



# Huron-Superior Catholic

## DISTRICT SCHOOL BOARD

### PROCEDURAL GUIDELINES COMMUNITY PLANNING AND PARTNERSHIPS

#### PREFACE

Ontario's school closure moratorium was announced in June 2017 by the Education Minister after several school boards underwent accommodation reviews. The moratorium remains in place, thus preventing the Board from undertaking any new Pupil Accommodation Review processes until the Ministry implements new Pupil Accommodation Review Guidelines and the Policy updated accordingly to reflect those changes. The following policy remains in effect, however, as it contains other provisions that are still active and relevant.

#### PURPOSE

*The Community Planning & Partnerships Policy (3005) and Procedural Guidelines* implements the *Community Planning and Partnerships Guideline* released by the Ministry of Education in March 2015. A copy of the policy and procedures as well as a list of available space and/or co-building opportunities are posted on the Huron-Superior Catholic District School Board website and available, through the Plant Department.

The Huron-Superior Catholic District School Board, while supporting the achievement and safety of students, strives to:

- reduce facility operating costs;
- improve services and supports available to students;
- strengthen relationship between the board, community partners and the public;
- maximize the use of public infrastructure through increased flexibility and utilization, and
- provide a foundation for improved service delivery for communities.

The Board will continue to follow Ontario Regulation 444/98 – Disposition of Surplus Real Property regarding the lease or sale of surplus assets, to co-build facilities with other entities, and to enter into a variety of facility partnerships through a license or a joint use agreement. As part of its Capital Plan, the Board annually shall identify which open and operating schools have unused space and may be suitable for facility partnerships.

## OVERVIEW

Cooperative and collaborative relationships between boards and community organizations are part of the foundation of a strong, vibrant and sustainable education system. The Community Planning and Partnership Guideline has eight components.

### **1. IDENTIFICATION OF CPP OPPORTUNITIES IN BOARD PLANNING**

School boards are expected to have capital plans that address the future needs of their students. Areas of enrolment growth and decline should be presented. Plans should include 3 enrolment projections, school capacity, renewal needs, potential consolidations and the construction of new schools or additions, including significant renovations.

Boards are expected to share this planning information with community partners so that external entities may have sufficient time to respond to presented opportunities. These opportunities may include participation in a facility partnership or contribution to land-use or green space/park plans. Boards are expected to include information related to their CPP policy and discussions with community organizations in school information profiles when undertaking the accommodation review process.

Where unused space is declared surplus, boards will continue to follow the circulation process outlined in O. Reg. 444/98. Where the unused space in open and operating schools is not surplus, but is available for partnership, or where the partnership opportunity involves new construction, the information will be provided to potential partners through the notification process outlined in Section 3 below.

The Board will post on its website information regarding:

- the intention to build new schools
- the intention to undertake significant renovations, and
- information regarding unused space in open and operating schools and the Board Office

### **2. REVIEW OF BOARD CPP POLICIES**

The Huron-Superior Catholic District School Board will undertake long-term capital and accommodation planning informed by relevant information obtained from local municipal governments and potential community partners. Long-term enrolment projections and planning opportunities for the effective use of excess space in all area schools will take into account opportunities for partnerships with other school boards and appropriate organizations. Such partnerships must be financially sustainable, safe for students and staff, and protect the core values and objectives of the board.

This information should be updated at least once a year in the case of space in existing schools, and as needed in the case of co-building opportunities. The board will also post

on its website the name and contact information of the staff member at the board who will respond to questions regarding facility partnerships throughout the year.

The suitability of facility partners shall be determined by criteria including the following:

- the use of facilities is consistent with the Board Mission, Vision and Values;
- the use of facilities is in compliance with the Education Act and Board policy;
- the health and safety of students and staff must be protected;
- the partnership must be appropriate for school setting, and
- the partnership must not compromise student achievement.

### **3. CPP NOTIFICATION PROCESS**

The Plant Department will post information on the Board website, under the Plant Services tab, regarding its intention to build new schools and to undertake significant renovations, as well as information regarding unused space, in open and operating schools and administrative buildings, that is available for facility partnerships. This information will be updated at least once per year in the case of space in existing facilities, and as needed in the case of co-building opportunities. The board will post the name and contact information of the staff member who will respond to questions regarding facility partnerships throughout the year.

#### *Facilities - Surplus Space*

For surplus space being offered for sale the board will follow the circulation process outlined in O. Reg. 444/98.

#### *Facilities - Non-Surplus Space*

Where the unused space in open and operating schools is not surplus, but is available for partnership, or where the partnership opportunity involves new construction, the information will be provided to potential partners through the notification process outlined below.

The notification should be supported by a board resolution.

The Plant Manager will create a notification list of potential partners who will be notified when key information regarding community planning or facility partnerships is changed or updated. The notification list will address the following requirements:

Entities listed in Ontario Regulation 444/98 - Disposition of Surplus Real Property, and will include:

- all applicable levels of municipal government (single, upper, lower tiers);
- applicable District Social Services Administration Board(s) or Consolidated Municipal Service Manager(s);
- applicable Public Health Boards, Local Health Integration Networks and Children's Mental Health Centres;
- board may prioritize their notification list as they see fit;

- if child care operators or government-funded organizations request it, they will be added to the notification list, and
- the board may add any other entity to their notification list based on their CPP policy.

The board will provide information about the available space to the entities on the notification list including size, location, facility amenities and required renovations, if needed. *Community Planning & Partnerships Policy (3005)*.

Entities may then express their interest in using the space. Senior Administration will evaluate the expressions of interest to select partner(s) based on the *Community Planning and Partnerships Policy (3005)*. The board may enter into a license of joint use agreement. Approval from the Minister of Education may be required depending on the provision under the Education Act allowing the transaction.

#### **4. PLANNING FOR AN ANNUAL CPP MEETING**

The Board will hold at least one meeting per year to discuss potential planning and partnership opportunities with the public and community organizations. Additional staff-level meetings may be held to discuss additional information with relevant entities. The Board will notify both the entities on their notification list and the general public about the annual meeting.

During the annual CPP meeting, the Board will provide/present all or a portion of the board's capital plan, details of any schools deemed eligible for facility partnerships, relevant information available on their website and any supplementary CPP information. This information will be shared either during the public meeting or during the optional staff-level meeting, as appropriate.

When inviting entities on the notification list to the annual meeting, the Board must clearly request that organizations prepare to bring relevant planning information, including but not limited to, population projections, growth plans, community needs, land-use and green space/park requirements. The Board will listen to what needs or plans community partners may have. The invitation list, the entities in attendance at the annual CPP meeting and any information exchanged will be formally documented by the board.

The CPP meeting may be a stand-alone meeting or may be held as part of a scheduled board meeting. As the Board covers a large geography, it may consider holding meetings in more than one community over time.

#### **5. BOARD PLANNING PRIOR TO A PUPIL ACCOMMODATION REVIEW**

In addition to the annual CPP meeting, the Board will continue discussions with affected municipalities and other community organizations as they explore options to address underutilized space issues in schools with specific areas of the Board. These

discussions will inform proposals that the board staff may present to the Board of Trustees, including recommendations to undertake a pupil accommodation review process.

As part of these discussions with community organizations, the Board will obtain a clear indication of any community planning and partnership opportunities in areas where a pupil accommodation review may take place. Additionally, the Board will request technical information from the local municipality or municipalities where a planned pupil accommodation review will occur. This technical information is to be specified by the board and can include, but is not limited to, population and future development projections in the area. *Pupil Accommodation Review Policy and Guidelines (4022)* are considered during this process.

## **6. CONSIDERATION FOR CO-BUILDING OPPORTUNITIES FOR COMMUNITY PARTNERS**

As part of the planning process, when considering building a new school or undertaking a significant addition or renovation, the Board will notify the entities on their notification list 1 to 3 years prior to the potential construction start date. The Board will provide as much information as possible about their plans and the site to support potential partners in determining the project's suitability to their purposes.

The notification will be supported by a board resolution. The Board does not need to have an identified source of funding or Ministry approval when they notify their partners of their plan or intention to build. Similarly, plans to build may be contingent on board decisions that have not yet been made.

Once notified, entities may express their interest in co-building with the Board. The Board will then evaluate the expressions of interest to select partner(s) based on its CPP policy. The Minister's approval may be required depending on the provision under the *Education Act* authorizing the transaction. Partnership agreements cannot be finalized until both the board and the partner(s) have an approved source of funding. Requests for Ministry funding and requests for transfer from reserve approvals are expected to reflect the board has already solicited interest from partners. The Ministry prefers that the board and facility partners have ownership of their respective portions of the facility, where the portions are sizeable.

The Board will encourage community partners to provide notification to the Board when community partners have proposals or plans to build their own new facilities. The Board should enable community partners to provide this information directly or during the facility partnership-related public meetings held by the board. When building or renovating schools, the Board and the Ministry often have deadlines related to student accommodation needs or funding parameters. The Board is expected to make their timelines clear to potential partners and may establish policies to ensure that timelines are maintained.

## **7. CONSIDERATION FOR SHARING UNUSED SPACE WITH COMMUNITY PARTNERS**

Underutilized open and operating school and administrative facilities will be reviewed for their suitability for partnership, in alignment with the board's mission, vision and values, based on the following criteria:

- the facility is 60 percent utilized (or less) for two years and/or have 200 or more unused pupil places;
  - space needs of existing educational programming and initiatives has been taken into consideration;
  - student and staff safety will not be compromised;
  - student achievement will not be compromised;
  - pupil accommodation has been taken into consideration;
  - the partnership will be in compliance with zoning and site use restrictions;
  - facility condition is suitable, or will be addressed at the partner's cost;
  - configuration of existing space is suitable or will be altered at the partner's cost;
- and
- there is an ability to separate the student space from the partner space.

If the space is both suitable for facility partnerships and is available for the long-term, the Board is expected to consider declaring the space surplus and circulating it for lease through O. Reg. 444/98. If the space is suitable for facility partnerships but is not surplus to board needs, the Board is expected to follow the notification process outlined in the *Guideline*. This notification should be supported by a board resolution. The Board is expected to provide information about the available space, including but not limited to size, location, facility amenities, and required renovations, if needed.

Entities may then express their interest in using the space. The Board will evaluate the expressions of interest to select partner(s) based on their CPP policy. The Board then may enter into a license or joint use agreement. The Minister's approval may be required depending on the provision under the *Education Act* allowing the transaction.

## **8. PARTNERSHIP AGREEMENT AND COST-RECOVERY**

The Board is responsible for providing clear instructions to potential partners regarding their rights and responsibilities as tenants, including maintenance standards and the applicability, or the lack thereof, of board user policies, including accessibility and inclusiveness policies. The Board is responsible for ensuring proper legal agreements that respect the *Education Act* and protect their rights.

The Board is not expected to take on additional costs to support facility partnerships, although the board will continue to use their discretion in supporting partnerships based on their student achievement strategy. On a cost-recovery basis, the fees charged to partners should cover the operations and capital cost, including administrative costs and property taxes (if applicable), to the board of the space occupied by the partner.

Additional costs to perform minor renovations to protect student safety, provide appropriate washrooms, and otherwise make the space suitable for use by facility partners should be borne by the partners. Financial expectations should be made clear to potential partners in the Board's policy.

In co-building, partners will be required to pay for and finance their share of construction, including a proportional share of joint-use or shared space. The board will continue to be expected to build within Ministry space and funding benchmarks for the board portion of the facility.

The Director of Education shall ensure the provision of proper legal agreements to potential partners that respect the Education Act and protect the rights of the board and will include clauses regarding but not limited to:

- Terms of the Agreement;
- Cost sharing;
- Hours of operation;
- Improvements to the building;
- Insurance and liability;
- Terms of termination;
- Mediation in event of conflict, and
- Other clauses as deemed applicable