

COMMUNITY PLANNING AND PARTNERSHIPS

Statement of Policy

The Peel District School Board recognizes that schools are significant community assets and supports facility partnerships with the intent of reducing facility operating costs, improving services available to students, strengthening the relationships between the Board and the public, maximizing the use of public infrastructure, and providing a foundation for improved service delivery for communities through stronger links among programs and services.

This policy is aligned with the Board's Pupil Accommodation Review (PAR) policy (Policy 45) and supports the principles and expectations of the Board's Human Rights policy (Policy 51) and the Equity and Inclusive Education policy (Policy 54). At all times, this policy should be interpreted to be consistent with the Board's policies and the *Human Rights Code*.

This policy applies to co-building opportunities with eligible community partners when undertaking major capital projects, and the leasing/licensing of space within existing schools, administrative buildings and outdoor space owned by the Board. Opportunities will be identified and communicated to eligible community partners during the Annual Planning Document (APD) cycle and any proposals received will be evaluated by the Board in accordance with this policy and operating procedure Community Planning and Partnerships (Corporate Support Services 12).

Note: Operating Procedure Corporate Support Services 12 - CSS12 applies to the Community Planning and Partnerships pursuant to this policy.

Approved June 8, 2010

Revised February 25, 2014

Approved November 9, 2015 (*replaces former Policy 77 – Facility Partnerships*)

Reviewed November 13, 2018

The Community Planning and Partnerships (CPP) procedure applies to co-building opportunities with eligible community partners when the Board undertakes major capital projects, and the leasing/licensing of space in open and operating schools, administrative buildings and outdoor space owned by the Board. Opportunities will be identified and communicated to eligible community partners as outlined below:

1. Identification of CPP Opportunities and Notification Process
2. Annual Community Planning Partnerships Meeting
3. Consideration of Opportunities for Co-building with Community Partners
4. Consideration of Opportunities for Sharing Unused Space in Schools with Community Partners
5. Partnership Agreements and Cost Recovery

1. Identification of CPP Opportunities and Notification Process

Through the Annual Planning Document (APD) cycle, 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 assist the Board in identifying facilities that may be suitable for facility partnerships as a result of either new construction or the existence of unused space in schools or administrative buildings. It will also provide an opportunity for the Board to consider potential surplus properties which community partners may be interested in purchasing or leasing from the Board.

The Board will share planning and accommodation information with eligible community partners so that these entities will have sufficient time to respond to presented opportunities. These opportunities may include participation in a facility partnership or contribution to land-use or green space/park plans.

Opportunities will be identified and communicated to eligible community partners during the Annual Planning Document (APD) cycle after approval by the Trustees of such opportunities.

Partnerships between the Board and eligible community partners will be considered if they meet the following criteria:

- are of value to students and/or the community;
- protect the health and safety of students and staff;
- are appropriate for a school setting;
- do not compromise student achievement;
- are compliant with Board policies, procedures and local bylaws;
- do not result in any additional costs to the Board;
- enhance services available to students and are not in competition with the Board; and
- such other criteria as may be determined by the Board.

It is understood that these partnerships will not impede the Board from building, renovating or closing schools nor from disposing of surplus assets when required.

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 community partners.

The Board encourages community partners to provide notification to the Board when they have proposals or plans to build their own new facilities.

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

Information on opportunities for non-surplus space (including the intention to build new schools or undertake significant renovations and the existence of unused space in open and operating schools or administrative buildings) will be made available on the Board's website. This information will be updated annually, as part of the APD cycle and as needed in the case of co-building opportunities or any other opportunities that may arise. Eligible community partners on the notification list will be informed when key information regarding community planning or facility partnerships is changed.

The name and contact information of the staff member at the Board who will respond to questions regarding facility partnerships throughout the year will be posted on the Board's website. Eligible community partners can express interest to the Board in co-building partnerships or sharing space in existing buildings, by way of a letter to the Controller of Planning and Accommodation Support Services.

2. Annual Community Planning Partnerships Meeting

The Board will hold at least one CPP meeting annually to discuss potential planning and partnership opportunities with the public and community organizations. Additional meetings may be held to discuss additional information with relevant entities. The Board will notify both the eligible community partners on its notification list and the general public about the annual meeting.

During the annual CPP meeting, the Board will provide/present all or a portion of the Board's APD, details of any schools or administrative buildings deemed eligible for facility partnerships, relevant information available on their website and any supplementary CPP information. This information will be shared either during the public meeting or during the subsequent meetings, as appropriate.

When inviting entities on the notification list to the annual meeting, the Board will request that organizations present to the Board (either in writing or at the meeting) relevant planning information, including but not limited to, population projections, growth plans, community needs, land-use and green space/park requirements. The Board will review the needs or plans community partners may have.

The invitation list, the entities in attendance at the annual CPP meeting and any information exchanged will be formally documented by the Board.

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

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 APD cycle, the Board will notify eligible community partners on the notification list one to three years prior to the potential construction start date of a new school or significant addition. The Board will provide as much information as possible about its plans and the site to support potential partners in determining the project's suitability for their purposes. The notification will be supported by a Board resolution inviting expressions of interest.

Eligible community partners will be notified under the following conditions:

- there is sufficient area on the site to accommodate the needs of the co-building partner without compromising the school program planned for the new school or addition/renovation;
- the Board will be saved harmless with respect to the design and construction costs and the partnership will not compromise the scheduled opening date of the school; and
- other conditions as determined by the Board.

Once notified, eligible community partners 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. The Board and facility partners should 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 will make its timelines clear to potential partner(s).

4. Consideration of Opportunities for Sharing Unused Space in Schools and Administrative Buildings with Community Partners

As part of the APD, the Controller of Planning and Accommodation Support Services will identify a list of schools and administrative buildings that present suitable partnership opportunities under the following criteria:

- projected 200 or more excess pupil places and/or 60 per cent utilization or less for at least two years;
- if the building is being used as a school, there are excess pupil places available for at least a five year period;
- the space is not required for other Board programming;
- separate access is available or can be created where appropriate;
- the ability to separate space used by community partners from the space used by students;
- suitable parking and access exists;
- zoning and site use restrictions;
- facility condition; and,
- other criteria as determined by the Board.

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

For space that is suitable for facility partnerships and is available for the long term, the Board will consider declaring the space surplus and circulating it for lease through O. Reg. 444/98 (*Disposition of Surplus Real Property*).

If the space is suitable for facility partnerships but is not surplus to its needs, 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) in accordance with Policy 77 and this procedure. The Board may authorize a licence or joint use agreement, subject to obtaining any necessary approvals from the Minister of Education.

5. Partnership Agreements and Cost Recovery

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 timelines 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; and
- 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, licence, or joint-use/partnership agreement;
- be willing to meet the Board's timelines for any proposal;
- agree that all staff from the partnership entity working on school property complete a criminal background check and vulnerable sector screening; and
- 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 parent 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.

Agreements

The Board will provide clear instructions to potential partners regarding their rights and responsibilities as tenants or licensees, 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 licence agreement;
- cost sharing;
- permitted use of the leased/licensed 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/license may be terminated by either party;
- the safety and lockdown protocols;
- other clauses as deemed applicable.

Any agreement should provide for the recovery of operating and renewal costs incurred by the Board, including major renewal or capital costs, for both the discrete space and any proportionate common area, administrative costs, property taxes (if any) and any costs borne by the Board to front-end leasehold improvements required to create such discrete space.

NOTIFICATION LIST

The following entities will be considered as eligible community partners within the Policy:

- coterminous school boards;
- local municipalities within Peel Region;
- the Region of Peel;
- local colleges and universities;
- Provincial Government;
- Federal Government;
- child care operators approved by the Board;
- agencies providing Section 23 programs;
- local health integration networks;
- members of Children's Mental Health Ontario; and
- other entities as determined by the Board.