Board to request Ministerial approval.
1. 3 Confirmation the property will not be required for K-12, new educational initiatives or early learning programs.
1. 4 Description of broad consultation that was undertaken with respect to the proposed disposal.
1. 5 Property appraisal by two licensed appraisers with statement of expected purchase price.
1. 6 Description of how the property was acquired including:
  - State of Title Certificate
  - Title Search Print
  - Address and Legal Description
  - Site plan clearly showing property

#### **2.0 LAND AND MAJOR FACILITIES DISPOSAL**

If Ministerial approval is received, the following guidelines will apply for disposing of the surplus land and/or facilities:

- 2.1 After appraisal, the land and/or facility will be listed with a licensed realtor to be advertised for sale or advertised by the Board through a Request for Proposal (RFP).
- 2.2 If the Board chooses to sell the property through a realtor, as part of the listing contract, a large "For Sale" sign must be clearly placed on the property. The listing contract shall also specify that the property must be well advertised in local news media for at least three (3) consecutive weeks.
- 2.3 When the requests for proposals (RFP) method is chosen to dispose of property, the Board shall:
  - i) Ensure a sign advertising the property is clearly posted.
  - ii) Ensure that the RFP is published in local newspapers for at least three (3) consecutive weeks).
  - iii) The Board may deal and negotiate with parties who have expressed interest in the land and/or buildings without further public notice.
  - iv) If the Board does not conclude a sale or lease within one year of the final RFP notice, the Board will either list the property with a licensed Realtor or reinstate the sale through RFP process.
- 2.4 Acceptance or rejection of any offers or proposals will be subject to Board consideration.
- 2.5 Once the Board has determined a successful purchaser/proposer, a Board Bylaw authorizing the disposal will be made pursuant to Section 65 (5) of the School Act.
- 2.6 Notification of the Minister of Education will be made pursuant to the Disposal of Land or Improvements Order.