

TRANSFER OR DISPOSAL OF SCHOOL DIVISION PROPERTIES

Background

HPSD realizes that property and materials belonging to HPSP may become surplus to the needs of a school or the system. Such items shall be transferred or disposed of according to the procedures established by the Superintendent in accordance with the *School Act*, and the regulations there under.

The authority of the Board is derived from the *School Act* and the *Disposition of Property Regulation*, which permit the Board to:

- determine whether the Board has use for a school building which has been closed pursuant to the Closure of Schools Regulation and
- for the purposes of section 672 of the *Municipal Government Act*, declare that the Board is of the opinion that an interest in a school reserve, municipal and school reserve or municipal reserve is surplus to the Board's needs.

Definitions

Real Property – land, buildings, and things that are attached to the land.

Personal Property – all property that is not real property.

Procedures

1. Transfer of HPSP Properties

- 1.1. Transfer of personal property from one site to another may be accomplished providing the following procedures are used:
 - 1.1.1. the site is to inform all other HPSP sites of the items available for transfer and the deadline for the submission of bids
 - 1.1.2. monies or exchange items realized through the transfers will be credited to that site
- 1.2. The Superintendent authorizes the Principal or Building Manager to transfer personal property providing the above procedures have been followed. If items transferred bear a HPSP identification tag (computers, monitors, printers, etc.) the site transferring these items must notify the Director of Technology of the transfer who will then update the inventory in the asset management database.

2. Disposal of HPSP Properties Excluding Real Property

- 2.1. Disposal of personal property of a value exceeding ten thousand dollars (\$10,000.00) or likely to be disposed of at a price exceeding ten thousand dollars (\$10,000.00) shall be disposed of in accordance with the *Disposition of Property Regulation*.
- 2.2. Disposal of personal property valued at less than ten thousand dollars (\$10,000.00) or likely to be disposed of at a price less than ten thousand dollars (\$10,000.00) shall be by public auction, public tender or sold at a fixed price on a first-come-first-served basis. Such sales shall be advertised at least once in the local newspapers.
 - 2.2.1. No item may be sold prior to one full day after the date of distribution of the local newspaper (e.g. paper is distributed on Wednesday, no sale prior to Thursday morning)
- 2.3. Disposal of items with no residual value shall be by recycling, donating to non-profit organizations or properly disposing at an approved landfill site. A request to dispose of computer and audio visual equipment with no residual value will be e-mailed to the Director of Technology for approval.
- 2.4. Net proceeds from the sale of items in (2.1-2.3) above shall be directed as follows:
 - 2.4.1. monies realized through the sale of items originally purchased centrally or by schools will be credited to the general revenues of HPSP.
 - 2.4.2. monies realized through the sale of items originally purchased by Facilities, Transportation or Technology will be credited to the department account.
- 2.5. Schools or departments wishing to dispose of capital items (with a value of 10,000 at the time of purchase) and/or supplies shall apply to the Secretary Treasurer. Notification should include description of the article(s) and identification of fund(s) from which such article(s) was/were purchased originally.

- 2.6. Employees may purchase HPSD property subject to the *Disposition of Property Regulation*.

3. Disposal of Real Property

- 3.1. Pursuant to the *Disposition of Property Regulation* and all existing legislation and regulations, the Board should dispose of land and buildings in the best interest of the students of HPSD and community.
- 3.2. Disposing of surplus land and buildings requires the approval of the Board of Trustees.
- 3.3. If a school building has been closed pursuant to the *Closure of Schools Regulation*, the Superintendent will provide a recommendation to the Board concerning whether there is no use for the school building, and, if so, whether the school building is temporarily surplus to the Board's needs or permanently surplus to the Board's needs.
- 3.4. In determining whether a school is temporarily or permanently surplus to the Board, the Board shall consider all of the following criteria:
- 3.4.1. demographic factors, including but not limited to:
 - 3.4.1.1. population and demographic data for the surrounding area;
 - 3.4.1.2. the former enrolment of the school, and enrolment trends in the foreseeable future;
 - 3.4.1.3. the location and proximity of other schools, and their potential enrolment in the foreseeable future.
 - 3.4.2. other potential public educational uses for the building in the foreseeable future
 - 3.4.3. the likely cost to staff to operate an educational program at the school in the foreseeable future;
 - 3.4.4. the cost to maintain the facility in, or restore the facility to a usable condition and other costs of ownership;
 - 3.4.5. such other criteria as the Board may consider relevant.
- 3.5. If the Board determines that there is no present use for the school building, but that there may be a need for the school building in the foreseeable future, the Superintendent may investigate the lease of the school building in accordance with the *Disposition of Property Regulation*.
- 3.6. If the Board intends to sell the school building, the Board will notify the Minister of Education in writing of its intent to dispose of the building so that the Minister may determine whether there is another educational use for the building.
- 3.7. If the Board cannot identify a use for a school building in the foreseeable future, the Board may attempt to sell the school building in accordance with the *Disposition of Property Regulation* and this administrative procedure.

4. Determination Whether Reserve Lands are Surplus

- 4.1. The Board may determine that, in its opinion, an interest in a school reserve municipal and school reserve or municipal reserve is surplus to Board's needs, and shall consider the following criteria:
- 4.1.1. enrolment trends within the area intended to be served by the school reserve, municipal and school reserve or municipal reserve,
 - 4.1.2. student accommodation and transportation issues,
 - 4.1.3. whether a school on the school reserve, municipal and school reserve or municipal reserve is included in the Board's capital plan,
 - 4.1.4. whether other school boards have a need for the school reserve, municipal and school reserve or municipal reserve, and
 - 4.1.5. such other criteria as the Board may consider relevant.
- 4.2. In the event of the Superintendent recommending a determination that an interest in reserve lands is surplus to the Board's needs, or upon the Board considering whether an interest in reserve lands is surplus to the Board's needs, the Superintendent shall consult with other school boards operating in the area whether those school boards have a need for the reserve lands.
- 4.3. If upon considering the factors above, the Board is of the opinion that the school reserve, municipal and school reserve or municipal reserve is surplus to the Board's needs, the Board shall provide the Minister of Education with a declaration to that effect.

References

Section 200, 201, [School Act](#)
[Disposition of Property Regulation](#)
[Municipal Government Act](#)
[Closure of Schools Regulation](#)