



Policy Committee  
Thursday, April 10, 2025  
EC-340D & Virtual Meeting

**AGENDA: 6:00 p.m.**

1. Call to Order/Roll Call
2. HWDSB Land Acknowledgement
3. Approval of the Agenda
4. Review of the Policy Committee Workplan

**Policy Review:**

5. [Property Disposition](#)
6. [Transportation](#)
7. [Barrier-Free Physical Learning Environments](#)
8. Adjournment

**BE YOU. BE EXCELLENT.**

Subject:

Property Disposition

Executive Council Member Responsible:

Matthew Gerard  
Associate Director of Business Services & Board  
Treasurer



## BACKGROUND

The Committee initially reviewed the Property Disposition Policy in November and most recently in March. The policy committee has provided feedback to staff for consideration related to the exceptions list noted in the regulation, as well as including information relevant to the phases or steps to be taken when disposing of property (including where Board approvals are needed).

## RECOMMENDATION(S)

That the Property Disposition Policy be recommended for approval.

# Property Disposition

Date Approved: XXXX

Projected Review Date: XXXX

Page 1 of 4

## PURPOSE:

The Hamilton-Wentworth District School Board (HWDSB) is committed to offering equitable and sustainable learning environments for students. In alignment with the Long-Term Facilities Plan, the Board carefully evaluates the use of its facilities and properties through various partnerships and community accommodation strategies.

Following these considerations, the Board recognizes that under section 194 of the Education Act (the “Act”), if the Board declares that a property is not required for the purposes of the Board and adopts a resolution as such, the Board, may sell, lease, or otherwise dispose of a school site, part of a school site or other property of the Board through the discretionary disposition process, as governed by [Ontario Regulation 374/23: Acquisition and Disposition of Real Property](#).

## GUIDING PRINCIPLES:

HWDSB recognizes the need to demonstrate:

- Trustee fiduciary responsibilities
- Effective public-sector governance
- Transparent and timely communication
- Compliant property stewardship

## INTENDED OUTCOMES:

When HWDSB is disposing of, leasing or granting easements of entrusted real property assets, HWDSB will:

- Ensure accommodation and community engagement strategies are considered through the disposition process, where appropriate.
- Be in full compliance with all legislative and regulatory requirements within the Act and O. Reg. 374/23.

## RESPONSIBILITY:

Director of Education

Members of Executive Council

## TERMINOLOGY:

**Discretionary Disposition:** As per O. Reg. 374/23, HWDSB may sell, lease, or otherwise dispose of a school site, part of a school site or other property of HWDSB, with the Minister’s approval for the disposition, if HWDSB adopts a resolution that the property is not required for the purpose of the Board, or that the disposition is a reasonable step in a plan to provide accommodation for pupils.

**Easement:** Right-of-way, right or license to cross or otherwise use HWDSB lands for a specified purpose but does not include such an easement arising by operation of law.

# Property Disposition

Date Approved: XXXX

Projected Review Date: XXXX

Page 2 of 4

**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 knowledgeably, being the highest and best use for the property or interest in question. A site appraisal must be completed by an Appraisal Institute of Canada-accredited third-party appraiser.

**Mandatory Disposition:** If HWDSB has identified, through the reports and information required under section 193.1 of the Act, that a school site or other property of HWDSB is not currently being used and the site or property is not needed to meet HWDSB's current pupil accommodation needs or its pupil accommodation needs for the next 10 years, the Minister may direct HWDSB to sell the property. Minister direction does not require a Board resolution to proceed with disposition as the Board will be informed of the decision.

## ACTION REQUIRED:

When disposing of, leasing, or granting easements of entrusted property assets, HWDSB will adhere to the following:

- The Mandatory and Discretionary Disposition processes, including the granting of easements, as outlined in O. Reg. 374/23 will be followed.
- A Discretionary or Mandatory sale, lease or other disposition must be at fair market value, except as otherwise permitted or required by O. Reg. 374/23.

### Discretionary Disposition Process

1. Board adopts a resolution that a property is not required for the purposes of the Board (i.e. declared surplus).
2. Within 60 days of step 1, Board administration will hold a public Information Session as key communication for the local community.
3. Senior Business Official identifies through the Ministry Intake Form that the property is not required for the purposes of the Board (i.e. declared surplus).
4. Within 120 days of the property being listed through the intake form, the Minister shall,
  - a. identify the person or body to whom the property must be offered, if the Board intends to offer it to any person or body, or
  - b. inform the Board that it may offer the property to any person or body.
5. If the Minister directs the Board to offer the property to any person or body, the Board shall circulate to the following entities at the same time, with the list below considered the priority order for consideration of offers, prior to going to the open market:
  - a. City of Hamilton;
  - b. Indigenous Organizations
    - a. Metis Nation of Ontario Secretariat

# Property Disposition

Date Approved: XXXX

Projected Review Date: XXXX

Page 3 of 4

- b. Chiefs of Ontario
- c. Ontario Federation of Indigenous Friendship Centres
- d. Association of Iroquois and Allied Indians
- e. Nishnawbe Aski Nation
- f. Grand Council Treaty #3
- g. Union of Ontario Indians
- c. Affordable Housing providers within the City of Hamilton Development Charges By-Law

## Mandatory Disposition Process

1. Senior Business Official identifies through the Ministry Intake Process that a property is not currently being used and is not needed to meet the Board's current pupil accommodation needs or needs for the next 10 years.
2. The minister shall:
  - a. consider whether additional factors need to be considered or consultation needs to be completed before a decision can be made with respect to whether the property must be disposed of; and
  - b. after considering any additional factors and completing any consultation referred to in clause (a), notify the Board whether it is required to dispose of the property and if so, that the Board shall,
    - i. sell the property, or
    - ii. lease or otherwise.
3. Within 60 days of the Board receiving direction from the Ministry to dispose of a property, Board administration will hold a public Information Session as key communication service for the local community.
4. When the Board is directed to dispose of the property, within 120 days the Minister shall,
  - a. identify the person or body to whom the property must be offered, or
  - b. inform the Board that it must dispose of the property but may offer it to any person or body.
5. If the Ministry directs the Board to dispose of the property to any person or body, the Board will follow step 5 of the Discretionary Disposition Process above.

The processes are further defined in the Property Disposition Procedure and O. Reg. 374/23 as well as the prescribed time frames for notification or reporting to the Minister of Education for any acquisition or disposition.

Exceptions to the disposition of property process as identified by O. Reg. 374/23 includes:

- The property is disposed of to the City of Hamilton, or a local board of the City of Hamilton with the purpose of acquiring the land to provide one or more of the services described in subsection 2(4) of the *Development Charges Act, 1997*. These include water supply, waste water services, storm water drainage and control, highway, electrical power, some transit, policing and fire protection services.

# Property Disposition

Date Approved: XXXX

Projected Review Date: XXXX

Page 4 of 4

- The property is leased to a person or body whose purpose in acquiring the property is to occupy and use the property for the purposes of a child care centre, a child and family program, a third party program, or providing a children's recreation program as described under the Child Care and Early Years Act, 2014.

## PROGRESS INDICATORS:

Intended Outcome	Assessment
Ensure all accommodation and community engagement strategies are considered through the disposition process.	Measured through the analysis and accommodation strategies in the Long- Term Facilities Plan, and through various community engagement processes and feedback in the disposition procedure.
Be in full compliance with all legislative and regulatory requirements when disposing of, leasing, or granting easements of HWDSB real property.	Measured through the procedures as outlined within all legislative and regulatory requirements.

## REFERENCES:

### Government Documents

Education Act

Ontario Regulation 374/23

Subject:

Transportation

Executive Council Member Responsible:

Matthew Gerard  
Associate Director of Business Services & Board  
Treasurer



## BACKGROUND

The Transportation Policy has been reviewed as part of the policy review cycle with minor updates being made to language throughout the policy.

## RECOMMENDATION(S)

That the Transportation Policy be recommended for approval.

# Transportation

Projected Review Date: XXXX

## **PURPOSE:**

Hamilton-Wentworth District School Board (HWDSB) is committed to providing the best possible learning environment for its students. This commitment includes providing safe, secure and on-time transportation to and from school for eligible students that is cost-effective and efficient.

## **GUIDING PRINCIPLES:**

HWDSB recognizes:

- The importance of transportation that brings students to and from school on time, which supports their learning and well-being.
- That parents, guardians and caregivers share in the responsibility for the safe arrival of their children to and from school.
- That safety is also a joint responsibility of communities, municipalities and policing authorities.
- That school buses are an extension of the school. Students are responsible for their conduct on the bus in accordance with Board policies and procedures.
- Working in collaboration with Hamilton-Wentworth Student Transportation Services (HWSTS) to support alignment of transportation to ensure fiscal responsibility.

## **INTENDED OUTCOMES:**

When providing transportation, HWDSB will take steps to:

- Ensure the board can provide safe, timely, effective and efficient transportation services.
- Ensure transportation services support the Multi-Year Strategic Plan of HWDSB.

## **RESPONSIBILITY:**

Director of Education  
Members of Executive Council

## **TERMINOLOGY:**

**Community Stop:** A Community Stop is a common area for student pick-up and drop-off which may include, but are not limited to: parks, schools and places of worship. Community stops utilized by French Immersion students may not adhere to the standard distance guidelines, while they may still be eligible for transportation under the policy.





# Transportation

Projected Review Date: XXXX

**Courtesy Transportation:** Additional riders, who would normally be ineligible, are accommodated on the school bus without any increase in cost or negative impact on existing service.

**Executive Council:** Consists of Superintendents and the Director of Education. Executive Council is responsible for the overall operations of HWDSB.

**Parent:** This includes parents, guardians and caregivers.

**Secondary Specialized Learning Programs:** Are unique, innovative learning programs in focused areas, designed to engage students who have differing educational interests. These programs complement subject/courses consistent with the Ontario Curriculum, however, offer specialized learning opportunities that develop skills with greater depth and intensity. In secondary schools, the courses attached to these programs will be credit granting.

**Tier 3 Alternative System Programming:** Expectations that outline learning related to skill development in areas represented in the Ontario Curriculum or areas not represented in the Ontario Curriculum (ex. social skills). Under the current Student Transportation Funding model, there is no funding provided for transportation to special programs.

## **ACTION REQUIRED:**

Maintain accessible operating [Policies and Procedures](#) regarding transportation through Hamilton Wentworth Student Transportation Services (HWSTS).

### **Eligibility**

Students residing in all urban and rural areas as defined by the City of Hamilton Official Plan may be eligible for transportation services to their in-catchment school when the walking distance exceeds the following:

Elementary School	Kindergarten	1.2 km
Elementary School	1-8	1.6 km
Secondary School	9-12	3.2 km

### **Method**

HWSTS will decide the method of transportation, ensuring it is provided in a safe and appropriate manner.

### **Safety**

Exceptions to the walking distance requirements for transportation service eligibility may be granted in extraordinary circumstances, such as safety hazards, including the absence of a safe walkway.



# Transportation

Projected Review Date: XXXX

Transportation may be arranged for students under these circumstances, pending approval from the Associate Director of Business Services & Board Treasurer.

The scheduled length of time on a vehicle provided through HWSTS shall not exceed 60 minutes one way.

Parents of Kindergarten students are required to accompany and remain with the student until picked up by the vehicle. No Kindergarten student will be left unattended at a pickup point. Parents/guardians are also required to be on time and present at the drop off point to receive their Kindergarten students.

## **Courtesy Transportation**

Under the current Student Transportation Funding model from the Ministry of Education, Courtesy Transportation may be provided to students at no cost to the Board, in accordance with the Courtesy Transportation Procedure, by the first week of October on an annual basis.

## **Special Education**

Transportation services will be dependent on an assessment of the individual student's physical and/or mental capabilities. See also Tier 3 Alternative System Programming.

## **Barriers to Student Achievement**

Executive Council will have the discretion to provide transportation to support student success, based on available funding. It is acknowledged that the transportation allocation of the Core Education Funding model does not provide funding for certain items (i.e. short-term suspensions).

## **Program Priority**

Notwithstanding statements elsewhere in this policy, transportation services are provided for the following program priorities:

- French Immersion – using Community Stops that may not meet the standard distance guidelines
- Secondary Specialized Learning Programs
- Tier 3 Alternative System Programming

The method of transportation provided for the above program priorities to a student's in-catchment program school will be determined based on available funding and safety.

## **PROGRESS INDICATORS:**

Intended Outcome	Assessment
Ensure the board can provide safe, timely, effective and efficient transportation services.	This will be measured through the HWSTS annual Transportation Consortium Update, given to the Board of Trustees every fall.

# Transportation

Projected Review Date: XXXX

Ensure transportation services support the Multi-Year Strategic Plan of HWDSB.	This will be measured through the HWSTS annual Transportation Consortium Update, given to the Board of Trustees every fall.
--	---

## REFERENCES:

### Government Documents

Child, Youth and Family Services Act

Subject:

Barrier-Free Physical Learning Environments

Executive Council Member Responsible:

Sharon Stephanian  
Superintendent of Special Education, Inclusion  
and Equity, K-12



## BACKGROUND

The Barrier-Free Physical Learning Environments Policy has been reviewed as part of the policy review cycle with minor updates being made to language throughout the policy.

## RECOMMENDATION(S)

That the Barrier-Free Physical Learning Environments Policy be recommended for approval.

# Barrier-Free Physical Learning Environments

Date Approved: XXXX

Projected Review Date: XXXX

Page 1 of 3

## PURPOSE:

Hamilton Wentworth District School Board (HWDSB) is committed to providing learning and working environments that are welcoming, respectful, accessible, and free from discrimination and harassment. Physical learning environments will be accessible, equitable, inclusive and learner centered by removing and preventing accessibility barriers impeding students with disabilities from fully participating in and fully benefitting from all aspects of education. Barrier-free physical learning environments should be considered in the development of other policies related to physical space on and off school property (including school excursions). HWDSB is committed to meeting the physical accessibility needs of students with disabilities in a timely manner.

## GUIDING PRINCIPLES:

- Students and parents/guardians/caregivers will be active partners in the decision-making process for students with disabilities.
- Students with disabilities have the right to dignity, respect, equality, choice, voice and full participation in a barrier-free environment.
- Students with disabilities have a right to inclusion, integration and full participation.
- The duty to accommodate includes identifying and removing physical barriers that impede students' access to educational services.
- Collaborative and proactive planning for student accommodations is part of the student's transition planning.
- Every effort will be made to accommodate students in their home school. Where this is not possible, HWDSB will collaborate with students and parents/guardians/caregivers on placement within programs or classrooms throughout Hamilton Wentworth District School Board.

## INTENDED OUTCOMES:

- Students and parents/guardians/caregivers will be active partners in the decision-making process for students with disabilities.
- HWDSB will provide students with disabilities an environment which maximizes inclusion, integration, full participation, dignity, respect and honours voice.

# Barrier-Free Physical Learning Environments

Date Approved: XXXX

Projected Review Date: XXXX

Page 2 of 3

- Accessibility needs of students will be met in a timely way which is clearly communicated with the student and parents/guardians/caregivers.
- HWDSB will have an ongoing plan for new construction and renovation projects that includes barrier-free physical learning environments.

## RESPONSIBILITY:

Director of Education  
Members of Executive Council

## TERMINOLOGY:

**Multi-Year Accessibility Plan:** As part of the Ontario with Disabilities Act (2002), all school boards in Ontario are required to prepare an annual accessibility plan, after consultation with people with disabilities, and to make the plan public in December. This plan is used to meet the requirements of the Accessibility for Ontarians with Disabilities Act (2005), where all public-sector organizations, as well as private and non-profit organizations with 50 or more employees, must create written multi-year accessibility plans, update them annually and post them on their websites, if they have one.

**Barriers:** Anything that prevents a person with a disability from fully participating in all aspects of society because of their disability including a physical barrier, an architectural barrier, an information or communication barrier, an attitudinal barrier, a technological barrier, a policy or practice.

## ACTION REQUIRED:

- Maintain a Procedure aligned to this policy that is accessible to the HWDSB community and communicated annually to the community.
- Publicly share progress on barrier-free physical learning environments through the HWDSB Annual Accessibility Report on the Multi-Year Accessibility Plan



# Barrier-Free Physical Learning Environments

Date Approved: XXXX

Projected Review Date: XXXX

Page 3 of 3

## PROGRESS INDICATORS:

Intended Outcome	Assessment
Students and parents/guardians/caregivers will be active partners in the decision-making process for students with disabilities.	Student Voice Survey Parent Voice Survey Student and Staff Affinity Group(s) Student and Staff Advisory Group(s)
HWDSB will provide students with disabilities an environment which maximizes inclusion, integration, full participation, dignity, respect and honours voice.	Student Voice Survey Parent Voice Survey SEAC PowerSchool Special Programs – Facility accommodation tracking Student and Staff Affinity Group(s) Student and Staff Advisory Group(s)
Accessibility needs of students will be met in a timely way which is clearly communicated with the student and parents/guardians/caregivers.	Student Voice Survey Parent Voice Survey SEAC PowerSchool Special Programs – Facility accommodation tracking Student and Staff Affinity Group(s) Student and Staff Advisory Group(s)
HWDSB will have an ongoing plan for new construction and renovation projects that includes barrier-free physical learning environments.	Multi-Year Accessibility Plan Long-Term Facilities Plan

## REFERENCES:

### Government Documents

Education Act

Human Rights Code

OHRC – Policy: Accessible Education for Students with Disabilities

Proposed K–12 Education Standard under the Accessibility for Ontarians with Disabilities Act, 2005 (AODA)