

DISPOSAL OF LAND AND IMPROVEMENTS

The Board of Education acknowledges that from time to time certain lands and improvements may become surplus to the needs of the District. In these circumstances, the Board may consider the disposal of these surplus land and improvements.

Before considering any possible disposal of lands or improvements, the Board will determine whether such lands or improvements are surplus to the District's educational needs. In making such determination, the Board will:

- consider and comply with any guidance or direction from the Ministry responsible for K-12 public education in British Columbia;
- undertake with Rightsholders, partners, local governments, community organizations and / or the public, such consultations as the Board deems appropriate with respect to the lands or improvements involved.

The Board may rely upon the consultation process undertaken with a decision to close a school in making its decision whether such lands or improvements are surplus to the District's educational needs.

A consultation process shall include, as appropriate:

- consideration of future enrolment growth in the District, including K-12, adult programs and early learning;
- consideration of alternative community use of surplus space in school buildings and other facilities; and
- fair consideration of the community's input and adequate opportunity for the community to respond to the Board's possible plan for the lands or improvements.

When District lands or improvements have been designated as surplus, every effort should be made to dispose of that asset in a manner consistent with Ministry direction, and where such land or improvements are to be disposed of, the Board will generally seek to secure the maximum financial benefit to the District having regard for the nature of the entity acquiring the lands or improvements.

Where the Board has determined that any given land and / or facility is surplus to District needs and should be disposed of, the following will apply, unless circumstances otherwise warrant:

1. The Board shall obtain an appraisal of the property by an independent professional appraiser to obtain an estimate of the fair market value of the land and / or improvements;
2. The Board shall, subject to the terms of this policy, offer such surplus land and improvements assets for sale to the general public, unless such disposal is to another Board or institution for educational purposes or as otherwise approved by the Minister.

Policy 5.51

3. Authority to dispose of the surplus asset shall be delegated to the Secretary-Treasurer to negotiate the terms for such disposition and who will establish the process for its disposal, which shall be consistent with the intent of this Policy.
4. Final approval of any disposition shall be subject to Board approval;
5. Any disposal shall be implemented by Board bylaw made pursuant to Section 65(5) of the *School Act*; and
6. Notification to the Minister of Education will be made pursuant to the Disposal of Land or Improvements Order.

Reference: *School Act* [RSBC 1996, Section 65(5) and 96; Ministerial Order 193/08