

BOARD POLICY	
Adopted	M15-0185 October 21, 2015
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COMMUNITY PLANNING AND PARTNERSHIPS

Preface

Ontario's school closure moratorium was put in place in July 2017 by then Education Minister Mitzie Hunter after several school boards underwent accommodation reviews. The moratorium is still in place. The following policy is provided for historical reference and will require updating to align with new guidelines when the moratorium is lifted.

1. **OBJECTIVE**

The Halton District School Board is committed to providing the best educational opportunities and to enhancing the learning environment in its schools for the children and residents of Halton Region.

The Board is committed to working closely with other entities to the benefit of boards, students and the community and to optimize the use of public assets owned by school boards.

2. **POLICY**

This Policy implements the **Community Planning and Partnerships Guideline** released by the Ministry of Education on March 26, 2015 (2015:B09). A link to the Ministry Guideline is listed in the References section at the end of this document.

3. **SPECIFIC DIRECTIVES**

The procedures relating to **Community Planning and Partnerships (CPP)** with respect to partnership opportunities in open and operating schools, co-build opportunities for proposed schools, underutilized schools that may be impacted by closure as well as sites that may be considered for future disposition, will consist of the following sections:

- Identification of CPP Opportunities and Notification Process
- Planning for the Annual Community Planning Partnerships meeting
- Planning prior to a Pupil Accommodation Review
- Consideration of Opportunities for Co-building with Community Partners
- Consideration of Opportunities for Sharing Unused Space in Schools with Community Partners.
- Partnership Agreements and Cost Recovery

The Board will undertake the **Community Planning and Partnerships (CPP)** process in accordance with the process and timelines outlined in this procedure. The Planning Department will coordinate the facilitation of the procedures outlined below.

1. **Identification of CPP Opportunities and Notification Process**

Through the Long-Term Accommodation Plan process, the Board forecasts 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. This information will be used by the Board in identifying facilities that may be suitable for facility partnerships with to new construction and unused space in schools and in administrative buildings. It will also provide an opportunity for the Board to consider potential surplus properties in which community partners may be interested.

The Board will share the Long Term Accommodation Plan (LTAP) with community partners so that external entities may have sufficient time to respond to presented opportunities. The Board encourages community partners to provide notification to the board when community partners

have proposals or plans to build their own new facilities. Eligible partners can express interest in co-building partnerships to the Board, by way of a letter to the Director of Education. Co-build opportunities with eligible partners will be evaluated on a case-by-case basis.

These opportunities may include participation in a facility partnership or contribution to land-use or green space/park plans.

a) Surplus Space

For surplus space being offered for sale or lease, the Board will continue to follow the circulation process outlined in O. Reg. 444/98. For non-surplus space, the Board will follow a new notification process similar to the circulation process in O. Reg. 444/98.

b) New Schools

For new schools, information will be posted on the Board website regarding the Board's intention to build and to undertake significant renovations. (Facility Services Construction page and Long Term Accommodation Plan page)

c) Unused Space

Information regarding unused space in open and operating schools and administrative buildings that is available for facility partnerships will also be shared through the Board website.

This information will be updated annually, as part of the LTAP process in the case of space in existing schools, and as needed in the case of co-building opportunities. Entities on the notification list (refer to APPENDIX 1) will be informed when key information regarding community planning or facility partnerships is changed or updated, typically after the approval of the Board's LTAP.

The Board will include information related to this policy and discussions with community organizations in the school information profiles when undertaking a Program and Accommodation Review.

2. Planning for the Annual Community Planning Partnerships Meeting

Once the Board has approved the Long Term Accommodation Plan, a public meeting will be held to discuss potential planning and partnership opportunities with the public and community organizations. Such a meeting will be held annually as required. As well, additional staff-level meetings may be held as required. The Board will notify both the entities on its notification list and the general public about the annual CPP meeting.

At the annual public meeting, the Board will provide:

- All or a portion of the Board's LTAP
- Details of any schools deemed eligible for facility partnerships
- Any supplementary CPP information

This information will also be made available for any optional staff-level meeting, as appropriate.

As well, any potential community partners will be requested to provide relevant planning information at the annual CPP meeting and/or at optional staff-level meetings (e.g. population projections, growth plans, community needs, land-use and green space/park requirements).

The annual public CPP meeting will occur at a regularly constituted Standing Committee of the Board, where advance public notification of the date and time of the meeting will be provided. Notification of the meeting will be circulated to those entities identified in APPENDIX 1, as well as published in the local newspapers and posted on the Board's website.

The Board is to record attendance and document information exchanges.

3. Planning prior to a Pupil Accommodation Review

Notwithstanding the CPP annual meeting, discussions will continue between the Board and affected municipalities and other community organizations as options are explored to address underutilized space issues. These discussions will inform proposals that school board staff may present to the Board of Trustees, including recommendations to undertake a pupil accommodation review process.

The Board will obtain an indication of any community planning and partnership opportunities in areas where a pupil accommodation review may take place. Additionally, the Board will request technical information from the local municipality or municipalities where a planned pupil accommodation review will occur. This technical information could include, but is not limited to, population and future development projections in the area.

4. Consideration of Opportunities for Co-building with Community Partners

The construction of new schools, additions and renovations represents a significant public investment in a long-term asset. It is also an opportunity to leverage other infrastructure investments by co-building with entities that provide services and programs for children, their families and the broader community. Boards currently have the authority to co-build schools with other entities and to enter into a variety of facility partnerships through license or joint use agreement as outlined in paragraph 44 of subsection 171 (1), paragraph 4 of subsection 171.1 (2), and sections 183, 194 and 196 of the *Education Act*, although the *Education Act* requires Minister approval in some circumstances.

New schools, additions and significant renovations may be considered as opportunities for partnerships. Site size, topography and other restrictions may limit partnership opportunities. The Board will evaluate each capital construction opportunity on a case by case basis to determine whether partnership may be appropriate and advantageous.

As part of the Long Term Accommodation Plan process, the Board will notify the entities on the notification list (refer to Appendix 1) 1 to 3 years prior to the potential construction start date of a new school or significant addition. The notification will be supported by a board resolution inviting expressions of interest.

Once notified, entities may express their interest in co-building with the board. The Board will then evaluate the expressions of interest to select a partner(s).

Funding approval is required for agreements to be finalized. Requests for Ministry funding and requests for transfer from reserve approvals are expected to reflect that the Board has already solicited interest from potential partner(s). The Ministry prefers that the Board and facility partners have ownership of their respective portions of the facility, where the portions are sizeable. The specifics of such an arrangement will be assessed on a case by case basis.

When building or renovating schools, the Board and the Ministry often have deadlines related to student accommodation needs or funding parameters. The Board is expected to make its timelines clear to potential partner(s).

5. Consideration of Opportunities for Sharing Unused Space in Schools with Community Partners

The Board will continue to declare facilities and unused space surplus where appropriate, however there are circumstances in open and operating schools where unused space may not be considered surplus. The Board may choose to enter into license or joint use agreements for space that is unused but not surplus.

Based on the LTAP, the Superintendents of Business Services and Facility Services will prepare a report to Administrative Council identifying a list of schools that present suitable partnership opportunities, subject to the following criteria.

- a) Projected 200 or more excess pupil places and/or 60 per cent utilization or less for 2 years
- b) Ability to identify and create distinct and contiguous space within a facility, separate from the students
- c) Space not required for Board programming or other uses;
- d) Appropriate access to the space;
- e) Parking availability;
- f) Zoning and site use restrictions;
- g) Facility condition;
- h) Other criteria as appropriate.

For space that is suitable for facility partnerships and is available for the long term, the Board will be expected to consider declaring the space surplus and circulating it for lease through O. Reg. 444/98. If the space is suitable for facility partnerships but is not surplus to the needs of the Board, the Board will follow the notification process outlined in this policy. Such notification will be supported by a Board resolution. Information about the available space, including but not limited to size, location, facility amenities, and required renovations, if needed will be shared with entities who may then express their interest in using the space.

A final report will be prepared and submitted to the Board. The Board will evaluate the expressions of interest to select a partner(s). The Board may then enter into a license or joint use agreement. The Minister's approval may be required.

6. Partnership Agreements and Cost Recovery

Partnerships will be evaluated based on how well the proposal meets the Partner Selection Criteria listed in 6.1. The Board will have full discretion when evaluating partners and their compatibility and suitability for each facility.

In co-building, a partner(s) will be required to pay and finance their share of construction, including a proportionate share of joint-use or common space, among other things. In a partnership(s) that involve a joint ownership structure, the partner will be required to pay for its proportionate share of the value of the land. The Board will not assume additional costs to support a facility partnership. Instead, the Board will manage shared facilities on a cost recovery basis, and the fees charged to a partner(s) will be designed to cover operations and capital costs, including administrative costs and property taxes (if applicable). A partner(s) will also be responsible for the costs of renovations to protect student safety, provide washrooms and otherwise make the space suitable for use. The Board will make these financial obligations clear to potential partners.

6.1 Partnership Selection Criteria

The Board will use the following criteria to evaluate the compatibility of partners and their proposals as they relate to specific sites.

The *Partnership* must:

- Respect the values of the Board;
- Be able to accommodate the Board's time lines for any proposal;
- Protect the health and safety of students and staff;
- Not compromise the student achievement strategy of the Board
- Be appropriate for the school/board setting;
- Not interfere with school/board operations and activities;
- Not be a competing educational interest to the Board;
- Exist on a cost-recovery basis to the Board.

The *Partner* must:

- Provide financial statements showing financial viability of their organization;
- Provide proof of liability insurance (minimum of \$5,000,000)
- Agree to operate in accordance with Board policies and procedures;
- Be willing to enter into a lease, license, or joint-use/partnership agreement;
- Be willing to meet the Board's time lines for any proposal;
- Agree that all staff from the partnership entity working on school property complete a criminal background check and vulnerable sector screening;
- Agree to the established emergency response plan for each school, which include the steps school, Board and partnership staff will take in the event of an emergency at a school, a parents communication plan and an evacuation plan.

Where more than one potential entity has expressed an interest in entering into a partnership with the Board, the entity that best satisfies the above criteria will be selected.

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.

As per the Community Planning and Partnerships Guideline, it is the priority of the Ministry of Education that facility sharing between the Board and publicly funded school boards through co-ownership, lease or other agreements is a priority for the Board.

6.2 Agreements

The Board will provide clear instructions to potential partners regarding their rights and responsibilities as tenants, including maintenance standards and the applicability, or the lack thereof, of Board user policies, including accessibility and inclusiveness policies.

The Board will ensure proper legal agreements are in place that respect the Education Act and protect Board rights. The Board will not take on additional costs to support facility partnerships, discretion will be used in supporting partnerships based on student achievement strategies.

Agreements may contain clauses regarding, but not limited to, the following:

- Term of the lease or license agreement,
- Cost sharing,
- Permitted use of the leased premises,
- Hours of operation,
- Responsibility for maintenance, improvements, and/or alterations to the building,
- Compliance with legislation,
- Improvements or alterations to the building,
- Insurance/liability,
- Environmental matters,
- Mediation in the event of conflict,
- Circumstances in which the lease may be terminated by either party,
- The safety and lockdown protocols,
- And/or other clauses as deemed applicable.
- Recognize and respect the policies of the Board.

Legal References:

[*Ontario Community Planning and Partnerships Guideline*](#)

[*Ontario Regulation 444/98*](#)

Board References:

Community Planning Partnerships Notification List

The following list is a minimum. If other child care operators or government-funded organizations request it, they will be added to the notification list. The Board may add any other entity to this list.

Conseil Scolaire Viamonde	Network
Halton Catholic District School Board	Nelson Youth Center
Conseil Scolaire de District Catholique Centre-Sud	Reach Out Center for Kids (ROCK)
Sheridan College	Woodview Mental Health and Autism Services
Mohawk College	The Centre for Skills Development & Training
College Boreal	The Family Place
McMaster University	Milton Community Resource Centre
University of Guelph	YMCA of Oakville
Brock University	YMCA of Hamilton, Burlington, Brantford
Infrastructure Ontario (Crown in Right of Ontario)	YMCA of GTA
City of Burlington	Links 2 Care
Town of Halton Hills	Today's Family
Town of Milton	Warwick Surrey Community Association
Town of Oakville	Partnering Aldershot
Halton Region	Aldershot BIA
Crown in Right of Canada	Plains Road Village Vision Group
Children's Services	Community Development Halton
Halton Healthcare Services	Volunteer Halton
Halton Region Social & Community Services CMSM	Community Living Oakville
Halton Regional Police Service	Burlington Public Library
Hamilton Niagara Haldimand Brant Local Health Integration Network	Oakville Public Library
Mississauga Halton Local Health Integration	Milton Public Library
	Halton Hills Public Library