

POLICY COMMITTEE

Wednesday November 11, 2015
Education Centre, Level 3, Room 308

AGENDA

1:00 p.m.

1. Call to Order T. White
2. Approval of the Agenda
3. Correspondence received from the Parent Involvement Committee (PIC)
 - Letter regarding the Community Planning & Facilities Partnerships
 - Letter regarding the Pupil Accommodation Review

ENGAGEMENT:

4. Community Planning & Facilities Partnerships - draft for approval

FINANCE & ADMINISTRATION:

5. Pupil Accommodation Review – draft for approval, post-consultation
6. Property Disposition – post committee discussion from October
7. Next Policy Meeting: Wednesday December 9, 2015
 - First Nation, Metis and Inuit Education – policy review
 - Community Involvement Hours – draft for consultation
 - Election Campaigns – draft for consultation
8. Adjournment

HWDSB
Parental Involvement Committee

October 30, 2015

HWDSB

Policy Committee

Dear Policy Committee

Re: Community Planning and Facility Partnerships Consultation

Hamilton-Wentworth District School Board Parent Involvement Committee (PIC) believes that providing direct input into draft HWDSB policies is an important component of our advisory role. Members of the committee meet on a monthly basis to respond to current policy consultations. We endeavour to submit to you a consensus summary however, when we are unable to reach consensus, it will be noted in our letter to you. We are pleased to submit the following feedback related to the above noted consultation.

We find the Purpose, Guiding Principles, Intended Outcomes, Responsibility, Terminology, Action Required, Progress Indicators clear and in line with current Board practices.

The general strengths of the Policy include the emphasis on student safety and that it precludes groups that do not share our mission statement, values etc.

We have no suggestions for Improvement.

Our other comments would include the need for staff to thoroughly study the recovering capital costs through rental only arrangement. Does this exclude many non-profit groups?

Respectfully submitted by

Kevin Baglole, PIC Chair and Margaret Reid, PIC Vice-Chair

on Behalf of the Parent Involvement Committee

HWDSB
Parental Involvement Committee

Oct. 30, 2015

HWDSB Policy Committee

Dear Policy Committee

Re: Pupil Accommodation Review Consultation

Hamilton-Wentworth District School Board Parent Involvement Committee (PIC) believes that providing direct input into draft HWDSB policies is an important component of our advisory role. Members of the committee meet on a monthly basis to respond to current policy consultations. We endeavour to submit to you a consensus summary however, when we are unable to reach consensus, it will be noted in our letter to you. We are pleased to submit the following feedback related to the above noted consultation.

We have no comments on Policy Sections including: Purpose, Guiding Principles, Intended Outcomes, Responsibility, Terminology, Action Required, Progress Indicators as we find these in line with current Board operations.

The general strengths of the Policy include that there is provisions for a detailed transition plan. We believe that the smaller number of committee members may make this process easier and allow it move more quickly. We like that the Trustees make final decision – as it takes pressure off local reps.

We believe that the ARC will practice informed decision making and we applaud this as a positive for its functioning. We stress that all stakeholders are made aware, including rental groups of the school.

Our suggestions for Improvement include ensuring that community groups renting space should also be made aware fully of the ARC process.

Respectfully submitted by

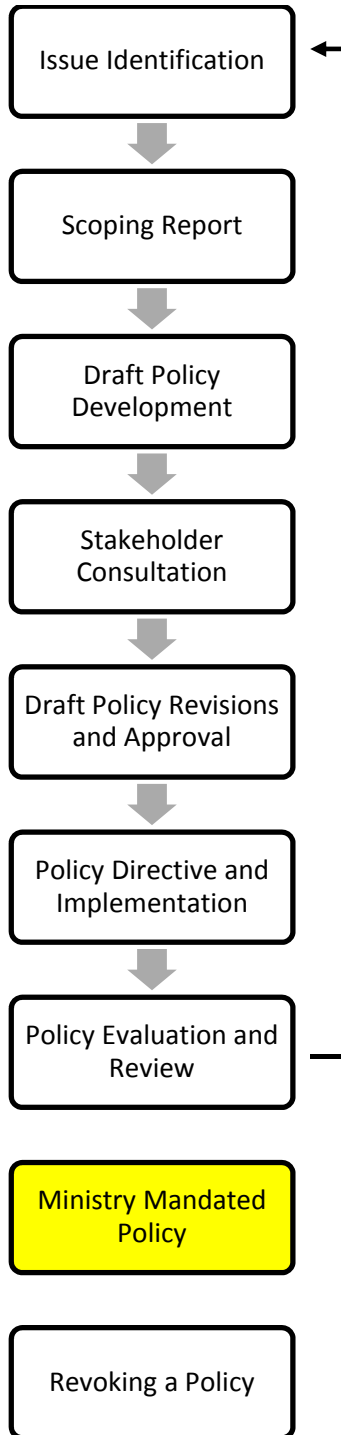
Kevin Baglole, PIC Chair and Margaret Reid, PIC Vice-Chair

on Behalf of the Parent Involvement Committee

POLICY COMMITTEE

Title: **Community Planning and Facility Partnerships**

Pillar Policy: Engagement



Recommended Action:

That the Community Planning and Partnerships Policy and Directive be recommended for approval.

Background:

The Facility Partnership Guideline was introduced by the Ministry of Education in 2010. The purpose of the guideline is to encourage boards to work with their community partners in order to share facilities to the benefit of boards, students and the community, and to optimize the use of public assets owned by school boards. HWDSB adopted its current Facilities Partnership Policy in June 2012.

In March of this year, the Ministry updated its guidelines to align with the *Pupil Accommodation Review Guidelines*.

The Ministry expects that boards will review underutilized open and operating schools and administrative facilities for their suitability for partnership, based on criteria outlined by the board.

The draft policy came before the committee on May 27 and again on June 3.



Policy No.

Community Planning and Facility Partnerships

Date Approved:
Projected Review Date:

PURPOSE:

Hamilton-Wentworth District School Board (HWDSB) believes that cooperative and collaborative relationships between school boards and community partners are part of the foundation for a strong, vibrant and sustainable publicly funded education system.

HWDSB is committed to focusing on opportunities to share facilities with community partners when building new schools or undertaking significant additions and/or renovations, when considering the use of underutilized space in schools, and when considering properties associated with schools that may close and sites that may be considered for future disposition.

GUIDING PRINCIPLES:

- Support the achievement and safety of students.
- Organization does not conflict with HWDSB mission, vision and values.
- Maximize the use of excess school space.
- Pursue creative initiatives to generate operating dollars or reduce operating costs.
- Improve services, programs and supports available to students.
- Strengthen relationships between HWDSB and community partners and the public.
- Provide a foundation for improved service delivery for communities.
- Pursue community facility partners who can meet HWDSB partnership criteria requirements.
- Facility Partners at a minimum will pay the full cost of operating their space, unless otherwise decided upon by the Board.

INTENDED OUTCOMES:

- Develop facility partnership agreements with appropriate community partners. Such agreements may be developed when the Board has identified underutilized space in schools, or when the Board is planning to build new schools or undertake significant additions and/or renovations to schools.

RESPONSIBILITY:

Director of Education
Members of Executive Council

TERMINOLOGY:

Facility Partnership Agreement: A legal document that outlines the terms and conditions of the facilities partnership, and complies with all existing Hamilton-Wentworth District School Board policies and procedures. The agreement is signed by both/all parties prior to implementation.

Facilities: Buildings and properties owned by Hamilton-Wentworth District School Board.

Long-Term Facilities Master Plan: A comprehensive planning document illustrating the condition and utilization of current facilities, and possible accommodation solutions designed to enhance student achievement.

Notification List: A list of eligible potential and existing partners, established according to Ontario Regulation 444/98, but not limited to those identified by the regulation.

Partnerships: Mutually beneficial and supportive arrangements between the Board and business, labour, community and government agencies.

Community Partners: community non-profit or profit entities expressing interest in participating in facility use partnership agreements that are deemed eligible by the Board.

ACTION REQUIRED:

Selection of space in schools

Through the Long-Term Facilities Master Plan, HWDSB will be able to forecast which facilities may be suitable for facility partnerships.

In order for schools to be able to accommodate a partnership, they must meet the following criteria:

- Space not required for Board programming
- Student safety
- Accessibility needs of the partner
- Zoning and site use restrictions
- Facility condition
- Availability of required amenities and/or support space
- Any other criteria as determined by the Board

Community Planning and Facility Partnership Notification Process

Space available for partnership consideration will be identified in the Board's Long-Term Facilities Master Plan. Following the presentation of the plan, available unused space and potential capital construction projects will be identified on Hamilton-Wentworth District School Board's website, and circulated to entities including but not limited to those listed in Ontario Regulation 444/98 and HWDSB's community partners. Information will include timelines for facility partnership agreements.

HWDSB will hold a public meeting annually to discuss potential planning and partnership opportunities with the public and community organizations.

In addition to the annual public meeting, HWDSB will continue discussions with The City of Hamilton and other community partners to explore options to address underutilized space issues in schools. These discussions will inform proposals that staff may present to the Board of Trustees, including recommendations to undertake a pupil accommodation review process.

As part of the planning process, when considering building a new school or undertaking a significant addition or renovation, HWDSB will notify the entities including but not limited to those listed in Ontario Regulation 444/98, one to three years prior to the potential construction start date in order to provide these organizations the opportunity to co-build with HWDSB.

Selection criteria

Notwithstanding the screening process, the Board has a responsibility to consider the value of facility partnerships to students. The following requirements must be met:

- Health and safety of students must be protected.
- Partnerships must be appropriate for the school setting.
- Partnerships must not compromise the Board's student achievement strategy.
- Partnerships will exist on a cost-recovery basis to the Board.
- Entities that provide competing education services such as tutoring services, JK-12 private schools or private colleges, and credit offering entities that are not government funded, are not eligible partners.

In addition to the above, the partner must:

- Agree to operate in accordance with Board policies.
- Be willing to enter into a lease, license, or joint-use/facility partnership agreement.
- Be able to bear the costs of minor renovations to protect student safety, provide appropriate washrooms and otherwise make the space suitable for use by the partner.

Screening of partners

Due diligence is key to the screening of potential partners. Before entering into a facility partnership there is a need for the Board to assess what the expectations are of the partnering organization and to determine that the partnering organizations meet the community standard for a suitable association with the school and/or Board. Screening will include but may not be limited to:

- The reason for the organization's interest in partnering with the school and/or the Board;
- The organization's ownership and history;
- The nature of product or service of the partnering organization;
- The key contact within the partnering organization;
- The authority of the key contact to bind that organization; and
- The financial status of the organization.

PROGRESS INDICATORS:

Intended Outcome	Assessment
Develop facility partnership agreements with appropriate community partners. Such agreements may be developed when the Board has identified unused space in schools, or when the Board is planning to build new schools or undertake significant additions and/or renovations to schools.	<p>The status of community partnerships within HWDSB schools will be provided through the annual update of the Facilities Long-Term Master Plan.</p> <p>Staff and other costs and the return on investment.</p>

REFERENCES:**Government Documents**

Accessibility for Ontarians with Disabilities Act (2005)
 Accessibility Standards for Customer Service
 Community Use of Schools Program
 Declining enrolment Working Group Report (2009)
 Early Learning Memo 12: Regulatory Amendments for Full Day Junior Kindergarten and Kindergarten and
 Extended Day Programs
 Education Act: Section 183
 Section 194
 Section 196: Subsection 171
 Ministry of Education Community Planning and Partnerships Guideline
 Ministry of Education Pupil Accommodation Review Guideline.
 Ontario Equity and Inclusive Education Strategy
 Ontario Regulation 444/98
 School Facilities Inventory System

HWDSB Strategic Directions

Achievement Matters
 Engagement Matters
 Equity Matters

HWDSB Policies

Accessibility Standards for Customer Service Administrative Memo P5 – Alterations to Plant
 Community Engagement Policy
 Community Use of Board Facilities
 Diversity and Equity Pillar
 Engagement Pillar
 Equity
 Finance and Administration Pillar
 Nutrition
 Occupational Health and Safety
 Partnership
 Procurement
 Property Disposition Protocol
 Public Consultation
 Pupil Accommodation Review
 Safe Schools Pillar
 Facility Sponsorship



Community Planning and Facility Partnerships Directive

Directive for Policy X.X

Projected Review Date:

RATIONALE:

Facilities Partnerships between Hamilton-Wentworth District School Board (HWDSB) and community partners can maximize the use of public infrastructure, reduce facility operating costs for the Board, provide a foundation for improved service delivery for communities within the District, strengthen the relationship between HWDSB, community partners and the public, and ultimately improve services, programs and supports available to students.

HWDSB will have ongoing dialogue with The City of Hamilton and other community organizations to explore options to address underutilized space issues in schools within specific areas of the board. These discussions will inform proposals that staff may present to the Board of Trustees, including recommendations to undertake a pupil accommodation review process.

TERMINOLOGY:

Facility Partnership Agreement: A legal document that outlines the terms and conditions of the facilities partnership, and complies with all existing Hamilton-Wentworth District School Board policies and procedures. The agreement is signed by both/all parties prior to implementation.

Facilities: Buildings and grounds owned by Hamilton-Wentworth District School Board.

Long-Term Facilities Master Plan: A comprehensive planning document illustrating the condition and utilization of current facilities, and possible accommodation solutions designed to enhance student achievement.

Notification List: A list of eligible potential and existing partners, established according to Ontario Regulation 444/98, but not limited to those identified by the regulation.

Facility Partnerships: Mutually beneficial and supportive arrangements between the Board and business, labour, community and government agencies.

Partners: community non-profit or profit entities expressing interest in participating in facility use partnership agreements that are deemed eligible by the Board.

PROCEDURES:

1.0 Identification of Potential Spaces

- 1.1 The Manager of Planning, Accommodation and Rentals will identify where new schools or additions may be needed; which schools will remain well-utilized; which open and operating schools may have unused space; and which schools may be candidates for consolidation or closure.
- 1.2 This information will be used to identify facilities that may be suitable for facility partnerships with respect to new construction and unused space in schools. This information also provides an opportunity to consider potential surplus properties in which community partners may be interested.
- 1.3 The Manager of Planning, Accommodation and Rentals will identify facilities that can accommodate partnerships based on the following criteria:
 - Space not required for Board programming
 - Student safety
 - Accessibility
 - Zoning and site use restrictions
 - Facility condition
 - Availability of required amenities and/or support space
 - Any other criteria as determined by the Board

2.0 Communication to the Community

- 2.1 Planning and Accommodation will share the results of the Identification of Potential Spaces with community partners, including but not limited to, those listed in Ontario Regulation 444/98.
- 2.2 Planning and Accommodation, in conjunction with Corporate Communications, will post information on HWDSB's website regarding:
 - any intention to build new schools
 - any intention to undertake significant renovations
 - information about unused space in open and operating schools and administrative buildings.
- 2.3 Information about available space in schools for facility partnerships will be updated on the website annually, following the yearly update on the Long-Term Facilities Master Plan.
- 2.4 Information about co-building opportunities will be updated on the website as needed.
- 2.5 The Manager of Planning, Accommodation and Rentals will be listed on the website as the contact for information and questions regarding facility partnerships.

3.0 Annual Planning and Facility Partnership Meeting

- 3.1 Planning and Accommodation will hold an annual public meeting to discuss potential planning and facility partnership opportunities.

- 3.2 Invitations will be sent directly to community entities, including, but not limited to, those listed in Ontario Regulation 444/98.
- 3.3 When inviting entities on the notification list to the annual meeting, the invitation 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
- 3.3 The meeting will be posted on HWDSB's website for the public.
- 3.4 The invitation list, the entities in attendance and all correspondence exchanged at the meeting will be formally documented

4.0 Notification to Community Partners

- 4.1 Planning, Accommodation and Rentals will notify entities on the notification list, when HWDSB is considering building a new school or undertaking a significant addition or renovation.
- 4.2 Entities on the notification list will be notified of the consideration to build a new school or undertake a renovation one to three years prior to the potential construction start date.
 - 4.2.1 The notification requires Board of Trustee approval through the LTFMP.
- 4.3 Planning, Accommodation and Rentals will evaluate the expressions of interest to select partner(s) based on the policy.
- 4.4 Planning, Accommodation and Rentals will make all timelines clear to potential partners and will ensure that timelines are maintained.
- 4.5 Partnership agreements cannot be finalized until both HWDSB and the partner(s) have an approved source of funding.

5.0 Sharing Space with Community Partners

- 5.1 If identified space is both suitable for facility partnerships and is available for the long-terms, Planning, Accommodation and Rentals will consider declaring the space surplus and circulating it for lease through O. Reg. 444/98.
- 5.2 If the space is suitable for facility partnerships but is not surplus to board needs, Planning, Accommodation and Rentals will follow the notification process outlined in section 4.0 of this directive.
- 5.3 Planning, Accommodation and Rentals will provide information about the available space, including, but not limited to, size, location, facility amenities and required renovations, if needed.

- 5.4 Planning, Accommodation and Rentals will evaluate the expressions of interest to select partners.

6.0 Facility Partnership Agreements and Cost-Recovery

- 6.1 Partners will be provided with clear instructions of 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.
- 6.2 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 space occupied by the partner
- 6.3 In co-building, partners will be required to pay for and finance their share of construction, including a proportional share of joint-use or share space.

7.0 Decision to Proceed/Not or Proceed with the Facility Partnership

- 7.1 If a decision not to proceed with the Facility Partnership, the Manager of Planning, Accommodation and Rentals will inform the applicant.
- 7.2 If a decision to proceed with the Facility Partnership is made, the Manager of Planning, Accommodation and Rentals will prepare the required documentation (e.g. construction agreement, lease agreement, etc.) for the Superintendent of Business.

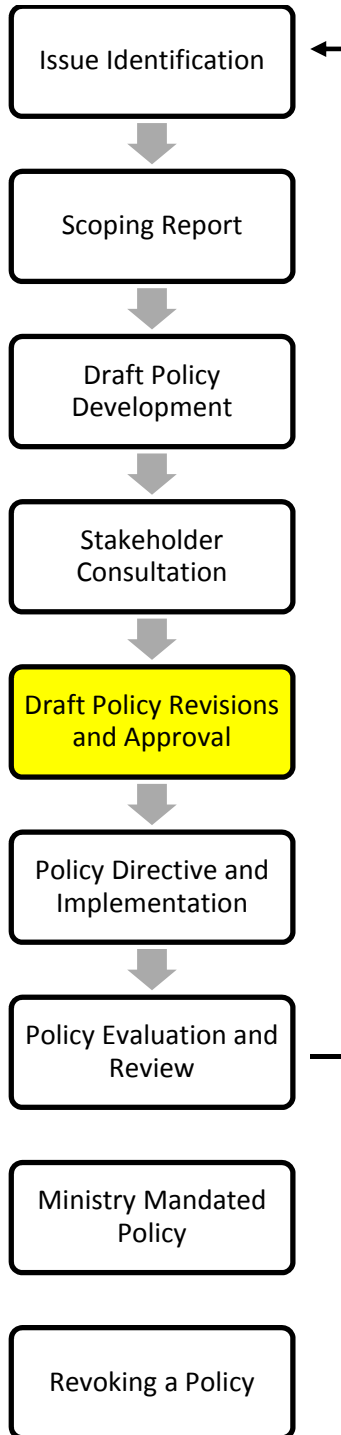
8.0 Monitoring the Policy

- 8.1 HWDSB staff will monitor the resources expended (e.g. staff) as a result of the revised policy.

POLICY COMMITTEE

Title: **Pupil Accommodation Review**

Pillar Policy: **Finance and Administration**



Recommended Action:

That the Pupil Accommodation Review Policy be recommended for approval.

Background:

This draft policy is based on the new Ministry Pupil accommodation Review Guidelines (PARG) that was released in March 2015.

The PARG has undergone a significant transformation. School boards are required to amend their pupil accommodation review policies prior to initiating any accommodation reviews.

The draft policy, directive and terms of reference came before the policy committee on May 27 and again on June 3rd, where it was approved for public consultation.

The consultation ran from June 12 to October 16.

Based on the feedback received through the consultation, staff is not suggesting any changes be made to the policy, directive or terms of reference.



Pupil Accommodation Review

Date Approved:

Projected Review Date:

PURPOSE:

Hamilton-Wentworth District School Board (HWDSB) ensures that where decisions are made by the Board of Trustees regarding the future of a school, the decision is made with the involvement of an informed local community.

These decisions are made by HWDSB Trustees in the context of carrying out their primary responsibilities of fostering student achievement and well-being, and ensuring effective stewardship of school board resources.

HWDSB is responsible for providing schools and facilities for students and for operating and maintaining these schools and facilities as effectively as possible to support student achievement.

The Pupil Accommodation Review Policy meets and exceeds the Pupil Accommodation Review Guideline established by the Ministry of Education.

GUIDING PRINCIPLES:

Prior to an accommodation review, HWDSB is committed to:

- Investigate alternate accommodation strategies that support the key criteria listed below - such as:
 - boundary reviews and program reallocation to effectively fill space;
 - removal of sections of schools to reduce operating costs;
- Pursue community facility partners who can meet HWDSB partnership criteria requirements
- Advocate for fair and equitable funding from the Ministry of Education to support quality teaching and learning environments;
- Pursue creative initiatives to generate operating dollars or reduce operating costs; and
- Maintain an up-to-date Long-Term Facilities Master Plan.

The key criteria of accommodation reviews include, but are not limited to:

- Student achievement
- School board financial viability/sustainability
- Student well-being
- The Guiding Principles as defined in HWDSB's Long-Term Facilities Master Plan.

INTENDED OUTCOMES:

That the Board of Trustees make an informed decision regarding the future and renewal of a family of schools, through consultation with the involvement of an informed local community, based on a broad range of criteria including, but not limited to:

- The impact of the current and projected enrolment on program delivery and the operation of the school(s).
- The current physical condition of the school(s) and any repairs or upgrades required to ensure optimum operation of the building(s) and program delivery.
- The impact on the student, HWDSB, the community, local municipal governments and community partners.

RESPONSIBILITY:

Director of Education
Members of Executive Council

TERMINOLOGY:

Advisory Committee: A committee made up of community members to provide the Board with advice from the community on specific Board policies or programs.

Family of Schools: A group of schools that may be included as part of the accommodation review process based on their ability to address the overall accommodation issues.

Final Staff Report: A staff report capturing the accommodation review process, consultations and recommendations to the Board of Trustees for their review and decision.

Initial Staff Report: A report to the Board of Trustees outlining the rationale and scope of a potential accommodation review.

Long-Term Facilities Master Plan: A comprehensive planning document illustrating the condition and utilization of current facilities, and possible accommodation solutions designed to enhance student achievement.

Modified Accommodation Review Process: In certain circumstances, where potential pupil accommodation options are deemed by the Trustees to be less complex, Trustees may find it appropriate to undertake a modified pupil accommodation review process.

Pupil Accommodation Review Terms of Reference: Outlines the mandate, role, membership, operating procedure, reference criteria and meetings of the Advisory Committee.

School Information Profile: An orientation document with data for each of the schools under a pupil accommodation review to help the Advisory Committee and the community understand the context surrounding the decision to include the specific school(s) in a pupil accommodation review.

Identified Community Partners: A list of potential and existing partners of HWDSB, which consists of business, labour, community and government agencies.

ACTION REQUIRED:

In order to assist and prepare the Advisory Committees for their role as conduits to the local community, Board staff will maintain operating procedures that outline, but are not limited to:

- The mandate of the Advisory Committee

- How a pupil accommodation review is initiated
- Initial information provided to the Advisory Committee
- The *Final Staff Report* to the Board of Trustees
- Transition Planning

Based on this policy, staff will implement the *Pupil Accommodation Review Terms of Reference (TOR)* to guide the Advisory Committees. The *TOR* will include:

- Mandate and Role of the Advisory Committee
- Membership of the Advisory Committee
- Operation of the Advisory Committee
- Working meetings
- Public meetings
- Capital planning objectives and partnership opportunities

Mandate of the Advisory Committee

The Advisory Committee's mandate is to ensure that the Board of Trustee decision and the information to support staff's option, regarding an accommodation review, are with the involvement of an informed local community and is based on a broad range of criteria regarding the quality of the learning experience for students.

The Advisory Committee is empowered to provide input, through the process of discussions and inquiries on HWDSB staff options and information provided to them in the *Initial Staff Report*.

Membership of the Advisory Committee

The Advisory Committee should consist, at a minimum, of the following persons:

- One (1) parent/guardian representative from each of the schools under review, chosen by their respective School Council and/or Home & School Association;
- One (1) teaching representative from each school under review;
- One (1) community member with no child/ward currently attending HWDSB schools (at a minimum one per advisory committee). Central process or adjusted as appropriate. Endeavour to select members that are reflective of the school(s) community.

Accommodation Review Timelines

- HWDSB staff will meet with the City of Hamilton and community members upon annual Board of Trustee approval of the next year's accommodation review schedule of the LTFMP and prior to the creation of an *Initial Staff Report*;
- Trustees will approve, through the *Initial Staff Report*, the start of an accommodation review, the schools under review and the membership of the Advisory Committee;

- Following the date of the Board of Trustees' approval to launch a pupil accommodation review, HWDSB will provide written notice of the Board of Trustees' decision within five business days to the City of Hamilton and other identified community partners;
 - The written notice will include an invitation for a meeting to discuss and comment, as well as the opportunity to provide a written response, on the recommended option(s) in the school board's *Initial Staff Report* before the final public meeting;
 - HWDSB will notify the Director(s) of Education of their coterminous school boards and the Ministry of Education through the office of the Assistant Deputy Minister of the Financial Policy and Business Division;
- The *Initial Staff Report* and *SIP* will be made available to the public and posted on the Board's website.
- Beginning with the date of the Board of Trustees' approval to conduct a pupil accommodation review, there must be no fewer than 30 business days before the first public meeting is held;
- There must be a minimum period of 40 business days to a maximum of 60 business days between the first and final public meetings;
- The *Final Staff Report* must be presented to Trustees at the earliest available board meeting, but no fewer than 10 business days after the final public meeting;
- The *Final Staff Report* must be posted to the Board Website;
- From when the *Final Staff Report* is presented at a Board meeting, there must be no fewer than 10 business days before the public delegations;
- There must be no fewer than 10 business days between public delegations and the final decision of the Board of Trustees.

Modified Accommodation Review

The Ministry's *Pupil Accommodation Review Guideline* state, "In certain circumstances, where the potential pupil accommodation options available are deemed by Trustees to be less complex," HWDSB may undertake a *Modified Pupil Accommodation Review* process – see *Ministry Pupil Accommodation Review Guideline, March 2015* for details.

Exemptions from the Accommodation Review Process

The following are **not** actions to which the Pupil Accommodation Review Policy applies:

- where a replacement school is to be rebuilt by the Board on the existing site, or rebuilt or acquired within the existing school attendance boundary as identified through the Board's existing policies;
- where a replacement school is to be built by the Board on the existing site, or built or acquired within the existing school attendance boundary and the school community must be temporarily relocated to ensure the safety of students and staff during the reconstruction, as identified through the Board's policy;

- when a lease is terminated;
- when the Board is planning the relocation (in any school year or over a number of school years) of grades or programs, in which the enrolment constitutes less than 50% of the school's enrolment (this calculation is based on the enrolment at the time of the relocation, or the first phase of a relocation carried over a number of school years);
- when the Board is repairing or renovating a school, and the school community must be temporarily relocated to ensure the safety of students during the renovations;
- where a facility has been serving as a holding school for a school community whose permanent school is over-capacity and/or is under construction or repair; or
- where there are no students enrolled at the school at any time throughout the school year.

PROGRESS INDICATORS:

Intended Outcome	Assessment
The impact of the current and projected enrolment on the operation of the school(s) and on program delivery	Assessment from Advisory Committee, HWDSB staff, delegations, partners, individuals to Trustees. <i>Initial Staff Report</i> and <i>SIP</i> to Trustees – provides existing enrolment history and 10 year projections, by program; and accommodation option(s) 10-year enrolment projections by program.
The current physical condition of the school(s) and any repairs or upgrades required to ensure optimum operation of the building(s) and program delivery	Assessment from Advisory Committee, HWDSB staff, delegations, partners, individuals to Trustees. <i>Initial Staff Report</i> and <i>SIP</i> to Trustees – provides existing condition of schools; and accommodation option(s) impact on school conditions and capital renewal (where applicable).
The impact on the student, HWDSB, the community, local municipal governments and community partners (in order of importance).	Assessment from Advisory Committee, HWDSB staff, delegations, partners, individuals to Trustees. <i>Initial Staff Report</i> and <i>SIP</i> to Trustees – provides existing status of student program enrolments, HWDSB operational observations, government and community partnerships; and accommodation option(s) impact on students, HWDSB, government and community partnerships.

REFERENCES:

Government Documents

Administrative Review of Accommodation Review Process, Ministry of Education
 Community Planning and Partnership Guideline, Ministry of Education (March 2015)
 Pupil Accommodation Review Guideline, Ministry of Education (March 2015)

HWDSB Strategic Directions

Achievement Matters

Engagement Matters

Equity Matters

HWDSB Policies

Long-Term Facilities Master Plan

Pupil Accommodation Review Policy Directive

Pupil Accommodation Review Terms of Reference



Pupil Accommodation Review Directive

Directive for Policy X.X Pupil Accommodation Review

Projected Review Date:

RATIONALE:

The Ministry of Education's *Pupil Accommodation Review Guideline* recognizes that, "pupil accommodation reviews include a school or group of schools to facilitate the development of viable solutions for pupil accommodation that supports the (Ministry) guiding principles." Hamilton-Wentworth District School Board's elementary schools are generally organized in groups, and linked to a secondary school, referred to as a Family of Schools. The goal of providing a suitable and equitable range of learning opportunities in a school or a group of schools requires monitoring and active curriculum and programming decisions. Decisions that might require consolidation, closure or major program relocation should take into account the needs of all the students in all of the schools in a particular group. However, there may be circumstances in which a single school should be studied for closure.

The *Pupil Accommodation Review Guideline* states that, "School boards may proceed to establish a pupil accommodation review only after undertaking the necessary assessment of long-term capital and accommodation planning options for the school(s)" and that this planning be "informed by any relevant information obtained from local municipal governments and other community partners" through the *Community Planning and Partnership Guideline* (March 2015). Any decisions under this policy should therefore take into account HWDSB's Long-Term Facilities Master Plan (LTFMP).

TERMINOLOGY:

Advisory Committee: A committee made up of community members to provide the Board with advice from the community on specific Board policies or programs.

Family of Schools: A group of schools that may be included as part of the accommodation review process based on their ability to address the overall accommodation issues.

Final Staff Report: A staff report capturing the accommodation review process, consultations and recommendations to the Board of Trustees for their review and decision.

Initial Staff Report: A report to the Board of Trustees outlining the rationale and scope of a potential accommodation review.

Long-Term Facilities Master Plan: A comprehensive planning document illustrating the condition and utilization of current facilities, and possible accommodation solutions designed to enhance student achievement.

Modified Accommodation Review Process: In certain circumstances, where potential pupil accommodation options are deemed by the Trustees to be less complex, Trustees may find it appropriate to undertake a modified pupil accommodation review process.

Pupil Accommodation Review Terms of Reference: Outlines the mandate, role, membership, operating procedure, reference criteria and meetings of the Advisory Committee.

School Information Profile: An orientation document with data for each of the schools under a pupil accommodation review to help the Advisory Committee and the community understand the context surrounding the decision to include the specific school(s) in a pupil accommodation review.

PROCEDURES:

1.0 Initiation of a Pupil Accommodation Review

- 1.1 As described in the Community Planning & Partnership Guidelines (CPPG), “School boards are expected to have capital plans that address the future needs of their students.” For HWDSB, capital planning is captured through the Long-Term Facilities Master Plan. The CPPG describes parameters on capital plans.
- 1.2 HWDSB staff will meet with the City of Hamilton and community members upon the annual approval of the LTFMP and prior to the creation of an *Initial Staff Report*.
- 1.3 The process for determining whether to bring forth an *Initial Staff Report* for approval to initiate an accommodation review will begin with a review of the Board’s existing accommodations. The review should be undertaken by the Senior Facilities Officer in collaboration with Manager of Planning, Accommodation and Rentals in accordance with the Board’s most recent Long-Term Facilities Master Plan. Further consultation with Executive Council will be included.

The review is to consider, at a minimum:

- The impact of the current and projected enrolment on the operation of the school(s) and on program delivery;
 - The current physical condition of the school(s) and any repairs or upgrades required to ensure optimum operation of the building(s) and program delivery.
 - The impact on the student, HWDSB, the community, local municipal governments and community partners.
- 1.4 In the event that a review of the Board’s existing accommodations indicates an accommodation review may be required, an *Initial Staff Report* shall be brought forward, through the Director, to the Board of Trustees. The *Initial Staff Report* will include approval to launch an accommodation review, the schools under review, and the membership of the Advisory Committee;
 - 1.4.1 The *Initial Staff Report*, “must contain one or more options to address the accommodation issue(s).” The option(s) must address the following:
 - summary of accommodation issue(s) for the school(s) under review;
 - where students would be accommodated;
 - if proposed changes to existing facility or facilities are required as a result of the pupil accommodation review;
 - identify any program changes as a result of the proposed option;
 - how student transportation would be affected if changes take place;

- if new capital investment is required as a result of the pupil accommodation review, how the school board intends to fund this, as well as a proposal on how students would be accommodated if funding does not become available; and
- relevant information obtained from the City of Hamilton and other community partners prior to the commencement of the pupil accommodation review, including any confirmed interest in using the underutilized space.

1.4.2 Each recommended option must also include a timeline for implementation.

1.4.3 The *Initial Staff Report* will be made available to the public, as determined in HWDSB's policy and posted on the website following the decision to proceed with a pupil accommodation review by the Board of Trustees.

2.0 Initiation of a Modified Pupil Accommodation Review

2.1 The Ministry's *Pupil Accommodation Review Guideline* state, "In certain circumstances, where the potential pupil accommodation options available are deemed by Trustees to be less complex," HWDSB may undertake a *Modified Pupil Accommodation Review* process – see *Ministry Pupil Accommodation Review Guideline, March 2015* for details.

3.0 Information to the Advisory Committee

3.1 HWDSB shall provide the Advisory Committee with a copy of this Directive, the Pupil Accommodation Review Policy and the Pupil Accommodation Review Terms of Reference, which describes its mandate.

3.2 Prior to the commencement of any Advisory Committee, Board staff may revise the *Terms of Reference* if such revisions are warranted.

3.3 In accordance with the *Pupil Accommodation Review Guideline*, a *School Information Profile (SIP)* will be prepared by Board staff for each of the school(s) under review. The SIP(s) are orientation documents to help the Advisory Committee and the community understand the context surrounding the decision to include the specific school(s) in a pupil accommodation review. The SIP will include data that addresses the following two considerations about the school(s) under review:

- Value to the Student; and
- Value to the School Board.

3.4 The completed SIP(s) will be provided to the Advisory Committee prior to its first working meeting. The SIP will include the following:

- Information profiling the school(s) located within the area of the accommodation review. The profiles address the facility, instructional and school use.

3.5 The Advisory Committee will review the completed SIP(s) and have the opportunity to request clarification on the SIP(s) should they require it. If there are multiple schools under review, the framework of the SIP will be the same for each school under review.

- 3.6 Staff may introduce additional items to SIPs that could be used to reflect local circumstances and priorities, which may help to further understand the school(s) under review.

4.0 The Final Staff Report

- 4.1 Board staff will prepare a report (*Final Staff Report*) for the *Director of Education*, which will be presented to the Board of Trustees in public session at a regularly scheduled meeting or a special meeting as identified in Section 7.0 – Timelines.
- 4.2 As per the *Pupil Accommodation Review Guideline*, the *Final Staff Report* “must include a Community Consultation section that contains feedback from the Advisory Committee and any public consultations as well as any relevant information obtained from municipalities and other community partners prior to and during the pupil accommodation review.”

5.0 Delegations to the Board of Trustees

- 5.1 In addition to the public input sought through the work of the Advisory Committee, the Board of Trustees allows an opportunity for members of the public to provide feedback on the *Final Staff Report* through public delegations.
- 5.2 Notice of the public delegation opportunities will be provided based on HWDSB policy.
- 5.3 Delegations will be presented to the Board of Trustees in public session at a regularly scheduled meeting or a special meeting as identified in Section 7.0 – Timelines.
- 5.4 Board staff will compile feedback from delegations and present them to the Board of Trustees.

6.0 Decision of the Board of Trustees

- 6.1 As per the *Pupil Accommodation Review Guideline*, “The Board of Trustees has the discretion to approve the recommendation(s) of the *Final Staff Report* as presented, modify the recommendation(s) of the *Final Staff Report*, or to approve a different outcome.”

7.0 Timelines

Action	Timeline
Board Accommodations (Long-Term Facilities Master Plan Update)	Annually
Presentation of the <i>Initial Staff Report</i> to Board	As a result of the review of Board LTFMP
Decision to establish an Advisory Committee	As a result of the approval of the <i>Initial Staff Report</i>
Establishment of the membership of the Advisory Committee	Following the decision to approve the <i>Initial Staff Report</i> and commence an accommodation review
Municipality and community partner notice of Board decision to establish an accommodation review	Within five (5) business days of decision* of Trustee approval of the <i>Initial Staff Report</i>

Action	Timeline
First Working Group Meeting	As scheduled by HWDSB Senior Administration
First Public Meeting	Not before a minimum of 30 business days* from the date of the approval of the <i>Initial Staff Report</i>
Final Public Meeting	Minimum of 40 days, and maximum of 60 days, between first public meeting and final public meeting*
Additional Public Meeting/s (if required)	As scheduled by the Advisory Committee
Delivery of <i>Final Staff Report</i> to Board of Trustees	Earliest available Board meeting, but not before 10 business days after final public meeting
Public Delegations	Not before 10 business days after the report is presented at a Board meeting
Notice of decision by Trustees on School Accommodation Review	Not before 10 business days after public delegations

* Calendar days that are not a weekend or statutory holiday. It also does not include calendar days that fall within school boards' Christmas, spring and summer break.

8.0 Transition Planning

- 8.1 If the Board of Trustees' decision is consolidation, closure or major program relocation, the following school year will be used to plan for and implement the Board's decision, except where the Board in consultation with the affected community, decides that earlier action is required. The Board decision will set clear timelines regarding consolidation, closure or major program relocation. A transition plan will be communicated to all affected school communities within the school board. A separate advisory group will be established to address the transition for students and staff of the affected schools.

9.0 Administrative Review of the Accommodation Review Process

- 9.1 An individual or group may seek a review of the Board's accommodation review process in accordance with the Ministry's document entitled *Administrative Review of Accommodation Review Process* which is appended to this Policy as Appendix - C and posted on the Board's website and available at the Education Centre upon request.
- 9.2 In accordance with the *Administrative Review of Accommodation Review Process*, an individual or group seeking a review of the Board's accommodation review process is required to demonstrate the support of a portion of the school community through the completion of a petition signed by a number of supporters equal to at least 30% of the affect school's student headcount (e.g., If the headcount is 150, then 45 signatures would be required). Parents/Guardians of students and/or other individuals that participated in the accommodation review process are eligible to sign the petition.



Pupil Accommodation Review Terms of Reference

The Terms of Reference were developed in accordance with the Ministry's *Pupil Accommodation Review Guidelines* (March 2015).

1.0 Mandate of the Advisory Committee

- 1.1 The Advisory Committee's mandate is to ensure that the Board of Trustee decision and the information to support staff's option, regarding an accommodation review, are with the involvement of an informed local community and is based on a broad range of criteria regarding the quality of the learning experience for students.
- 1.2 The Advisory Committee is empowered to provide input, through the process of discussions and inquiries on HWDSB staff options and information provided to them in the *Initial Staff Report*.

2.0 Role of the Advisory Committee

- 2.1 With school valuation as its focus and the Board's strategy for supporting student achievement, the Advisory Committee role is to act "as the official conduit for information shared between the school board and the school communities" with respect to a school or group of schools being reviewed for the Board of Trustees' consideration and decision.
 - 2.1.1 The Advisory Committee shall review accommodation options and supporting data identified in the *Initial Staff Report*, communicate the information to their community, capture the community voice and relay the information back to the Advisory Committee and HWDSB Staff, and provide local context to the accommodation review process.
- 2.2 The Advisory Committee "may comment on the *Initial Staff Report* and may, throughout the pupil accommodation review process, seek clarification of the *Initial Staff Report*."
- 2.3 The Advisory Committee "may provide other accommodation options than those in the *Initial Staff Report*; however, it must include supporting rationale for any such option."
- 2.4 The Advisory Committee "members do not need to achieve consensus regarding the information provided to the Board of Trustees."
- 2.5 The Advisory Committee is charged to act as the official conduit for information shared between the school board and the school communities with reviewing information for the following schools:

[Insert List of School(s)]

3.0 Membership of the Advisory Committee

- 3.1 The Advisory Committee should consist, at a minimum, of the following persons:
- One (1) parent/guardian representative from each of the schools under review, chosen by their respective School Council and/or Home & School Association;
 - One (1) teaching representative from each school under review;
 - One (1) community member with no child/ward currently attending HWDSB schools (at a minimum one per advisory committee), who is reflective of the school(s) community. Central process or adjusted as appropriate.
- 3.2 The Advisory Committee may include one (1) student leader from each school under review to participate (only applicable to secondary accommodation reviews).
- 3.3 The Advisory Committee membership will be deemed to be properly constituted whether or not all of the listed members are able to participate.
- 3.4 Written invitation (letters to school council, letters sent home with students) to participate on the Advisory Committee will be issued following the Board of Trustees' consideration of the *Initial Staff Report* but prior to the first public meeting. There will be a deadline date for acceptance. No response by that date will be considered as non-acceptance.
- 3.5 HWDSB will invite potential Advisory Committee members from the school(s) under review to an orientation session that will describe the mandate, roles and responsibilities, and procedures of the Advisory Committee.
- 3.7 Recognizing the value of the Advisory Committee's contribution to the Board's ability to provide quality educational opportunities for its students, Advisory Committee members must be prepared to make a commitment to attend all, or nearly all of the working meetings and public meetings.
- 3.8 In the event that an Advisory Committee member is unable to commit to attending all, or nearly all of the meetings, the Advisory Committee Chair has the authority to address the attendance issue and recommend a solution.
- 3.9 The Advisory Committee will have resource support available to provide information when requested or to provide expertise not already within the Advisory Committee. The following people are available resources:
- The Advisory Committee Chair as appointed by Executive Council;
 - The Trustee(s) of each school(s) under review;
 - The Trustee(s) of associated schools;
 - The Superintendent(s) of Student Achievement for each school(s) under review;
 - The Principal from each school under review;
 - Administrative support for minute taking;

- By way of invitation, a local City Councilor (or designate);
- Dedicated resource staff to enable the Advisory Committee to understand the issues that exist and to provide:
 - support to ensure compliance with the Board's policy and procedure;
 - information relevant to the mandate of the Advisory Committee as requested by the Advisory Committee; and
 - information relevant to the mandate of the Advisory Committee to support community questions or requests.

3.10 If the Advisory Committee Chair sees a need for additional expertise or if additional expertise is requested by the Advisory Committee, guest Advisory Committee resources may be invited to attend specified meetings (i.e. students, HWDSB staff, community leaders) as agreed by the Advisory Committee members.

4.0 Operation of the Advisory Committee

4.1 Executive Council will be responsible for appointing the Chair of the Advisory Committee.

The Advisory Committee Chair is responsible for:

- Convening and chairing Advisory Committee meetings;
- Managing the development of the process according to the Advisory Committee mandate and the *Terms of Reference*; and
- Coordination of the activities of the Advisory Committee, requesting support, resources and information relevant to the Advisory Committee's mandate from the HWDSB staff.

4.2 A School Information Profile (SIP), as part of the *Initial Staff Report*, for each affected school necessary to permit the Advisory Committee to carry out its mandate will be provided prior to the Advisory Committee's first working meeting.

4.3 For each affected school, the SIP will include the following and will be made available to the public via a posting on the Board's website and in print format at the Education Centre upon request:

- The section of the Board's most recent Long-Term Facilities Master Plan that deals with the area(s) under review; and
- At a minimum, facility, instructional and school use information as per the *Ministry Pupil Accommodation Review Guideline* (PARG) regarding the schools identified within the area under review – see *Section VIII* of the PARG.

4.4 The Advisory Committee will meet as often as required to review all pertinent data and prepare for public meetings – minimum of two (2) public meetings.

4.5 The Advisory Committee shall determine a schedule of the dates, times and location of meetings as per Pupil Accommodation Review Policy No.3.8 and the Policy Directive.

- 4.6 Working meetings of the Advisory Committee may be held regardless of all members being present.
- 4.7 The Advisory Committee will complete its work within the timelines outlined in the Policy.
- 4.8 In the event that a member is unable to fulfill his/her duties on the Advisory Committee, the Principal of the affiliated school(s) working with the Chair of the Advisory Committee, may co-opt another representative. If a replacement cannot be found, the Advisory Committee will continue to function.
- 4.9 Board staff will respond to reasonable requests for additional information that has been requested by the Advisory Committee.
- 4.10 Requests for information in keeping with the Advisory Committee's mandate and in keeping with the schools under review will be provided by Advisory Committee Resource staff in a timely manner for the Advisory Committee's use. It may not always be possible to obtain responses to requests for information in time for the next scheduled meeting. If this occurs, Advisory Committee Resource staff will provide an estimated availability time.
- 4.11 All Advisory Committee meetings will be structured to encourage an open and informed exchange of views.

5.0 Working Meetings

- 5.1 Through working group meetings, the Advisory Committee shall review accommodation options and supporting data identified in the *Initial Staff Report*, communicate the information to their community, capture the community voice and relay the information back to the Advisory Committee and HWDSB Staff, and provide local content to the accommodation review process. Additionally, the Advisory Committee will assist on how the information is prepared and presented at each of the minimum two (2) public meetings. The materials prepared will support the objectives of this Terms of Reference.
- 5.2 The Advisory Committee may hold as many working meetings as is deemed necessary within the timelines established in HWDSB's *Pupil Accommodation Review Policy*.
- 5.3 Resource staff will work with the Advisory Committee to prepare all working meeting and public meeting agendas and materials. Meeting agendas and materials are to be made available by e-mail to the Advisory Committee members and posted on the Board's website when possible at least 24 hours in advance of the scheduled meeting.
- 5.4 Resource staff will ensure that accurate minutes are recorded. These minutes are to reflect the discussions that take place at working meetings and at public meetings. Advisory Committee meeting minutes will be posted to the Board's website after the minutes have been reviewed by the Advisory Committee. Both working and public meeting minutes will be included in the *Final Staff Report* to the Board of Trustees.
- 5.5 All information provided to the Advisory Committee is to be posted on the board's website and made available in hard copy if requested.
- 5.6 Working Meetings of the Advisory Committee shall be open to observation by the public.

6.0 Public Meetings

- 6.1 In addition to Advisory Committee working meetings, HWDSB resource staff will facilitate a minimum of two (2) public meetings. Public meetings will occur in one of the schools under review, provided the school is an accessible facility, or at an alternate facility within the local community. These meetings will be organized as follows:
- At the first public meeting, resource staff will, at a minimum, present:
 - an overview of the Advisory Committee orientation session - the Advisory Committee's role; outline how the Advisory Committee will operate; the data they received; and how they receive community input;
 - the Initial Staff Report with recommended option(s); and
 - the SIPs.
 - At the second and/or final public meeting, resource staff will present to the public, a draft of the *Final Staff Report* with its interim accommodation recommendation(s) and receive community input. Resource staff may make changes to the report based upon feedback at this meeting.
- 6.2 Senior administration will call the first public meeting no earlier than thirty (30) business days after the date of approval to launch a pupil accommodation review (by the Board of Trustees) and as established in HWDSB's *Pupil Accommodation Review Policy*.
- 6.3 Notice of the public meetings will be announced and advertised publicly by HWDSB staff through an appropriate range of media.

7.0 Capital Planning Objectives and Facility Partnership Opportunities

- 7.1 HWDSB staff is to outline its capital planning objectives for the area under review in order to provide the Advisory Committee with context for the accommodation review processes.
- Capital planning objectives and information will be captured through the Long Term Facilities Master Plan (*LTFMP*). The *LTFMP* addresses the future needs of HWDSB students. The *Initial Staff Report* will also address planning objectives and reflect HWDSB's strategy for supporting student achievement and well-being.
 - Capital planning objectives will take into account opportunities for partnerships in accordance with the *Community Planning and Partnerships Guideline* (March 2015). Planning information and imminent accommodation review proposals will be shared with community partners and the City of Hamilton staff prior to approval to commence with accommodation reviews.
 - The Board is to inform the Advisory Committee of such known or reasonably anticipated partnership opportunities, or lack thereof, at the beginning of the Advisory Committee process and captured in the *Initial Staff Report*.



Summary of Consultation Findings

A. Purpose of Consultation

Hamilton-Wentworth District School Board (HWDSB) believes in providing, operating and maintaining schools and facilities for students in an effective and efficient manner that supports student achievement. HWDSB also believes that cooperative and collaborative relationships between school boards and community partners are part of the foundation for a strong, vibrant and sustainable publicly funded education system.

HWDSB asked members of the public to comment on the Draft Pupil Accommodation Review and Community Planning and Facility Partnerships policies through the completion of an online survey, and/or by mailing or emailing written correspondence to HWDSB.

B. Respondent Characteristics

The online survey ran from June 12th to October 16th, 2015 and garnered a total of **29** responses. Of these responses, 16 respondents completed the entire survey, and 13 respondents did not complete the entire survey. All of the responses were submitted via the online survey. The majority of the responses came from parents/guardians (N=18, 62%), 21% (N=6) from HWDSB staff members, 14% (N=4) from community groups/members while 1 HWDSB student (3%) responded. 62% (N=18) of responses were received from respondents with children in an HWDSB school, while 21% (N=6) were received from individuals without children in an HWDSB school. Of those with children attending an HWDSB school, 33% (N=6) reported having one child, 39% (N=7) indicated having two children in an HWDSB school, and 28% (N=5) reported having 3 children attending an HWDSB school.

C. Limitations of the Consultation

Several limitations of the consultation are noteworthy. First, it is unknown whether the consultation respondents are representative of the HWDSB and the Hamilton community. Therefore it is unclear whether the responses summarized accurately reflect the opinions of members of the Hamilton and HWDSB communities. Second, the total number of responses should not be equated with total number of unique respondents as it is possible that the same person may have submitted the survey multiple times. It is therefore recommended that the results summarized herein are interpreted within the bounds of these limitations.

D. Summary of Findings

Members of the public were invited to provide feedback on the following areas of the Draft Pupil Accommodation Review policy: (1) provide comments/concerns regarding all sections of the policy, (2) comment on any strengths of the policy, (3) comment on how the policy could be improved, and (4) provide additional comments pertaining to the policy.

Members of the public were invited to provide feedback on the following area of the Draft Community Planning and Facility Partnerships policy: (1) provide comments/concerns regarding the guiding principles and action required sections of the policy.

Members of the public were invited to comment on whether they would be interested in attending discussion groups as a way to provide additional feedback on HWDSB policies.



Summary of Consultation Findings

E. Summary: Pupil Accommodation Review Policy

RESPONDENTS WERE ASKED TO COMMENT ON THE VARIOUS SECTIONS OF THE POLICY

- Across the various sections of the policy, 17% to 35% of responses indicated that the policy can be approved as written. Following is a breakdown of the percentage across individual sections of the policy:
 - Purpose: 24%
 - Guiding Principles: 28%
 - Intended Outcomes: 35%
 - Responsibility: 28%
 - Terminology: 24%
 - Action Required: 17%
 - Progress Indicator: 17%

RESPONDENTS INDICATED THE FOLLOWING STRENGTHS WITH REGARD TO THE POLICY

- The Policy identifies/clarifies processes (10%)
- The Policy is well-written, clear and easy to follow (7%)
- The document identifies important priorities (7%)
- Other strengths (7%):
 - There have been a few changes since the last consultation but not many.
 - The Policy addresses several of the problems/issues that came out of earlier ARCs.

RESPONDENTS INDICATED THE FOLLOWING AREAS OF IMPROVEMENT

POLICY SECTION: PURPOSE

- Too broad, general, and/or more detail needed (21%)
- Language is too technical, includes too much jargon (14%)
- Too narrow or specific, less detail needed (3%)
- Language is too basic (3%)
- Additional purpose needed (3%)
- Other comments (7%):
 - It is important to the public good to develop citizenship and effective stewardship
 - Clarify who the informed community members are in the Policy

POLICY SECTION: GUIDING PRINCIPLES

- Too broad, general, and/or more detail needed (14%)
- Language is too technical, includes too much jargon (3%)
- Language is too basic (3%)
- Additional guiding principles needed (3%)
- Other comments (7%):
 - Define student well-being, explain its impact on families and environment, and what/who it supports



Summary of Consultation Findings

RESPONDENTS INDICATED THE FOLLOWING AREAS OF IMPROVEMENT – Continued

POLICY SECTION: INTENDED OUTCOMES

- Too broad, general, and/or more detail needed (10%)
- Language is too basic (3%)
- Other comments (3%):
 - Clarify who the local community members are who will provide information

POLICY SECTION: RESPONSIBILITY

- Too broad, general, and/or more detail needed (14%)
- Other comments (3%):
 - Define responsibility. Are these the people who make the final decision? What are their responsibilities?

POLICY SECTION: TERMINOLOGY

- Language is too technical, includes too much jargon (7%)
- Too broad, general, and/or more detail needed (3%)
- Other comments (3%):
 - There does not appear to be any new terminology in this Policy other than Pupil Accommodation. It is not necessary to create a new document for one new term.

POLICY SECTION: ACTION REQUIRED

- Language is too technical, includes too much jargon (10%)
- Too broad, general, and/or more detail needed (7%)
- Additional action required needed (3%):
 - Creation, presentation and review of alternate solutions in ARC processes
 - Increase the school and community voice on advisory committees
- Edits required (3%):
 - Time periods are too short to allow for effective public engagement
- Other comments (7%):
 - Community voice is disempowered
 - Exemptions from the Policy are too broad in scope and allow the Board flexibility

POLICY SECTION: PROGRESS INDICATORS

- Too broad, general, and/or more detail needed (7%)
- Language is too technical, includes too much jargon (3%)
- Additional progress indicators needed (3%):
 - Specific indicators are required. Consider using EQAO scores as a baseline of student progress
 - Require data collection as part of the ARC and collect specific data
- Other comments (3%):
 - There are no specific indicators mentioned or required. There should be minimum data requirements stated.



Summary of Consultation Findings

RESPONDENTS PROVIDED THE FOLLOWING DETAILS WITH REGARD TO GENERAL EDITS TO THE POLICY

- Specify additional processes related to the Policy (10%)
- Need to add more details (3%)
- Consider additional priorities (3%)

RESPONDENTS PROVIDED THE FOLLOWING GENERAL COMMENTS WITH REGARD TO THE POLICY

Revisions to the Policy

- Include a glossary of terms for those who are not part of the education sector
- Delete the modified Review
- Remove the list of exemptions in the Policy
- Include statements about how this information will be shared with the public, how often it will be shared, and when public meetings are occurring.
- It's not perfect but it is a lot better than other ARC policies I have seen in the past.

Process Suggestions

- The Advisory Committee should retain more political power because they are drawn from local representation
- Lengthen timelines to allow for more consideration
- Ensure policies are easy to find on the board website
- The current Policy requires less community consultation. As a result, expect more disengagement from school communities and the public. The outcome of the process will continue to be driven by fiscal challenges, not by what is best for students.

F. Summary: Community Planning and Facility Partnership Policy

RESPONDENTS WERE ASKED TO COMMENT ON TWO SECTIONS OF THE POLICY

POLICY SECTION: GUIDING PRINCIPLES

- Respondents were asked if they agreed with the principles as written
 - Yes (14%) No (3%)
- Respondents were asked if the principles allow facility partnerships to be easily achieved
 - Yes (10%) No (7%)
- Respondents were asked to provide suggestions to improve the principles:
 - Loosen the requirements of the Board's partnership facility Policy
 - Absorb more of the partners' financial costs when renting or using Board facilities



Summary of Consultation Findings

RESPONDENTS WERE ASKED TO COMMENT ON TWO SECTIONS OF THE POLICY – Continued

POLICY SECTION: ACTION REQUIRED

- Respondents were asked if they agreed with the Action Required section, as written
 - Yes (17%) No (0%)
- Respondents were asked if the Action Required section allows facility partnerships to be easily achieved
 - Yes (14%) No (3%)
- Respondents were asked to provide suggestions to improve the Action Required section:
 - No feedback provided

G. Summary: Additional Feedback on Policy Consultations

RESPONDENTS WERE ASKED TO COMMENT ON ONE QUESTION

PROVIDING ADDITIONAL FEEDBACK

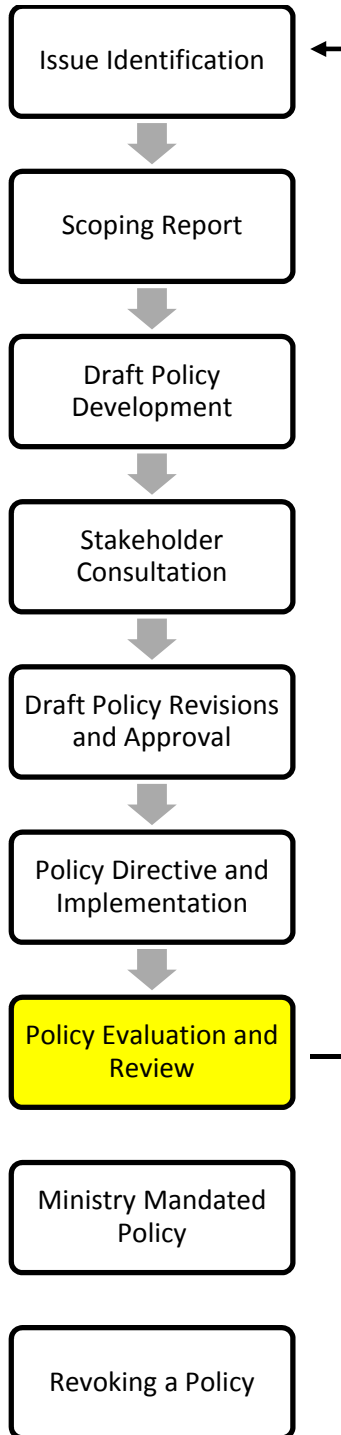
- Respondents were asked if they would be interested in attending discussion groups as a way to provide additional feedback on HWDSB policies
 - Yes (21%) No (7%)

This report was prepared by the Evidence-Based Education and Services Team (E-BEST).

POLICY COMMITTEE

Title: **Property Disposition**

Pillar Policy: **Finance and Administration**

**Recommended Action:**

That the Property Disposition policy be recommended for approval.

Background:

The Property Disposition Policy had been requested to come forward to the committee for discussion by the Chair of the Committee.

The policy was presented at the October policy meeting, where Trustees asked that Steps 2 and 3 be separated and require Board approval before implementing.

Attached is the revised policy and directive with the changes incorporated.



Property Disposition

Date Approved: Nov. 2013

Projected Review Date: Nov. 2017

PURPOSE:

Hamilton-Wentworth District School Board (HWDSB) recognizes that under section 194(3) of the Education Act, a board that has adopted a resolution that real property is not required for the purposes of the board, may sell, lease or dispose of the surplus property as governed by Ontario Regulation 444/98.

GUIDING PRINCIPLES:

HWDSB recognizes the need to demonstrate:

- Trustee fiduciary responsibility
- Effective public sector governance
- Transparent and timely communication

INTENDED OUTCOMES:

When HWDSB is disposing of entrusted property assets, the board will:

- Be in full compliance with all legislative and regulatory requirements;
- Clearly articulate directions and decisions in a timely fashion to the Preferred Agents as identified in Ontario Regulation 444/98 and the community at large;
- Adhere to the three phases of the property disposition process.

RESPONSIBILITY:

Director of Education
Members of Executive Council

TERMINOLOGY:

Disposition of Property. relates to an entire school and property; an administrative property; excess land on a piece of school property (on which a school will continue to operate); vacant land; and exchange of lands.

Preferred Agents as identified in Ontario Regulation 444/98: Prescribed Preferred Agents receiving proposals from HWDSB are listed in priority sequence.

- French Language Public District School Board
- English Language Separate District School Board (HWCDSD)
- French Language Separate District School Board
- The Board of a Protestant Separate School
- English Language College (Mohawk College)
- French Language College (College Boreal)
- University (McMaster)
- The Crown in right of Ontario
- Municipality (City of Hamilton)
- The Crown in right of Canada

ACTION REQUIRED:

When proceeding with the disposition of entrusted property assets the Board will adhere to the three phases of the property disposition:

Phase 1 – Public Notification Period (60-day period)

- Subject to Board approval, officially inform all Preferred Agents as listed under Regulation 444/98 and local communities in advance of potential real property disposition.

Phase 2 – Circulation to Preferred Agencies-Ontario Regulation 444/98 (90 day period)

- Following the adoption of a Board resolution declaring property surplus to the Board's needs and subject to Board of Trustee approval, Ontario Regulation 444/98 can be engaged, where the Board shall issue a Proposal to Sell real property to the Preferred Agencies.

Phase 3 – Sale of Property on the Open Market (3 year window from 90-day circulation expiry date)

- If the Board does not receive a bona fide Offer to Purchase through the 90-day circulation period to the Preferred Agencies and subject to Board and Ministry approval to dispose of the property to others, then the Board will be in a position to dispose of the surplus property at "fair market value" on the open market.

The processes in these phases are defined in the Property Disposition Policy Directive and Ontario Regulation 444/98.

PROGRESS INDICATORS:

Intended Outcome	Assessment
Be in full compliance with all legislative and regulatory requirements	Measured through the procedures as outlined within all legislative and regulatory requirements.
Clearly articulate directions and decisions in a timely fashion to the Preferred Agents as identified in Ontario Regulation 444/98 and the community at large.	Measured through method and date of notification.
Adhere to the three phases of the property disposition process.	Measured by the documentation required for each phase of the process.

REFERENCES:

Government Documents

Education Act

Ontario Regulation 444/98

HWDSB Strategic Directions

Achievement Matters

Engagement Matters

Equity Matters

HWDSB Policies

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Property Disposition Directive

Directive for Policy 3.12 Property Disposition

Projected Review Date: Nov. 2017

RATIONALE:

In addition to receiving funding from the Ministry of Education, the Board must rely upon the revenue generated from the sale of surplus property as an alternative funding option.

Under section 194(3) of the Education Act, a board that has adopted a resolution that real property is not required for the purposes of the board, may sell, lease or dispose of the surplus property as governed by Ontario Regulation 444/98.

The Hamilton-Wentworth District School Board (HWDSB) recognizes the need to maximize the efficacy of its relationship with the City of Hamilton and the local communities when disposing of surplus property and therefore; as part of the Board's commitment to operate in a professional and responsible manner, the HWDSB's property disposition process is completed in three phases. Phase 1 of the process is unique only to the HWDSB.

The purpose of the Property Disposition Directive is to ensure when the Board is disposing of entrusted property assets that Trustee fiduciary responsibility and effective public sector governance is clearly demonstrated; the Board is in full compliance with all Legislative and Regulatory requirements; directions and decisions are clearly articulated in a timely fashion to the Preferred Agents as identified in Ontario Regulation 444/98 and the Community at large; transparent and timely communication; and the three phases of the property disposition process is adhered to.

TERMINOLOGY:

Disposition of Property: (for this purposes relates to)

- An entire school and property;
- An Administrative property;
- Excess land on a piece of school property (on which a school will continue to operate);
- Vacant land;
- Exchange of Lands.

Preferred Agents as identified in Ontario Regulation 444/98: (Prescribed Preferred Agents receiving proposals from the Hamilton-Wentworth District School Board are listed in priority sequence)

- French Language Public District School Board
- English Language Separate District School Board (HWCDSD)
- French Language Separate District School Board
- The Board of a Protestant Separate School
- English Language College (Mohawk College)
- French Language College (College Boreal)
- University (McMaster)

- The Crown in right of Ontario
- Municipality (City of Hamilton)
- The Crown in right of Canada

Fair Market Value: The most probable price in terms of money which an estate (or interest) in real property should bring in a competitive and open market under conditions requisite to a fair and typical sale between a willing seller and willing buyer, each acting prudently and knowledgeable and assuring the price is not affected by undue stimuli. It is also often referred to as the most probable selling price.

Bona Fide Offer: A bona fide offer is one that is presented in a legal format and will become binding upon the Board's endorsement. A letter of understanding or intent to purchase, a Board or Council motion or any other form of expressed interest to purchase does not satisfy the legislative requirement and must be rejected.

PROCEDURES:

The three phases of the property disposition process is as follows:

Phase 1 - Public Notification Period - (60-day period)

- Subject to receiving Board of Trustees approval to commence Phase 1 of the Property disposition process on properties and facilities that have been identified as being for potential disposition;
- Key communication period is to officially inform all Preferred Agents as listed under Regulation 444/98 and local communities in advance of potential real property disposition;
- Post "Notice of Intent" sign on the property;
- Send Notice of Public Meeting to the Preferred Agencies listed under Regulation 444/98, area residents and post the notice on the Board's web site;
- Administration will hold a Public meeting to inform interested parties of the reason for the disposition, legal requirements under Ontario Regulation 444/98 and the respective roles for the Preferred Agents, the Board's intent for the property, use of the proceeds from the disposition, highest and best use for the property from a planning perspective, emphasize the importance and regulatory requirement of the Board to obtain "fair market value" for the disposition of the property and answer any questions from the interested parties;
- Administration will provide a report to Board detailing the outcome of the public meeting and make recommendations for consideration following the 60-day public notification period;
- The Board retains the right to alter the application of Phase 1 - Public Notification Period of the Property Disposition process.

Phase 2 - Circulation to Preferred Agencies-Ontario Regulation 444/98-(90 day period)

- Following the adoption of a Board resolution declaring property surplus to the Board's needs and subject to Board of Trustee approval, Ontario Regulation 444/98 can be engaged;
- The Board shall issue a Proposal to Sell real property to the Preferred Agencies;
- Preferred Agents have 90-days to submit a bona fide offer. No offers can be considered by the Board until the expiry of the 90-day circulation period;
- Bona fide offers to purchase received at the conclusion of the 90-day period must be dealt with in accordance with the regulatory requirements of Ontario Regulation 444/98;
- If no bona fide offers to purchase are received at the conclusion of the 90-day period then the Board must obtain Ministry approval prior to proceeding to Phase 3 and using alternative methods to dispose of surplus property to others;

- The Board is compelled to satisfy all of the conditions of Ontario Regulation 444/98 and has no authority to alter, deviate or change in any way the legislative requirements;
- Refer to Ontario Regulation 444/98 under the Education Act for the legislative requirements.

Phase 3 - Sale of Property - (3 year window from 90-day circulation expiry date)

- If the Board does not receive a bona fide Offer to Purchase through the 90-day circulation period to the Preferred Agencies; and,
- Subject to Board and Ministry approval to dispose of the property to others;
- The Board will be in a position to dispose of the surplus property at "fair market value" as guided by Administrative direction by way of:
 - Public tendering bid process (opening of tenders closed to the public);
 - Receive Offers to Purchase;
 - Publicly advertise and negotiate a sale;
 - Engage a professional Real Estate firm to sell on behalf of the Board;
 - Transact with an individual purchaser (single source purchaser) when dealing with a unique set of land or development circumstances;
- Administration will provide a report to the Board outlining the details of an acceptable Offer with a recommendation for their consideration;
- All property disposition transactions require:
 - Compliance with all provincial and municipal requirements
 - Professional market value assessment
 - Agreements and/or applications to be in a form satisfactory to the Board's solicitor
- Details regarding the sale of Board property is confidential and cannot be released to the public until the sales transaction has closed and title of ownership has been transferred.