

SCHOOL CLOSURES IN BRITISH COLUMBIA:
Past, Present and Future

by Dick Chambers,
Consultant



BC SCHOOL TRUSTEES ASSOCIATION

School Closures in British Columbia: Past, Present and Future

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Acknowledgements

Dick Chambers was an educator for 34 years in British Columbia, serving in seven school districts. He spent over 22 years as a superintendent in four districts. During the course of his first 17 years as a superintendent, Dick was not involved in any school closures. Then, on becoming superintendent of SD57 (Prince George) in 2001, he was engulfed in the “perfect storm” of school closures: excess space, continued declining enrollment, and a new funding formula which predominantly funded student enrollment. Dick was involved in the closure of 15 schools over a two-year period. He retired in 2006 and is now a consultant.

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Executive Summary

School closures, even in times of increasing enrollment, have been a historical footnote in British Columbia's educational evolution. While closures make headlines at present, they are an inevitable part of BC's future, as the Echo Boom of children fades.

More and more boards of education, given the tough choices between programs or partially filled facilities, between unsafe buildings or seismically upgraded classrooms, and between neighbourhood schools for some or better educational opportunities for all, will choose to close schools.

School closures and district reconfiguration are among the most difficult challenges trustees and boards of education face today. Board members must consider legal requirements, adherence to their own policy, and community engagement in creating processes to deal with this emotional task. Finally, having faced the challenge, they need to create procedures that result in a smooth transition of students and physical assets.

Historical context

During the last half of the 20th century British Columbia's school-age population more than doubled as first the Baby Boom and then the Echo Boom of children passed through the school system. Ironically, during this time of significant growth and building, hundreds of schools closed as urbanization, coupled with a desire for more comprehensive educational opportunities, led to larger schools.

Over the last quarter century, educational funding recognized each school and its space. This recognition served as a disincentive to close schools, as the funding would be lost. Another disincentive was the necessity to receive the minister's permission to close a school. Frequently this permission was not forthcoming, due to political pressure.

Current context

The school-age population peaked in 1997 at just over 600,000 students, and then began to decline. In 2002 a new funding formula was introduced which greatly reduced the financial recognition for a school and its space. *The School Opening and Closure Order* was adopted, removing the requirement for the minister's permission to close a school. As a consequence of these three factors, well over 100 schools were closed due to declining enrollment and/or financial pressure.

Two circumstances suggest that school closures will continue to be on the agenda of most boards for the next decade. Of increasing importance is the need for many

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schools to be seismically upgraded. Government is hesitant to renovate buildings that are significantly below their capacity. A projected reduction of at least an additional 35,000 students is likely in less than 10 years.

Legal issues

The *School Opening and Closure Order* requires school districts to have a school closing policy that must be made available to the public, include public consultation in the closure process, and be adhered to during any consideration of closure. An increasing number of boards are being challenged (unsuccessfully) in the courts over their closure process.

Three key components of fair public consultation process are: timely access to relevant information, adequate time to develop and present a viewpoint, and access to an open-minded board. While trustees may have a pre-disposition toward a closure – otherwise they would not have put it forward – they must not have prejudged the issue to the point that they are not open to persuasion and influence. A direct or indirect financial interest in the closure may also be evidence of a closed mind.

Engaging the community

If there is more than one school closure and it is a complex situation, the formal closure process is not the best method to unravel the challenge. A three-phased approach is more useful. The first step involves identifying, specifically, what the problem is and building the community's understanding of the issues. A useful question to ask is, "If we do nothing, will the situation improve, stay the same, or get worse?" Phase two requires identifying the options that could address the problem. As much as possible, one should engage the community in this phase and phase three, which is a process to build a vision for the preferred future. An end product of phase three is to identify which schools are going to be formally considered for closure.

School closure process

Boards should review their policy on school closures and ensure they adhere to it. Providing written notice to the parents of every school being considered for closure is crucial, as is providing the community with clear information about why **any** school needs to be closed and why these schools, in particular, need to be considered for closure. Trustees must avoid making comments that would indicate that their mind is made up.

A good practice is to use the school closure bylaw to initiate the formal closure process. The board must comply with its closure policy by ensuring there is sufficient time between the board meeting, when first and second reading of the bylaw occurred, and the meeting at which the third and final reading of the bylaw is given. **At least** one public consultation forum between the two board meetings should occur.

Working with the media

The media are an asset in communicating the issues, the options, the vision and the process. It is important to be thoughtful about how you balance communicating within the system and with the media. Background material for your community and the media should be developed that is succinct and understandable, but comprehensive enough that it gives a full picture of the issue and the proposed solution. Trustees and the board spokesperson, in particular, need to be reminded to portray an open-mindedness regarding any specific school closure.

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Facility transitions

A robust transition plan should be in place as soon as the decision is made. The plan needs to consider five factors: students, parents, staff, material and the facility. Having students and parents visit the receiving school as soon as practical after the decision is made will reduce anxiety. Districts usually underestimate the amount of work involved in a move.

The least desirable option for a closed school is to have it remain vacant, as it will deteriorate quickly. If the building is leased be aware that modifications may be made that will be expensive to reverse if the board wishes to reopen the school in the future. Schools offered for sale outside the Lower Mainland often do not have a high market value.

Financial issues

Small elementary and secondary schools that are five and 20 kilometres, respectively, removed from the next nearest school receive additional financial recognition. It is likely that an elementary school of less than 200 students, which does not receive the small community supplement, is below the break-even point and is drawing disproportionately on district resources.

An elementary school of between 100 and 200 students, if closed, is likely to save approximately \$200,000 without consideration of any instructional staff efficiencies. Capital costs, particularly for seismic upgrades, are becoming an increasingly important component in the considerations of school closures.

Recommendations

Boards should review their school closure policy to ensure that it provides procedural fairness and adequate timelines.

BCSTA may wish to identify the districts that have a major seismic mitigation challenge, those that are forecast to experience a significant enrollment decline, and those that have both characteristics. Within those subsets, it could look at those which are “stuck” – have not, or are not, addressing seismic mitigation and/or closure and consolidation issues. Those districts run a liability risk if they are not taking adequate and timely action to address student safety, and they may need outside assistance.

BCSTA may wish to hold a symposium on the issue of school closure.

The trustees’, superintendents’ and secretary treasurers’ associations may wish to consider a joint endeavour to assist boards in dealing with school closures.

Historical Context

During the 20th century, school closures were a normal part of the evolution of each school district as urbanization occurred and comprehensive education became the expectation.

IN 1986 the SD04 (Windermere) Board of School Trustees closed the 40-student Radium Elementary School and the 60-student Canal Flats Junior Secondary School. In protest, Radium parents drove their children past the intended receiving school a farther 70 kilometres to the north to another school district to have their children attend school. In Canal Flats, the school district to the south sent in a bus to transport the secondary students 60 km to Kimberley instead of having them travel 50 km to the north to their intended receiving school.

The minister of education, rather than give his permission to close the schools as required by the *School Act*, sent in a “Commissioner of Enquiry” who recommended that the schools be reopened the next year. They were. Shortly thereafter, the superintendent was fired and life carried on for the next 15 years.

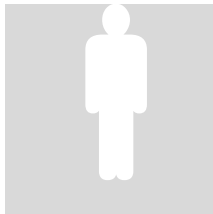
In 2002, the SD06 (Rocky Mountain) board – the successor district due to amalgamation of SD04 – closed Radium Elementary School and Canal Flats Junior Secondary School along with five other elementary schools in the school district – one-third of the district’s schools. While there was parental concern and opposition, the closures proceeded without interference after due process was served, and those schools remain closed today.

What changed over the 15 years? Three characteristics altered:

- provincial enrollment demographics,
- the basis of educational funding and
- local decision-making autonomy.

School Closures in the 20th Century

The last half of the 20th century was a time of prosperity for British Columbia, and both the general population and school-age population increased as a result. However, at the same time, small communities were being affected by improvements to transportation links, the rise and fall of resource sectors, and increasing parent expectations regarding educational opportunities for their children. The movement of people from rural to urban areas was underway and it had a consequent effect on many small rural communities. The byways of British Columbia are littered with roads named after the now non-existent schools that use to grace their shoulders.



Student Enrollment

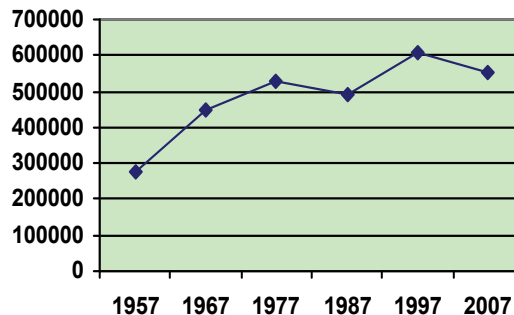
Fifty years ago, in the 87th Annual Report of the Department of Education for the 1957/58 school year, the superintendent of education reported that in the 102 school districts of the province, which ran 1,183 schools, there were 277,070 school-age students. It is very interesting to note that 10 years later, while the number of students had increased dramatically to 445,228, there were major changes occurring in how and where these students were accommodated.

An increase of 57 in the total number of schools in operation occurred between June 1966 and June 1967. This was in spite of the closure of a large number of small rural schools and a decrease of 20 in schools enrolling Grades 1 to 7. The total increase in enrollment of 24,438 was the highest on record, as was the increase in total staff.¹

Of note also is that the number of school districts had decreased over the decade to 87 while there were now 1,429 schools serving the student population.

In 1975 that population peaked at 555,000, and by 1977 it had declined to 527,771 students. Governance was provided by 75 school districts overseeing 1,611 schools.

B.C.'s School Age Students



The student population continued to drop and by 1987 there were 491,234 students. However, over the next decade that trend reversed and British Columbia's school-age population reached its all-time high in 1997 of 607,481. These students were now governed by 60 school districts and accommodated in 1,658 schools. For the 2007/2008 school year the student population is expected to be approximately 550,000 students, roughly where it

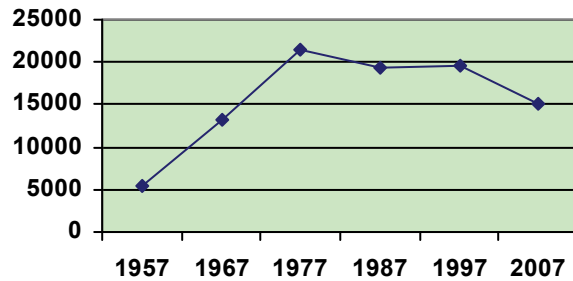
¹ *Public Schools of the Province of British Columbia, Ninety-Seventh Annual Report of the Superintendent of Education, 1967/68, p.25*

HISTORICAL CONTEXT

was in 1975. They continue to be served by 60 school districts, and at the beginning of the 2006/2007 school year there were 1,644 schools.

There is no typical district to use as an exemplar, but SD57 (Prince George) demonstrates the trends that occurred throughout the province.

**SD57 (Prince George)
School Age Population**



The student population of Prince George increased dramatically over that last half of the 20th century; thus, many schools were built, particularly in the city of Prince George. A countervailing trend was happening in the rural areas surrounding Prince George as highways went through, country roads improved, small sawmills closed and people migrated toward the urban centre. As a result, a significant number of

schools were closed. Only one of these was a secondary school and only two of the schools closed were located in the city area.

Decade	Closed Schools in SD57 (Prince George)		
1950s	Bud Lake Cranbrook Mills Fraser Flats Lucerne Pilot Mountain	Canyon Creek Crescent Lake Goat River Mile 4 Tabor Creek South	Chief Lake Croydon Hansard Newlands Woodpecker
1960s	Airport Hill Bonnet Hill Hart Lake Lamming Mills Mud River Shelley Summit Lake Tay West Lake	Aleza Lake Ferndale Isle Pierre Longworth North Croydon St. Marie's Lake Sylvan Glade Telachick Willow River	Baldy Mountain Foreman Kerry Lake Loos Red Pass Strathnaver Tabor Creek Tete Jaune South Wright Creek
1970s	Crescent Spur Island Cache	Finlay Forks Tete Jaune	Fraserview Connaught Junior Sec.
1980s	Aurora Reid Lake	Millar Addition Sinclair Mills	Penny Stone Creek
1990s	Upper Fraser		
2001	Dome Creek	Red Rock	



Educational Funding

From the early 1980s to 2002 the Financial Allocation System for school districts throughout British Columbia was based on a wide range of attributes as applied to individual districts. The number of students, special education students, Aboriginal students, English as a second language students, geographical location, climate, distance from major centres, dispersion of students within the district, transportation costs, maintenance costs, and the number and kinds of schools were priorities among the factors that were considered in allocating funds to school districts.

Districts with higher student populations argued that a greater percentage of the funding should be distributed based on the number of students, while districts with smaller student numbers but higher infrastructure costs argued that more factors should be recognized and recognized to a greater degree. Within the funding system there was significant recognition for school buildings. Not only were utility costs recognized, but in numerous factors throughout the funding formula, particular recognition was given to each school, e.g., an elementary school would generate approximately \$100,000 just because it existed. This funding did not include utilities, maintenance or minor capital funding.

The funding equations and the math were extremely significant. A board concerned about a school with a dwindling enrollment and the probability of empty classrooms could find that they might just break even or perhaps lose money if they were to close the school, because they would lose the recognition for that school within the fiscal framework. Opponents of school closure would eagerly point this circumstance out. Thus the vast majority of successful school closures during this era were of schools that had shrunk to extremely small numbers – e.g., fewer than 30 students.



Local Autonomy

Up until 2002 the *School Act* required the minister's permission before a board was allowed to close a school. What often occurred was that the board would project the closure of a school and parents would rise in opposition. A key tactic in this opposition was to pressure the local MLA to support keeping the school open. In several instances the minister intervened, the school remained open and occasionally the board and the superintendent parted company.

The schools that were closed tended to be the “micro-schools” – those that had shrunk to fewer than 30 students and were rural. Generally, from the board's perspective at least, schools were closed for educational reasons – the size of the school prevented a comprehensive education program. Lack of funding was usually not a reason for closure. The facility was being recognized financially and the district would lose money if the school were closed.

Summary of Historical Context

1. The Baby Boom and the Echo Boom of students passed through the public school system over the last half of the 20th century, peaking in 1975 and 1997, respectively.
2. In spite of more than a 100 per cent increase in the number of students during that time, hundreds of schools closed as a result of an urbanization of BC's population, improving roads, and a desire for more comprehensive educational opportunities. Ironically, most of the closures occurred during the period of most rapid growth – the '50s, '60s and '70s.
 - 2.1. In most cases it was the demise of the one- and two-room school.
 - 2.2. Average school size increased by 50 per cent – from somewhat over 200 students per school to the mid-300s.
3. The funding system of the last quarter century provided financial recognition for each school and funded the space in each school regardless of whether it was full.
 - 3.1. This funding system proved a disincentive for school boards to consider closing schools.
4. The board required the minister of education's permission to close a school.
 - 4.1. Most of the schools that were closed during the last quarter century were very small rural schools.
 - 4.2. If an "in-town" school was considered for closure, more often than not, political pressure was brought to bear on the minister and the board was overturned on its decision to close the school.

Current Context

Provincial student enrollment peaked in 1997 and then began to decline. It took five years and a change in government for the financial, political and legal structure to adjust to the changed circumstances. Provincial enrollment trends suggest that without school closures, excess educational capacity will build for the next seven years.

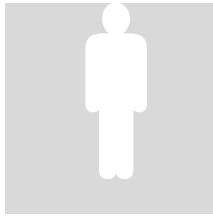
Changing demographics continued to have an impact on the educational environment of British Columbia. Young people married later and had fewer children. The Echo Baby Boom was passing. Resource industries undertook massive technology upgrades to remain globally competitive. This resulted in fewer well-paid entry level jobs in the “heartlands” of BC and thus fewer young families. Unless a school district was a beneficiary of in-migration it was in decline. In a single industry town, a mill or mine closure could lead to a precipitous enrollment decline.

Some of the effects of this decline were offset by social policy decisions of the governments of the day. If maximum class size was mandated up or down by government, it could mask or emphasize the effect of enrollment changes, e.g., in a 300-student school a change in maximum class size of two students up or down would result in the need for one more or one less classroom. Therefore government policy did affect whether a school was more or less full. Similarly government policy regarding non-enrolling teachers who were not classroom-based, yet still offered instructional services and required instructional space, could also affect the capacity of schools.

School Closures in the 21st Century

In mid-2001 a new government was elected in British Columbia in the midst of an economic downturn. Severe adjustments were made to government services, including the closure of many government offices from various ministries in smaller communities, revisions to health care and significant changes to the educational sector. The loss of government jobs exacerbated the population drain from small rural

communities already suffering from demographic change and the impact of technology on resource industries.

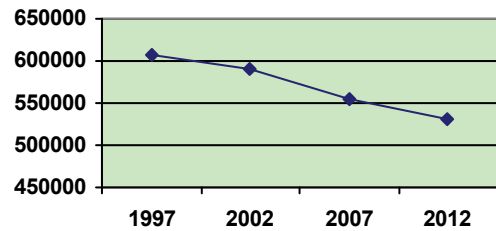


Provincial Student Enrollment

In the 10 years since the enrollment peak in 1997 of 607,000 school-age students, the province has seen a decline of 52,000 students. (To put that number in perspective – it represents all the students in every district north of Cache Creek.) There are three

factors to consider when examining enrollment data and trends. The first is the differential between students entering Kindergarten versus those leaving at graduation. The second is how that trend is changing and, finally, the extent to which the size of the kindergarten population changes as it moves from grade to grade through the system.

**BC School Age Headcount
Student Enrolment Trend**



In 1997, there was a difference of only 1,500 students between the Kindergarten and Grade 12 cohorts. This differential grew to over 13,000 students in 2002 and at present remains near that number when adult students are not included. As the smaller cohort of students moves from grade to grade and the larger number of students graduate, there is a natural decline in overall student numbers. With this built-in declining gradient, unless there is a very significant influx of students from outside the province into the other grades, the population will decline.

The encouraging news is that Kindergarten intake appears to be stabilizing in the mid-30,000 student range. Additionally, over an extended period of years, there is a slight but gradual increase in size of the Kindergarten cohort as it moves from grade to grade. These trends would seem to forecast that the decline in enrollment will taper off as the more stable Kindergarten numbers move through the system and gradually increase in size. It will take some time for these students to move into and through the system. The most likely scenario is a flattening of the school-served population by 2014 with an overall school population reduction of an additional 35,000 students.

Nevertheless, rural BC may still be faced with a challenge. The BC Progress Board 2007 report, *Strategic Consideration for BC's Future*, predicts BC's population will continue to age, with the median age rising to 46.2 years by 2031 from 39.8 in 2006. It also suggests that BC's population growth will concentrate in areas of the province that are

already relatively dense: Greater Vancouver, Victoria, Nanaimo, Fraser Valley, Cowichan Valley and the Central Okanagan.²



Educational Funding

Following the election of a new government in 2001, a major revision to the funding formula for BC schools occurred. In 2002 the changes resulted in a significant shift from funding space and infrastructure to an emphasis on funding the number of students in the district. Given the previous formula's disincentive to close schools and the resulting accumulation of considerable empty space, the new funding formula not only removed that disincentive but provided an opportunity for boards to make a choice between keeping facilities open or supporting or expanding programs.

Three of the most significant funding changes were the shift from supporting infrastructure to funding student enrollment, recognition for declining enrollment and support for "small community schools." In an example district, approximately 50 per cent of the district's funding was driven by regular student enrollment in 2001 and in 2002 that had risen to 75 per cent. Additionally, to soften the effects of declining enrollment nearly \$14 million was distributed through the funding formula to recognize this circumstance.

Particularly germane to the school closure issue was funding which recognized "small community schools." At the elementary level a small community school was defined as being farther than five kilometres away from another school and under 250 students, while at the secondary level it was defined as being farther than 20 kilometres away from another secondary school and under 650 students. A more detailed examination of the financial context is provided in Appendix 1 and Appendix 2.



Local Autonomy

In keeping with the changes to the funding formula, changes were also made to legislation in 2002. *Legislation Update 10/2002* stated that,

Bill 34, the *School Amendment Act, 2002*, removed from the *School Act* the requirement in section 73, for school boards to seek the minister's approval to open or close a school. The amendment added a ministerial order power (sic) to deal with school openings and closures in a general way.

M320, the *School Opening and Closure Order* sets out that:

- it is the responsibility of school boards to develop and implement a policy that includes a public consultation process for permanent school closures and

² This report and an executive summary is available at www.bcprogressboard.com

CURRENT CONTEXT

- school boards are to inform the ministry with written notification of the decision to open or to close a school.³

Unchanged in the *School Act* is Section 168.2.g, which allows the minister to require the “board to close a school if the number of students attending the school falls below eight.”

Ministerial Order 320/02 required that the power of a board to permanently close a school be exercised only by bylaw. The effect of exercising power by bylaw is to assign the issue such importance that it should be considered over more than one meeting. A bylaw requires three readings, with first and second reading being given at one meeting and third and final reading being given at a subsequent meeting.

The consequence of the three factors – sustained enrollment decline, funding weighted to student enrollment rather than infrastructure, and enhanced local autonomy – resulted in boards having the choice between funding increasingly empty facilities or funding programs. When boards approached the ministry arguing that they had special circumstances and requesting additional funds so that they would not have to make this choice, “the money is the money” was the consistent response.

Similarly, with few exceptions, provincial politicians, especially on the government side, did not intervene in the deliberations occurring in the districts, and the process ran its course at the local level. The result was that in the period between the end of the 2001/2002 school year and the end of the 2006/2007 school year, 139 schools were closed across the province in both large and small, rural and urban districts as a result of declining or shifting enrollment and fiscal pressures.

³ Available at <http://www.bced.gov.bc.ca/legislation/legp1002.htm>

Summary of Current Context

1. 2002 was a watershed year:
 - 1.1. the school-age population had been in decline for five years
 - 1.2. a change in provincial government had occurred the year before
 - 1.3. a new funding formula was implemented that shifted the funding to per pupil funding to a greater extent
 - 1.3.1. Schools and space were not recognized unless they were elementary or secondary schools that were farther than five and 20 kilometres, respectively, from the next nearest school.
 - 1.3.2. School space was not recognized at all.
 - 1.4. Ministerial Order M320 – *The School Opening and Closure Order* – was enacted. It removed the requirement for the minister’s approval for a school to be closed.
 - 1.4.1. This *Order* provided boards with autonomy in wrestling with the decision about school closures.
2. Between 2001 and 2007 139 schools were closed as a result of declining enrollment and/or financial pressure. (Others were closed and were replaced by new schools.)
3. The school-age population is projected to continue to decline for another seven to 10 years. It is quite possible that there will be 35,000 fewer students within five years.
 - 3.1. An enrollment drop of that magnitude is equivalent to approximately 100 schools if current trends remain in place.
4. The cost of seismic mitigation, a safety factor, will play an increasingly significant role in the school closure scenario.

Legal and Policy Context

Closing schools is an emotional issue. Opponents will access every avenue to prevent a closure from occurring. A fair process must be used, and be seen to be used, or the board will find itself in court.

Section 3.1 of the *School Opening and Closing Order* requires each school board to “develop and implement a policy that includes a public consultation process with respect to permanent school closures and this policy must be made available to the public.”⁴

Section 3.2 of the same order states: “When considering closing a school permanently, the board must apply the policy referred to in subsection (1).” Since the adoption of the *School Opening and Closure Order* in 2002, boards have put their policies and public consultation processes to the test. Some boards have fallen short in the rigour of one or both and have had the opportunity to strengthen these instruments with advice from the courts or the Ombudsman.

The Ombudsman, through Section 23 of the *Ombudsman Act*, has created a Code of Administrative Justice, which provides sage advice that boards should apply in the consideration of their policy and process related to school closure. The following are some of the key principles of particular relevance to the issue at hand:

- Contrary to Law
 - Failure to comply with statutory directive – e.g., failure to create a policy with respect to school closure or failure to follow that policy
 - Failure to follow common law doctrines – e.g., non-pecuniary conflict of interest – usually related to procedural fairness

⁴ *School Opening and Closure Order*, Ministerial Order 320/02 (M320/02), Order of the Minister of Education, BC Ministry of Education, October 24, 2002

- Unjust
 - Formal injustice – administrative justice requires consistency in the application of principles and standards. Similar cases ought to be treated in similar ways unless there is sound reason for treating them differently. Otherwise the board acts arbitrarily and an arbitrary decision is an unjust decision.
- Irrelevant Grounds or Consideration – e.g., basing decisions on criteria that are different from those laid out in policy or legislation.
- Arbitrary Procedure – an arbitrary decision is founded on prejudice or preference rather than on reason or fact – e.g., denying service to one area while continuing it in another area even though both areas seem to have similar circumstances.
- Unfair Procedure
 - An inadequate opportunity for the person affected to be heard before the decision is made. At a minimum, fairness will usually require adequate notice of the proposed action, and of the criteria to be applied, plus an opportunity to make representations.
 - A biased decision-maker. The Ombudsman states:

Good faith and an open mind are qualities of the decision-maker which are essential to maintaining the integrity of public administration. The decision-maker should not have any “interest” in the outcome of the decision nor should s/he show any pre-judgement of the issue to be decided.⁵

These principles lay the foundation for the board’s policy and give guidance to the process it uses in considering school closures. Additionally, they also point out the areas where the most common issues will arise when school closure decisions are challenged.

Policies, Processes and Pitfalls

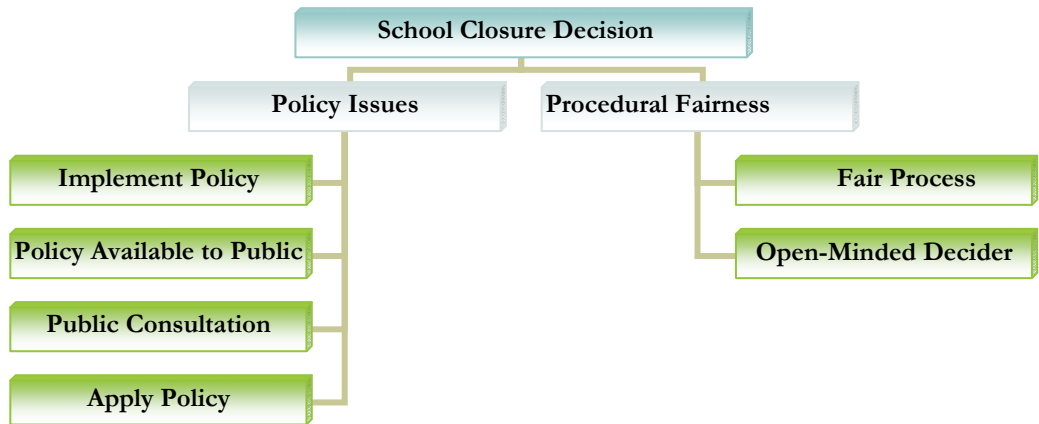
Over the last 20 years school closures have been challenged in the courts across Canada. While this may have been a bane at the time, it provides advice which, if considered, may well keep a board from a similar fate. Even if a board ends up in court compliance with the advice derived from earlier court decisions, it will increase the likelihood of a favourable outcome.

⁵ Office of the Ombudsman, *Code of Administrative Justice 2003*, Public Report No. 42 to the Legislative Assembly of British Columbia, March 2003, p.14

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The board’s policy, as required under the *School Opening and Closure Order*, is the foundation on which to lay out the time line, process, and consultation that will occur if the board considers a school closure. Once this policy is constructed, adherence to it is required by the above order.

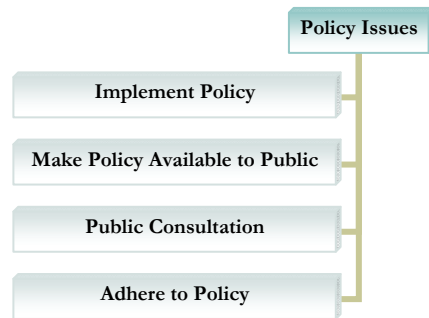
Generally, the legal problems a board may face when dealing with a decision pertaining to school closure can be grouped into two major areas: policy issues and procedural fairness. Further, these two components can be subdivided as follows:



The process the board outlines in its policy needs to pay particular attention to the issue of procedural fairness. As the Ombudsman stated, the two pillars of procedural fairness are an informed opportunity to be heard, and to be heard by open-minded decision-makers. Generally, the board will be challenged around these two issues.

Policies

In developing a policy and procedures to deal with school closures there are several key components the board needs to include. What are the circumstances that would lead the board to consider a school closure? Are there particular criteria that would be



examined? What are the timelines of the process? What will consultation look like? Will there be a partner group committee and, if so, what will be its mandate and representation? Will there be interim reports and if so who will prepare them and what, in particular, should they include? To whom will information be circulated? Will there be public consultation meetings? Is the policy general enough to cover

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both the closure of a single school or the possibility of mutually exclusive scenarios of school closures?

Districts have approached their school closure policy from a stance that ranges from setting quite general guidelines to entrenching very specific directions to their management team. For instance, SD43 (Coquitlam) includes the following in its policy:

The superintendent will recommend annually to the board at the last meeting in November, consideration of schools for closure based upon the following criterion:

- a school is operating at less than 50 per cent of student capacity as established by the Ministry of Education, or
- a school, because of age, location or operational costs can be closed and students accommodated in an appropriate environment, or
- because the cumulative student capacity within an area is less than 65 per cent of ministry capacity.⁶

The policy further directs the superintendent to assess the following factors prior to putting forward a school for consideration for closure:

- 1.1. Students will suffer no decline in program diversity or educational experience;
- 1.2. Safety of access for students being relocated;
- 1.3. Class size;
- 1.4. Accommodation and suitability of program offerings available in nearby schools;
- 1.5. Student decline will continue;
- 1.6. Age and operation and maintenance costs of the facility;
- 1.7. Alternate potential uses of a facility could create additional revenue for the district or could improve community services;
- 1.8. The parental and community support for the school.

The policy of SD35 (Langley) provides another list of potential criteria to be used in considering school closure;

A school may be considered for closure when there is sufficient space to accommodate the students in neighbouring schools. In addition the following factors need to be considered:

1. the present and three- to five-year enrollment projection;
2. the number of the children in the catchment area who do not attend the school;
3. the number of the children attending the school from outside the catchment area;
4. the operating cost per student;

⁶ This and the following policies can be accessed on the BCSTA website –www.bcsta.org

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5. the condition of the facility and the need for capital expenditures to keep the building operational;
6. the limitations of the facility that restrict appropriate education programming;
7. the overall excess capacity of a geographically defined district sub-region;
8. the district's five-year capital plan and capital funding requirements.

Further, the Langley Board of Education directs that the following information be made available:

- i) detailed reasons for the proposed school closure;
- ii) which specific school(s) is being considered for closure;
- iii) how the proposed closure would affect the current catchment area for each school;
- iv) the general effect on surrounding schools;
- v) the number of students who would be affected at both the closed school(s) and surrounding schools;
- vi) the effect of proposed closures on board-provided student transportation;
- vii) educational program/course implications for the affected students;
- viii) the proposed effective date of the closure(s);
- ix) financial considerations;
- x) impact on the board's five-year capital plan;
- xi) proposed use of the closed school(s), including potential lease or sale

To date, in some school closure situations the board's policy has not been an issue regardless of its being robust or if it even existed. In the latter case the board was fortunate there was no challenge. However, in other cases, the board's policy has been found wanting and, either by its being flawed or by the board not following it, the district has jeopardized its case.

SD63 (Saanich) has closed schools, has gone to court, has been reviewed by the Ombudsman, has been sustained in its process and has revised their policy to make it even more robust. The policy is attached as Appendix 3. The one caution about the policy is that the *School Opening and Closure Order* requires the board motion regarding closure to be in the form of a bylaw rather than a regular board motion.

On the policy side of the discussion there are two essential questions:

- **Did the board adhere to its policy?**
- **In its implementation was the consultation process, as a whole, fair?**

Likely, it is obvious that the two issues overlap substantively. While it is the board's prerogative to determine the content of its policy, the content must always adhere to the rules of procedural fairness.

Procedural Fairness

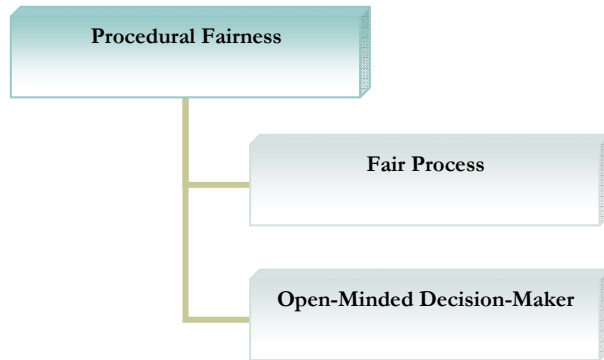
Boards, parents and communities across Canada have faced school closures that have gone to court over the years. The courts have reinforced the duty of procedural fairness. But the existence of this duty does not change the essential character of the board or the nature of a school closure decision. It remains a governance decision, but one that parents are entitled to have an opportunity to influence.

As one judge put it:

“The essence of consultation is the communication of a genuine invitation, extended with a receptive mind, to give advice. If the invitation is once received, it matters not that it is not accepted and no advice is proffered. Were it otherwise organizations with a right to be consulted could, in effect, veto the making of any order by simply failing to respond to the invitation. But without communication and the consequent opportunity of responding, there can be no consultation.”⁷

An important issue a board will face along the way to school closure will revolve around ensuring that the board gives parents a meaningful opportunity to present their

case fully and fairly. To comply with this requirement the board needs to be clear about why the school is being considered for closure. Therefore, parents need to have access to information about “Why this school as compared to other schools?” Parents also need to have an appropriate amount of time to consider this information and prepare their case



As stated by Supreme Court of BC Justice Koenigsberg in her ruling in *Mercer et al v. SD61 (Greater Victoria)*:

...the essence of procedural fairness in the context of a school closure decision is that the affected parties be afforded timely disclosure of relevant information and a full opportunity, in the circumstances, to develop and present their viewpoints, such that they have a legitimate opportunity to attempt to influence the board’s decision.⁸

⁷ *Civitarese et al v. SD20 (Kootenay Columbia)*, Supreme Court of British Columbia, McEwan, 2003, ¶ 78

⁸ *Mercer et al v. SD61 (Greater Victoria)*, Supreme Court of British Columbia, Koenigsberg, 2003, ¶ 93

A fair consultation process includes three components:

1. **timely access to relevant information;**
2. **sufficient time to develop and present a viewpoint;**
3. **access to an open-minded board.**

Within the public consultation process one of the most complex issues for boards is how to give meaningful voice to the public. Can there be true debate? How, in a public forum, can deep discussion develop between the board and the public? Justice Koenigsberg stated, “I do not believe that there is a legal requirement for an in-depth discussion of such issues. And I say that because, in essence, it is a practical impossibility at any public meeting.”⁹

Notwithstanding this comment it is important for board to strive for a fair process and one significant element is the time frame. In the same Greater Victoria case the judge indicated, “The situation was far from perfect. It was far from perfect mostly due to the relatively short time span, the 45 days, in which to receive, digest, and make presentations in relation to the five schools chosen for consideration.”¹⁰

And lastly, the same case reinforces that the public needs both appropriate information and adequate time – “I am mindful that what is required to make the most forceful and persuasive presentations is preparation based upon information and time to both digest and rework information given.”¹¹

TRUSTEE ATTENDANCE AT PUBLIC MEETINGS

Another issue that arises in regard to public consultation is the presence of trustees at public meetings related to the closure of a particular school. Is a trustee allowed to vote on a school closure if he or she did not attend any/some/all of the public meetings relevant to that school?

There is an oft cited legal maxim that “he/she who decides must hear.” As one would expect this matter has gone before the courts. At appeal it was determined that this maxim applies to adjudicative or legislative functions and not public consultation meetings and therefore a trustee may vote on a school closure without having attended

⁹ Mercer et al, ¶ 110

¹⁰ Mercer et al, ¶ 118

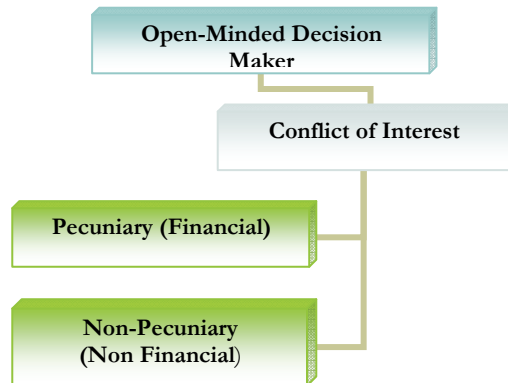
¹¹ Mercer et al, ¶ 115

the public meeting. However, it is incumbent on the trustee to become informed on all the material and presentations relevant to that closure.¹²

Boards will be faced with varying degrees of complexity in their school closure circumstances. In the most straightforward of cases it will involve a single school with a very small population of students. In more complex situations it may involve a host of interlocking scenarios across several municipalities. A common approach may not be the answer to both these examples and yet there will be common principles regardless of the complexity. Communication, adequate information, genuine consultation, adherence to the board’s policy, sufficient time for consideration and open-mindedness are critical principles with the approach.

In the next chapter a more thorough examination will be given to a variety of scenarios that a board may face.

Open-Minded Decision-Maker and Conflict of Interest



One aspect of procedural fairness involves the process through which the decision is made. The second aspect relates to the decision maker. As Justice Orsborn of the Newfoundland Supreme Court stated:

“In the management decision facing the board, it is to be expected that individual trustees

may bring with them some element of predisposition, depending on how the decision will affect their community and will be viewed by the electors. Complete neutrality and impartiality is not contemplated.

“When considering whether or not to close a school, the board must give parents a meaningful opportunity for input that might potentially influence the final outcome. The opportunity requires that the outcome not be a foregone conclusion. Inevitably, there will already be some inclination that closing the school is appropriate.the board is an administrator – not a neutral adjudicator – and would generally have formed the preliminary view that a particular school is a candidate for closure.

¹² *Potter v. Halifax Regional School Board*, Nova Scotia Court of Appeal, 2002, Oland, J.A.

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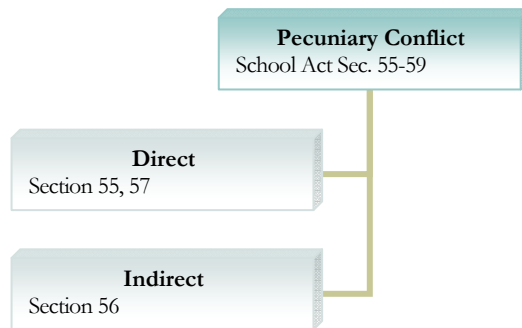
“...The board, as manager, must not have prejudged the issue to the point where parental input is meaningless and a mere formalistic ritual. The ability to persuade and influence requires a mind willing to consider carefully such persuasion and influence. The board’s mind must be open and not closed.”¹³

Having provided such a clear opinion, Justice Orsborn disqualified two trustees from voting on the school closure of this case for having a closed mind as he deemed them to have made up their mind irrevocably to close the school.

Open-mindedness is a two-way street. That is, it pertains equally to both sides of the debate – to close or not to close a school. It is more likely that trustees will be challenged if they are perceived to be close-minded that a school should be closed. However, it is conceivable that parents might feel that their child was disadvantaged if a school were not closed, and challenge a trustee who they believe was close-minded toward a school not being closed.

Additionally, if one has a financial or other personal interest – a conflict of interest – in the matter at hand, then one may not be open-minded.

PECUNIARY CONFLICT OF INTEREST¹⁴



Conflicts of interest are considered to fall in to two broad categories, namely, pecuniary and non-pecuniary conflicts of interest. The process which school trustees are required to follow in the case of a pecuniary conflict of interest is addressed in Part 5 of the *School Act*.

Part 5 of the *School Act* codifies the common law principles regarding pecuniary conflicts of interest. “Pecuniary interest” is defined in section 55 as:

...“pecuniary interest” means, with respect to a trustee, an interest in a matter that could monetarily affect the trustee and includes an indirect pecuniary interest referred to in section 56.

An indirect pecuniary interest arises if the trustee or a partner is involved in a firm or corporation which has a pecuniary interest in the matter.

¹³ *Tracey v. Avalon East School Board*, 1998 Supreme Court of Newfoundland, Orsborn, ¶ 21 & 22

¹⁴ The following five sections on conflict of interest are primarily taken from unpublished material prepared for BCSTA by Wendy Harris of Harris and Company, and are used with permission.

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Section 57 of the *School Act* extends the definition of “pecuniary interest” further by stipulating that the pecuniary interest of a spouse, child or parent of the trustee will be deemed to be the pecuniary interest of the trustee.

Section 58 sets out the process which a trustee must follow in the event that he or she has a pecuniary interest in any matter as defined in Part 5.

Section 59 provides for exceptions to the obligations of a trustee under section 58, e.g., the trustee is not required to disclose a pecuniary interest and refrain from participating in the consideration of a matter if the pecuniary interest is in common with electors generally or if the pecuniary interest is so remote or insignificant in its nature that it cannot reasonably be regarded as likely to influence the trustee.

RESPONSE TO A PECUNIARY CONFLICT OF INTEREST

If a trustee has a pecuniary interest in any matter and is present at a meeting at which the matter is being considered, the trustee must:

- a. disclose his or her pecuniary interest and the general nature of the pecuniary interest,
- b. not take part in the discussion of or vote on any question in respect of the matter, and
- c. not attempt in any way, whether before, during or after the meeting, to influence the voting on any question in respect of the matter.

In addition, if a meeting is not a public meeting, the trustee who has a pecuniary conflict of interest must leave the portion of the meeting during which the matter is under consideration.

If a conflict of interest issue arises Judith Clark, the BC School Trustees Association’s general counsel, offers the following advice:

If other trustees ask about an apparent conflict of interest, they are entitled to an explanation. Trustees should not consider it to be overstepping any boundaries to draw conflict of interest issues to the attention of their fellows. The appropriate response by a trustee is to consider the point made, possibly take legal advice, reach a conclusion and explain that conclusion, even where the conclusion is that he or she has no disqualifying pecuniary interest or bias and is not required to disclose and abstain under the *School Act*.

In light of the seriousness of a school closure decision, a question as to whether a trustee is disqualified should not be left unaddressed. It would be prudent for a board of education to take proactive measures to protect the decision-making and voting procedures. A board must exercise caution and be alert to the possibilities of disqualifying conflicts or bias to protect the integrity of its processes. It is recommended that a board seek legal advice on such an issue.

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CONSEQUENCE OF CONTRAVENTION OF PECUNIARY CONFLICT

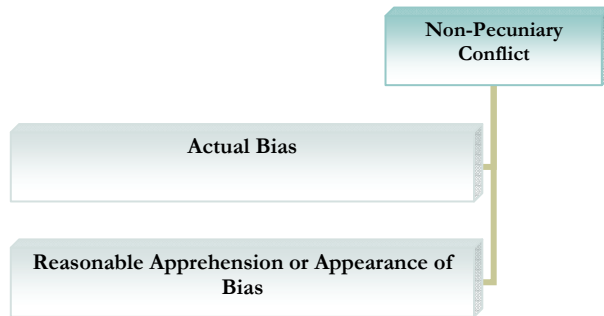
Section 63 of the *School Act* provides remedies in the event that a court concludes that a trustee has contravened section 58. In particular, **if the court determines that a trustee has knowingly breached section 58, the court must declare the office of the trustee vacant.** The court may also order restitution if there has been a financial gain arising from the breach

Section 63 of the *School Act* does not, however, give the court the power to set aside a decision in an application by an elector under section 62. Section 64 specifically addresses the power to set aside a decision for which a trustee has failed to comply with section 58. It provides that **the failure of a trustee to comply with the requirements of section 58 does not invalidate any proceeding of the board unless the board takes steps to invalidate the proceedings within two years.** Thus, while an elector can apply to have a trustee removed from office for failure to comply with section 58, a decision of the board can only be set aside at the instance of the board.

NON-PECUNIARY CONFLICT OF INTEREST

Non-pecuniary conflicts are not codified by the *School Act* and are therefore governed by the common law. In common law, it is a fundamental rule of procedural fairness that a statutory body, or one of its members, should not be biased or have the appearance of bias. This includes not participating in a decision in which the public

official has a personal interest. This principle has subsequently been extended to apply to administrative decision-making that involves the exercise of delegated statutory powers.



Bias relating to non-pecuniary matters can take the form of actual bias, where, based on the evidence available, it is clear that

the individual has interests or holds beliefs which indicate the person could not be expected to act objectively. Bias can also exist where, due to a person’s present or past positions, relationships or comments, there is a reasonable apprehension of bias, or appearance of bias, such that the person will not act objectively.

Where the interest is non-pecuniary, **the general test is whether there is a reasonable apprehension of bias.** It is the answer to the question, **“What would an informed person, viewing the matter realistically and practically – and having thought the matter through – conclude?”**

In many circumstances, the courts will assess whether the trustee has an “open mind.” In order to disqualify the member, a challenging party must, in court, establish that there has been a pre-judgement of the matter to such an extent that any representation

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to the contrary would be futile. For example, in the *Potter v. Halifax Regional School Board* case the Justice Oland concluded that two trustees, based on their repeated comments to the media, had all ready made up their minds that the school should be closed. As a consequence they were disqualified from voting on the issue.

There is related case law that addresses whether other non-pecuniary interests constitute a disqualifying bias (such as, where the trustee is a parent of a student in the school which is subject to closure, or where the trustee is also the mayor in the community where school closures are being considered). In a number of those cases, the courts have held that the trustee's familial or other interest is in common with the electors generally, and therefore, does not constitute a disqualifying bias. However, other cases have come to the opposite conclusion without considering whether the interest is in common with other electors. The law is currently unsettled in this respect.

CONSEQUENCE OF CONTRAVENTION OF NON-PECUNIARY CONFLICT

Non-pecuniary conflicts are not governed by the *School Act*. Thus, if a school closure decision is tainted or may be tainted by non-pecuniary conflict or bias, the procedure and remedies set out in the *School Act* are not applicable.

Under the common law if the courts declare a decision concerning a school closure was not made in accordance with procedural fairness because a trustee had a "closed mind" the remedy generally ordered is for the decision to be set aside. Of some solace is that courts do not readily overturn school board decisions involving school closure. In the previously cited *Civitarese v. School District 20 (Kootenay Columbia)* Justice McEwan referenced a previous court ruling regarding the court's mandate pertaining to school closures:

The narrow mandate of the court is to inquire whether the school closing is authorized by law, whether there was adequate public consultation as required by law, and whether the decision is taken through a process that is procedurally fair. [emphasis in original]¹⁵

¹⁵ Civitarese et al, ¶ 38

Summary of Legal Issues

1. A school closure policy must
 - 1.1. be implemented
 - 1.2. be made available to the public
 - 1.3. include public consultation, and
 - 1.4. be applied.
2. Two essential policy questions:
 - 2.1. Did the board adhere to its policy?
 - 2.2. Was the consultation process as a whole fair?
3. A fair consultation process has three key components:
 - 3.1. timely access to relevant information
 - 3.2. sufficient time to develop and present a viewpoint, and
 - 3.3. access to an “open-minded” board.
4. An “open-minded” board – The board, as manager, must not have prejudged the issue to the point where parental input is meaningless and a mere formalistic ritual. The ability to persuade and influence requires a mind willing to consider carefully such persuasion and influence. The board’s mind must be open and not closed.
5. Pecuniary Conflict of Interest
 - 5.1. If the court determines that a trustee has knowingly breached a pecuniary conflict of interest, the court must declare the office of the trustee vacant.
 - 5.2. The failure of a trustee to comply with the requirements of section 58 does not invalidate any proceeding of the board unless the board takes steps to invalidate the proceedings within two years.
6. Non-Pecuniary Conflict of Interest
 - 6.1. The general test is whether there is a reasonable apprehension of bias. It is the answer to the question, “What would an informed person, viewing the matter realistically and practically – and having thought the matter through – conclude?”
 - 6.2. If the courts declare a decision concerning a school closure was not made in accordance with procedural fairness because a trustee had a “closed mind,” the remedy generally ordered is for the decision to be set aside.

Engaging the Community in Possible School Closures

The Cat only grinned when it saw Alice. It looked good-natured, she thought: still it had VERY long claws and a great many teeth, so she felt that it ought to be treated with respect. "Cheshire Puss," she began, rather timidly, as she did not at all know whether it would like the name: however, it only grinned a little wider. "Come, it's pleased so far," thought Alice, and she went on. "Would you tell me, please, which way I ought to go from here?" "That depends a good deal on where you want to get to," said the Cat. "I don't much care where -" said Alice. "Then it doesn't matter which way you go," said the Cat. "-so long as I get SOMEWHERE," Alice added as an explanation. "Oh, you're sure to do that," said the Cat, "if you only walk long enough." Alice felt that this could not be denied, so she tried another question. "What sort of people live about here?"¹⁶

AS Alice found out much depends on where one wishes to go! A board's mandate is to provide the best quality education for each student with the resources it is able to obtain. The number and significance of decisions the board must make in optimizing the use of its resources is proportional to the variance in the number and location of students it has in its care. If the number and location of students remains relatively constant it is highly likely that the number of schools and their configuration will tend to remain the same.

In a "blank slate" approach to its mandate the question is, "How many schools do we need to provide the best quality education for each student?" Supplemental questions

¹⁶ Lewis Carroll, *Alice's Adventures in Wonderland*, Chapter 6.

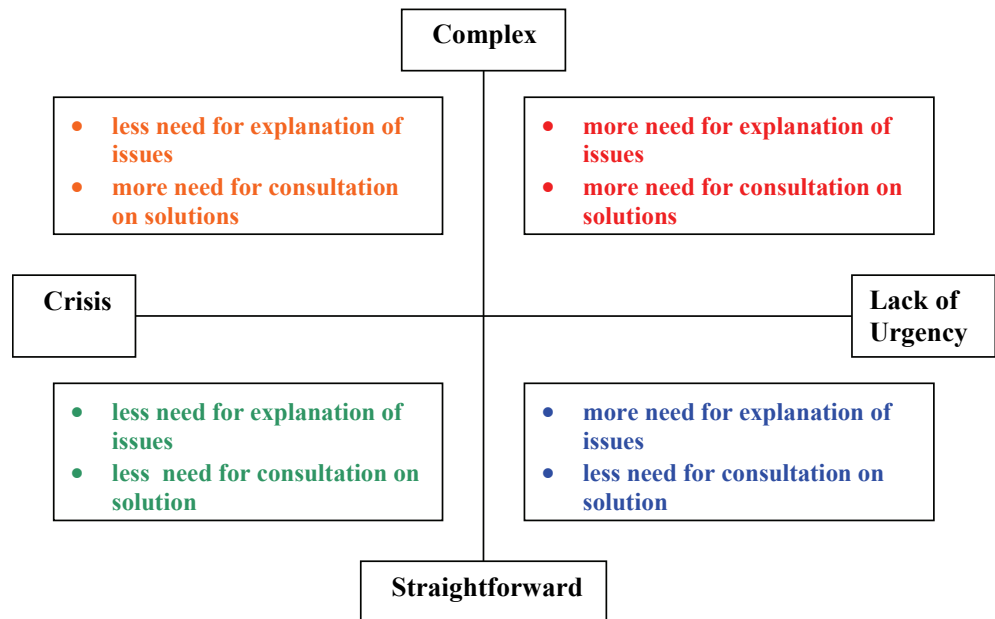
might be: Where would they be located? What would be their size? What would be their grade configuration?

Boards, however, do not have a “blank slate.” They are working with the status quo. Yet, as student numbers start to change or the location of students changes, these same questions arise.

The answers to these questions are not to be found through the school closure process! Rather, having found the tentative answer it may require the school closure process to implement it. How does one “find the answer”? As the Cheshire Cat said, “That depends...”

Action versus Vision

School districts are faced with many possible scenarios that may trigger the four fundamental questions about facility needs: How many? Where? What size? What grade configuration? The need to answer these questions will likely depend on the conjunction of the complexity of the problem with the level of urgency or crisis.



The simpler the situation is, the more straightforward the implementation is. The more complex the circumstance, the more parties need to be brought into the solution. Similarly, the less the sense of urgency, the more there is a need for a compelling vision for the change.

If the consideration is around the possible closure of a single school with little impact beyond the closing and receiving school, the more likely the district is to use the closure process mode rather than the vision-setting mode. Conversely, if there are

several schools possible for closure and it may change the grade configuration of other schools, or if there are a variety of mutually exclusive scenarios, then a board would be wise to have expended considerable energy on building significant understanding of the vision.

One of the more challenging problems for a board involves a lack of urgency. No financial crisis perhaps, but a belief that greater value could be provided for students through a different configuration of schools. In this scenario the community needs to be engaged in creating the vision which moves the district forward from the status quo.

Sometimes the board creates the sense of urgency by not acting when it might have and the situation deteriorates step by step until a crisis arises. This is the “frog in the pot of hot water” scenario. A frog can be placed in a pot of water and the heat turned on. The frog will remain in the pot without jumping out until the water is boiling. By the time the frog realizes the water is too hot, it is too late!

Boards have found it useful to ask this question when considering if action needs to be contemplated – **“If we do nothing will it get better, stay the same, or get worse?”** If the answer is “yes” only to the last part, then the board should begin to address the situation before it finds itself in very hot water!

“Trustee Open-mindedness versus Vision” Dilemma

Sometimes trustees are cautious about developing a plan – a vision – for fear that they will be criticized for having a “closed mind.” Occasionally boards have contemplated considering all schools for closure in order to show what an open mind they have. If one wishes chaos, this approach will suffice. Trustees should not confuse the narrow requirements of the closure process with a process that will foster creative and constructive conversations around possible school consolidation or reconfiguration. If the closure scenario involves several schools with interconnecting impacts, engage the community in developing and exploring the options.

It should also be anticipated that trustees will have some opinion about how the possible closure of a school will affect their community. One would not expect that a board would put a school forward for closure unless there was some reason for doing so, i.e., there will be some predisposition toward closure on the part of the trustees. What is expected is that an individual trustee must not have prejudged the matter to the extent that he or she is unwilling to consider the community’s input throughout the closure process.

Scenario A – Straightforward Solution/Crisis

The hypothesis is that if there is a great sense of urgency and a simple solution, then little time needs to be spent developing the vision for what needs to be done. It is as apparent to most as is the need for prompt action. Nevertheless, the probability that the solution is apparent to most is not the same as being apparent to all and, therefore, the board should anticipate that there will be some opposition, with attached emotions.

ENGAGING THE COMMUNITY

Examples of when this situation might arise are:

- a school fire where the school is destroyed and the population can be fully accommodated in another nearby school;
- the board discovers a school is structurally unsound and the population can be fully accommodated in another nearby school; or
- there is a sudden, unanticipated, and precipitous drop in student enrollment – perhaps due to a mill closure – and the population can be fully accommodated in another nearby school.

Is there board unanimity on the answer to the following questions?

- “What problem are we trying to solve?”
- Is there considerable clarity about what the fundamental components of the problem are?
- Is there an obvious solution that is clearly connected to solving the crisis over the long term?

Is the solution the answer to the questions, “How do we solve this crisis?” “What other solutions are there to solving the crisis?” “How removed are these solutions from the fundamentals of the problem?” “Will the situation improve over the long run if alternate solutions are implemented or will the crisis return because the fundamental issue has not been addressed?”

If the urgency remains high and the solution remains “obvious,” the board’s actions need to focus on two tasks: communication and implementation of the closure process.

COMMUNICATION

1. The board needs to hold a trustee- and senior-management-only meeting, committee-of-the-whole meeting, or whatever vehicle the board uses to gather together in a non-public meeting without the formality of a closed board meeting. The purpose is for management to bring trustees up-to-date on the crisis and to develop a plan of action. This, in essence, replaces the vision-setting process that may develop in other scenarios. Because of the urgency and the simplicity of the solution, the vision-setting process is neither possible nor needed.
2. In this case the board needs to:
 - a. develop a package of information about the crisis that is comprehensive, concise, clear and consistent;

- b. lay out the proposed solution to the problem, why it is the preferred solution, and what alternatives were considered, but rejected and why;
 - c. develop the timelines for the implementation of the solution;
 - d. develop the school closure process.
3. The board needs to communicate face-to-face with the following audiences:
 - a. staff of the school that may close,
 - b. the executive of the Parent Advisory Council,
 - c. the receiving school, which needs to begin to develop a transition plan for the students,
 - d. union representatives about the crisis and the proposed solution,
 - e. partner group representatives about the solution, the timelines, and how the closure process will be implemented,
 - f. the media through a press conference.
4. Once the initial round of communication is complete, the board should formally begin the school closure process by giving first and second reading to a school closure bylaw at a public board meeting. In instances such as fire damage, an unsafe structure, or loss of services, students may have moved to a new facility already and the closure of the school becomes a mere formality. On the other hand, the board may not be able to wait until the next regularly scheduled board meeting but may wish to hold a special meeting to deal with the issue.

Scenario B – Straightforward Solution/Lack of Urgency

This problem, in addition to having a fairly uncomplicated solution, has two other characteristics: a lack of urgency and the answer “no” to the question, “Will the problem get better or stay the same if we do nothing?” In other words, this situation will continue to deteriorate and that is the primary compelling force for change.

In this case, there will be greater resistance from the community toward a possible change than in the previous scenario because of the lack of a crisis. There is a general human tendency to leave well enough alone. In this circumstance boards will frequently hear the message, “If it ain’t broke don’t fix it.” The proactive board that is trying to deal with a situation before it becomes a crisis will need to focus on the attractiveness of the solution in promoting a need for change.

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On the board's side is the fact that there is a rather uncomplicated solution, although that may still mean that the board will face heart-wrenching emotion in its implementation. The board will need to invest more time in building its case around the preferred future and the advisability of avoiding the future that awaits if the board takes no action.

An example of this scenario is the continual incremental loss of students from a school such that the school is at half its capacity. There is another school within walking distance that could accommodate all the students.

Because there is no sense of urgency, it is even more important for the board to believe that the intended action is in the best interest of **all** the students in the district – but especially those students who reside in the school that may be closing (What is the win for them?). The board must answer the same questions as in Scenario A and, having done so, it must then focus on developing the advantages of the preferred future over the status quo. In particular, the board must eliminate all, or as many of the obstacles as possible, that detract from the proposal. Unlike Scenario A, considerably more effort must be spent on engaging the community prior to moving into the formal school closure process.

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There are several ways to approach this challenge. However, the essence lies in having the community come to believe that the proposed future is more desirable than the deteriorating status quo. There are many examples of where this challenge has met with stiff resistance – the Wells community in the Quesnel School District and Forest Grove in the Caribou Chilcotin School District are two that come to mind. The bigger the school being closed **or** the greater the distance the children would have to travel to the receiving school are predictors of increased resistance. One way to develop the proposed future is for the board to create an ad hoc committee.

1. Mandate of the Committee
 - a. Identify issues around the continuing operation of the school
 - i. Safety
 - ii. Educational
 - iii. Financial
 - iv. Facility
 - b. Identify the remedy to those issues and the ramifications of the remedy if the school were to continue to operate.
 - c. Identify the remedy to those issues and their ramifications if the school were to close.

- i. Identify the obstacles that the closure of the school would produce and how they could be overcome.
 - d. Propose a timeline for the paths identified in (b) and (c) above.
 - e. Present options about a proposed future for the children of that school community.
2. Composition of the Committee
 - a. Representative from the parent advisory committee of the school and a representative from the district parent advisory committee (but not from that school)
 - b. Staff representative from that school (possibly a teacher and non-teaching staff) and a representative from the district teachers association (and possibly non-teachers union)
 - c. Administrator of school and possibly an administrator from the district administrators group
 - d. A student representative (or two) if it is a secondary school
 - e. Community representative – if the school is the only school in a discrete community it may be advisable to have a community representative on the committee
 - f. Secretary treasurer or delegate
 - g. Superintendent or delegate (probable chair of the committee)
 - h. As required – maintenance staff, principal of receiving school (once identified), transportation staff.
 - i. Trustee(s) – since the report is to be submitted to the board it will be owned by the board at that time; that may be the best time for trustee involvement.
3. Timeline
 - a. Likely four to six months from striking the committee to its reporting out.
4. Reporting
 - a. The board may wish to consider developing a process to steer the report.

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- b. Consideration should be given to how the report will be made public and the openness or lack thereof of the progress of the committee as it addresses its work.

It is suggested that this committee be established a year and a half before any possible closure would come in to place:

- Committee created mid-winter – works through the spring
- Reports to the board early fall
- Board deliberates on the options of the committee and makes decision to proceed or not on the consideration of closure.
- If board moves ahead with the formal consideration of closure it does so in late winter or very early spring and makes its decision by April or, at the latest, May with the closure to be effective that summer.

COMMUNICATION

Prior to a final decision being made there are four critical “bursts of communication” required: at the start of the process, on receiving the report, on making a decision to proceed or not to proceed with the consideration of closure and, obviously, when the final decision is made..

1. At the start of the process the board needs to be very clear as to why it is initiating this process, what is being considered, what the time line is and what the process will be from start to finish. This should be shared with all the partner groups, the formal representatives of the community, and the press.
2. On receiving the report the board needs to have decided how it will be made public, what its distribution will be, will some groups get it ahead of others, and will staff of the school hear about the recommendations on the radio before they hear about it at school. Additionally, the board needs to address the next steps and their timeline, and the key components of the process that will be used.
3. Immediately following the board meeting that the decision is made to proceed (if that is the decision) with the consideration of closure. the board may wish to implement communication steps 3-6 of Scenario A.
4. Immediately following the board meeting when the third and final reading of the closure bylaw is voted on, the board should issue a press release and a notice that will go home with the children of the schools affected.

Scenario C – Complex Solution/Crisis

Unfortunately, several boards found themselves in a significant funding shortfall after the change in the funding formula in 2002 that resulted in a greater percentage of the funding being driven by student enrollment and no funding derived from the space of facilities. Because of the context prior to that time, very few districts had reduced space commensurate with their decline in student enrollment. The extent of the crisis was dependent on the disparity between the enrollment decline and the lack of reduction in square meters in the district’s inventory of schools.

The complexity of the situation might depend on several factors: the number of schools considered for closure, the number of communities involved, the interconnectedness of possible consolidation options, and the mutual exclusiveness of others. Other variables include whether the options contemplate changing the grade configuration of schools, and whether the district is an amalgamated district (1996) and there might be a “tit-for-tat” mentality (or reality).

It may be instructive to examine the processes used by three districts that closed several schools during that time: SD06 (Rocky Mountain), SD20 (Kootenay Columbia), and SD70 (Alberni). The first two districts are amalgamated districts – in Rocky Mountain’s case a three-district amalgamation. It is not coincidental that all three are rural districts – the enrollment decline was first felt in rural districts and the decline tended to be more dramatic.

ENGAGING THE COMMUNITY – ROCKY MOUNTAIN¹⁷

Background

In spring 2002, SD06 (Rocky Mountain) was faced with three challenging issues:

1. Decline of 200 students from the September 2001 enrollment of 4000 students.
2. Twenty per cent of space in the district’s schools was not required for instructional purposes.
3. A shortfall of \$2.1 million for the 2002-2003 school year (on a \$31 million budget) if the district continued to spend in the same manner.

**Community input-
the crisis**

At a board/senior management working session **the board developed “budget adjustment guiding principles”** which were communicated to staff, parents and the public

Community budget meetings were held in Kimberley, Golden and Invermere to provide information regarding the enrollment decline and potential budget shortfall.

¹⁷ Primarily from a paper presented to the BC School Superintendents’ Association Summer Conference by Bendina Miller, superintendent of schools, SD06 (Rocky Mountain), August 2002

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- Input regarding suggestions for budget reduction, as well as revenue generating suggestions, were received, consolidated and communicated.
- Input of particular significance was received suggesting that the board close schools, reduce administration, close zone administrative offices and close zone resource centers.

Management analyzed enrollment trends, space availability for students in neighbouring schools, budget implications, and potential savings should a school close.

At a special board meeting the board announced the reduction of central staff and passed a **Notice of Motion to consider the closure** of eight (out of 28) schools.

- Schools were considered for closure if;
 - all students from that school could be enrolled in a neighbouring school;
 - the closure of the school would result in cost savings;
 - cost savings would continue to be realized even when the Small Community Grant was eliminated.

Community input – the complexity

Consultation Working Groups for each school under consideration of closure were established. They were chaired by the area trustee and supported by a senior staff member. Representation included the principal, teaching staff representative, non-teaching staff representative, two or three parents, and a secondary student where applicable. Groups for each school were responsible for seeking and analyzing information and facilitating public meetings in each school community.

- Each consultation working group held up to three working group meetings and two public meetings.
- The superintendent, secretary treasurer and director of operations acted as resource people to the consultation working groups and also attended all public meetings.
- All consultation working groups kept detailed notes of all working group meetings as well as public meetings.

School closure process

The board/senior management held two full-days and one evening working session to analyze the data, discuss the input received, consider any options and ensure that all board members were fully informed of the unique characteristics of each school community.

A special board meeting was held to consider the closures. An information package for that meeting included detailed background information on each school.

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- The trustee who had been the chair of the consultation working group presented the background information and input for that particular school, followed by questions and debate among the trustees.
- Trustees voted to close seven of the eight schools. The eighth school remained open because of trustees' concerns over transportation safety and because there was a financial partnership with a community foundation that covered the operating costs of the school.

Communication

During the entire period **three superintendent and board updates to parents, staff and community were distributed** through the schools and to the broader community.

- A similar update informing the community of the school closure decisions was distributed the day after the special board meeting.

All public meetings were advertised through school newsletters, radio stations and ads published in newspapers, as well as through information posted in stores, post offices and other public places.

Follow-through

Senior management developed the technical guidelines for distribution of equipment/materials, allocation of funds, movement of goods and school closure process in the event of schools closing.

Shortly following the meeting, the Ministry of Education was sent an official letter of notification with a copy of the special board meeting agenda and board package as well as a copy of the special board meeting minutes.

The district did not receive a court challenge.

ENGAGING THE COMMUNITY – KOOTENAY COLUMBIA

Background

SD20 (Kootenay Columbia) was facing the following situation for the 2003-2004 school year:

1. It had experienced a decline of some 700 students (4,900 student population) over the three years, 2000-2003, and projected further declines for the near future.
2. It had closed one school in each of 1997 and 2000. In 2001 it closed three schools but two were overturned by the minister of education.
3. It had projected a deficit for 2002-2003 of over \$3 million and was facing a further \$2 million reduction for 2003-2004.
4. The board felt its circumstance was so severe that they might be at risk of being replaced by an official trustee.

5. The board closed four schools in 2002-2003.

**Community input –
the crisis**

In February, district staff met with the executives of the teachers' union and support staff union and reviewed a budget information package prior to its public distribution. The covering letter invited participation and budget submissions from staff, parents, students and community members.

A further meeting was held for all school district employees, who were provided information on three-year budget projections and three-year student enrollment projections.

**Community input –
the complexity**

Some 90 copies of the budget information package were distributed. This distribution included school principals, staff representatives, parent advisory council presidents, excluded staff and union representatives. The budget information package included reference to the possibility of school closures and the impact that one closure could have on another. The district management team prepared a package on scenarios for each school.

The district hosted a meeting in late March to discuss the concerns of local municipalities respecting possible school closures. The district is comprised of six municipalities and two regional districts.

**School closure
process**

In mid-February at the board's regular meeting a motion to consider the closure of sixteen of the district's schools was proposed. After an amendment to delete five schools, the resolution was carried.

At its early March meeting the board rescinded the motion regarding one of the schools it had deleted at its previous meeting.

The district originally scheduled five public meetings for April and at a later date added two more public meetings. At each of the public meetings the chair led the discussion. Seven different scenarios were presented some of which were either-or scenarios. There was considerable pressure placed on the board to close similar schools in each community, e.g., if the board was considering closing a middle school in community A then it ought to consider also closing the middle school in community B.

Immediately prior to the early May public board meeting the board held an in-camera meeting to review closure and reconfiguration options. At the public board meeting the board voted to give first, second and third reading to a series of school closure bylaws. In the end the board closed five schools.

Communication

Newspaper ads were the primary means of communicating information about public meetings. The district's policy on school closure required that written notice be given to students and parents of students currently attending a school under consideration of closure. Unfortunately, in one school this did not happen.

Follow-through

The district was challenged in court over the closure of Trail Middle School, primarily on the basis that the board failed to comply with its own school closure policy. The judge makes an informative comment for boards faced with complex closure issues when he states,

“However, in the context of the kind of budget-driven facilities meltdown the board was contemplating by February of 2003, it is evident that meaningful consultation would have to be undertaken in circumstances where the first question was ‘which schools?’”¹⁸

The most significant alleged breach of its policy centred on a failure to provide written notice to students and parents of each specific school considered for closure. Judge McEwan found that while the board did not provide the requisite written notice and that other forms of notice given were not an equivalent substitute, the deficiency does not render the process the board undertook unfair, or contrary to the principles of natural justice. The petition was dismissed.

ENGAGING THE COMMUNITY – ALBERNI

Background

SD70 (Alberni) was facing the following situation for the 2002-2003 school year:

1. Its enrollment had dropped from 5,900 students to 4,900 students from 1997 to 2002. It was further projected to lose three to four per cent of its student population each year for the next 10 years.
2. It had considerable excess instructional space in many schools.
3. It was facing a \$1.5 million shortfall and knew it would lose over \$600,000 in “buffer” funding over the next two years.

Community input – the crisis

Over the course of the year, because of the very significant enrollment decline that had already occurred and the implications of the new funding formula, a repeated message emanated from the board office that the status quo could not be maintained. The board began to question whether it could or should maintain its present configuration as well as what the impact of its doing nothing would have in five years.

Community input – the complexity

An analysis of excess space and school enrollment decline was undertaken. From this information, staff created a number of possible scenarios – some of which considered reconfiguring from a junior high model to a middle school model.

More than a dozen community and stakeholder meetings were held. The major meetings were held for administrators, the aboriginal community, teachers, support staff and a large community meeting (300 participants). These meetings were chaired by the superintendent with trustees in attendance. At each meeting there was a presentation and discussion about the various scenarios and their possible

¹⁸ Civitarese et al, ¶ 52

consequences. The participants were broken up into table groups where further discussion ensued. After the discussion each person was allowed to vote on both the configuration and consolidation issues. The results were tabulated and communicated back to stakeholders and community groups through the media and at the next board meeting.

The aggregation of these results began to show a consensus for a preferred future for the district's configuration. There was a desire to attempt to create a configuration that would provide some stability over the next several years.

School closure process

From the community consultation meetings came the recommendation to move from a Grade 7-9 junior high model to a Grade 6-8 middle school model and affect the resultant closure of three elementary schools and one junior high school.

This was adopted by the board.

Follow-through

Of note was that the parent advisory council chairs of the closing schools thanked the board for the process even though it had been an extremely difficult time for them. There was no court challenge.

Scenario D – Complex Solution/Lack of Urgency

While this scenario deals with situations that have less urgency, there is an increasing tendency for them to become more complex. Seismic mitigation of buildings, an expanding education mandate for districts to encompass more community programs, and heritage buildings are just a few of the issues that add to the challenges of boards as they consider whether closing facilities is part of their solution.

Because of what many will perceive as a lack of urgency and because there is no simple solution, in order to generate a successful conclusion, considerable thought and energy must go into broadening the community's understanding of :

- The need for change
- The options
- “The solution”

Two districts – SD63 (Saanich) and SD23 (Central Okanagan) are provided as examples of a longer-term approach to building a vision of district configuration.

Background

In 2002 the enrollment of SD63 (Saanich) peaked at around 9,000 students. It was then projected to decline for the next ten years to near 7,000 students. The board had been experiencing budget shortfalls of approximately \$1 million a year for several years.

Building the framework

By August 2003 a report was prepared, *The Educational and Operational Viability of Small Schools*²⁰. Small schools were considered those with fewer than 150 pupils. That report concluded that the board “should...be strategic, thoughtful and thoroughly consultative in examining the affordability of schools based on full-time equivalent enrollment, and should do so in the knowledge that educational and financial viability are both optimized in the 250- to 400-student range.”

The district held a community forum in February 2004 on the topic of Facilities as Community Assets – a forum to discuss issues such as the viability of small neighbourhood schools, declining enrollments, and the cost of maintaining vacant space. An invitation was sent to 183 partner and community groups.

In June 2004, the board closed a small elementary school projected to fall below 20 students.

Over summer and fall 2004, a working group of trustees, municipal representatives (the board encompasses four municipalities), administrators, union representatives, parents, and a representative of the district parent advisory council held six community meetings. The first three meetings focused on the question “Which matters most – keeping facilities open or maximizing services and programs?” The second set of community meetings explored, “Can we enhance revenue or do we have to reduce space, and if we have to reduce space, what are the options?”

In early December 2004 the working group submitted a document identifying eight options including the possibility of several school closures.

School closure process

In mid-December, at a special public board meeting, the board proposed the closure of three schools and the consolidation of two others into a new school.

Consultation committees were formed for each school. Each committee held up to five meetings between January and April. Sub-committees researched facility needs, transportation and possible transition issues.

Reports were provided to the board in May and early June on issues such as school boundaries, transportation, after-school care, staff, and parent and student introduction

¹⁹ Primarily from a presentation to the BC School Trustees Association Academy, December 2006, MaryLynne Rimer, Board Chair, Dr. Keven Elder, superintendent of schools, SD63 (Saanich)

²⁰ This report can be found at <http://www.bcssa.org/topics/SD63.SmallSchoolsViability.pdf>

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to new sites, international students, Partnership BC, potential residential developments, and the adequacy of the consultation process.

At a late June special meeting of the board, motions to close three elementary schools were passed.

Communication

There was extensive use of local media outlets including radio, television and newspaper throughout the process. As well, most information was posted on the district website and school newsletters were used extensively. Unfortunately, a public advisory notice regarding a special board meeting to determine which schools might be considered for closure was not sent home from a school that was one of the designated closures.

Follow-through

The district was challenged in court over the closure of Greenglade Elementary School essentially on the question, “Were the parents afforded procedural fairness?”

The judgment referenced several germane points:

- Does public consultation count when the board is deciding the question “Which schools should be considered for closure?” The Judge’s answer: “Yes.”
- The time between the clear identification of a school’s potential to be on the closure list and the board’s formalizing its being under consideration of closure has some significance.
- Did the board have an open mind during the consultation that occurred over the six months between the board’s formalizing which schools were under consideration of closure and in the end which would actually close? Was it a mere implementation exercise rather than an actual decision? The Judge’s answer: “Yes, the board had an open mind.”

As well, the Ombudsman was asked to investigate the process of the board and as a result the district has made some improvements to its policy. That policy is attached as Appendix 3.

ENGAGING THE COMMUNITY – CENTRAL OKANAGAN

Background

Beginning in 1996 the district became concerned about the possibility of declining enrollment, very small schools, and ongoing budget pressure. The problem was seen as a long-term financial drain on the system rather than an immediate crisis. The district had experienced huge growth in the 1970s and as a result had many mid-sized schools in close proximity to one another. The district’s enrollment was approximately 23,000 students.

Building the framework

The board and the superintendent wanted long-term planning that would result in both financial and school stability for the district. In essence the board asked the four fundamental questions: How many schools do we need? What size should they be?

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Where should they be located? What should their grade configuration be? District management presented information to the board recommending an elementary, middle, secondary approach and the following school sizes: elementary – minimum 200, optimum 400; middle – minimum 300, optimum 600-800; secondary – optimum 1,200-1,800. The actual grades of the three levels were determined mostly by the capacity of the facilities. The result was a recommended K-6, 7-9, 10-12 configuration, although traditional K-7 and 8-12 configurations remained in some areas. (Future boards kept the grade configuration recommendation in place, but dropped the optimal school size due to community pressure and reconsideration.)

An attempt was made to focus on the needs of the entire district rather than specific schools or neighbourhoods. School population, building age, available space nearby to accommodate students, maintenance costs and regionalization of the impact were factors that determined which schools were considered for closure. Once the options were identified by staff, the trustees reviewed and debated the merits of moving forward with each option as well as the overall plan.

Many community meetings were held and, depending on the time, location and topic, they were facilitated by the superintendent or the board chair. They were typically an open forum with questions and answers. As well, the options were discussed at many board meetings. There was proactive and consistent messaging through the media as to why the closures were necessary. The main message focused on maintaining or expanding programs and services, and that this was not possible if the district had small, partially-filled schools. Essentially it became a budget prioritization debate in regard to educational goals.

School closure process

A multi-year plan was established that resulted in 15 schools being considered for closure over five years. There was considerable community consternation and in some schools strong opposition to the vision or the perception that school closures were the solution. Not all schools that were put forward for consideration were closed. In the end, however, 13 schools were closed, including one secondary school. All district schools, except for seven, experienced some type of grade configuration change during this time period.

Communication

The primary communication avenues were many public meetings and wide reporting by the media.

Follow-through

The district was not challenged in court, although some community concerns remain. Shifts in neighborhood population have recently created new space pressures for schools that were previously considered for closure.

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If school closures are a possibility, a district needs to be thoughtful, proactive, communicative and courageous. Consensus-building, or at the least increased understanding, are prerequisites for a successful process. The greater the complexity of issues the greater the sophistication required to analyze, communicate, clarify and present the circumstance, its consequences, and solutions.

The successful board will involve the community in meaningful dialogue, in an open-minded manner and, in the end, will have the courage to do the right thing for the long term good of all students of the district.

Summary of Engaging the Community

1. **What is the problem? (Specifically!)**
 - 1.1. **Separate the issue(s) from the action(s).** Avoid the temptation to leap to the solution before the issues are understood, clearly and consistently, by as many of the significant parties as possible
 - 1.2. The more issues there are and the more complex they are, the more sophisticated and thorough the dialogue needs to be between the sponsors of the action and those affected by the action.
 - 1.3. Build a community-wide understanding of the issue.
2. **Do we have a problem?**
 - 2.1. If we do nothing will the situation improve, stay the same or get worse?
 - 2.1.1. Be very clear about what “the situation” is.
 - 2.1.2. If the answer is ‘yes’ to only the last part of the question then move on to #3.
3. **What are some of the possible solutions/options?**
 - 3.1. Unless it is a one closure-one issue situation **begin with the four fundamental questions:**
 - 3.1.1. How many schools do we need?
 - 3.1.2. Where should they be located?
 - 3.1.3. What should their size be?
 - 3.1.4. What should their grade configuration be?
 - 3.2. Develop options internally that align with the four fundamental questions but be open to external options being presented. **Identify which options will go forward for public consultation.**
4. **What are the options that best address the issue(s)?** Ensure that those affected by the action have access to extensive, relevant and understandable information about the issues. Provide sufficient time for those affected to digest the information.
 - 4.1. Attempt to make the public consultation engaging as compared to simply communicative. Where possible allow the public to engage in the determination of the preferred options.
5. **Which, if any, schools need to be considered for closure? Be very clear about which schools are formally considered for closure.** Provide appropriate information and allow sufficient time for those affected to have the opportunity to have access to an open-minded board.
 - 5.1. Be courageous!

The School Closure Process

*What happens to our children in our education system is one of the most fundamental of public decisions. It strikes at the very essence of our role as parents and at our role as guardians of fundamental issues regarding childrearing. It is very similar to other fundamental issues, like those that are encompassed in family law cases. **It is very difficult to underestimate, or overestimate, the actual role that emotion and appropriate emotion plays in the attempt to make difficult decisions acceptable to those directly affected.***²¹

IN many cases, separating the determination of which schools are going to be **considered** for closure from the actual formal closure process is a wise thing. The more complex the situation the wiser it is to separate the two processes. In the previous chapter several scenarios were presented and several examples given of processes that boards have used to reach the final determination of whether a school is or is not going to be closed.

Once a school is even mentioned as being a candidate for possible closure the “fight or flight” syndrome begins. In its more overt form the “fight” component is the one which gathers the headlines. However, boards need to be aware that the covert “flight” syndrome can lead to a self-fulfilling prophesy for the school if the board takes an unreasonably long time in determining the schools status – open or closed. Parents will hesitate to enroll their children in schools that are under threat of closure and may move them from such a school. This is particularly the case where a school is on the list, and is not closed, but the underlying problem does not go away.

²¹ *Mercer et al v. SD61 (Greater Victoria, ¶ 101*

Role of principal and staff

The staff of a school threatened with closure are in a difficult situation, and none more than the principal. Staff have loyalties to their school community; have a concern about job security; and may have politically biases different than the board. Principals, in particular, will feel caught in the squeeze between leading the defence of their school, and letting the process run its course. The school community will look to the principal for advice, if not expect the principal and staff to lead the charge.

While being mindful of freedom of speech, the district should consider clarifying its expectations for the principal and staff of the school as to their involvement with the formal opposition that will arise in a school closure. In terms of the staff, discussion with the union regarding the expectations would be advisable prior to their implementation. A subset of this concern is the case of employees who have children in the school considered for closure but are employed elsewhere. Are there more lenient expectations for these individuals? Providing a voice on committees that may be struck to consider the school closure situation is one way to assist with this dilemma.

It is obvious that school communities under consideration of closure will feel threatened. Ensuring that the “rules of engagement” are clear and adhered to by the district will assist in making for a less stormy journey.

It is very important to keep in mind the lessons learned from the judicial reviews that have occurred in examining school closures. At this point in the process, through community engagement, the board will have answered the question, “Which schools?” The most common pitfalls that arise in moving toward the decision to close a school are fourfold: clear notification, adherence to the board’s policy, availability of appropriate information and adequate time to assimilate it, and access to an open-minded board.

Let Your Policy be Your Guide

Having a policy that gives clear guidance is very important particularly in emotional times. Not following the board’s policy is a sure method to end up in court at the conclusion of the process.

School closure bylaw

The *School Opening and Closure Order, section 4*, requires that the board may only permanently close a school by bylaw. One of the differences between a bylaw and a board motion is that a bylaw requires three readings – normally not done at the same meeting. The obvious intent of the *Order* is that the formal decision to close a school is of such importance that it should be placed out of the power of any one meeting to determine. Although section 68 (4) of the *School Act* allows boards to give all three readings of a bylaw at one meeting if there is unanimous consent of the trustees present, this clearly thwarts the intent of the *Order*.

A more appropriate practice would be to use the school closure bylaw to formalize the determination of **each** school which is being considered for closure. First reading of a bylaw is usually not debatable. If a board were to defeat the first reading of a bylaw for

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school closure, the public would be left to wonder why it was brought forward in the first place and, further, why it was defeated. Therefore, the board should pass first reading of the bylaw and move on to second reading. It is at second reading that the debate would ensue as to whether or not the school will move forward through the closure process or be deleted from the list (and spared!). Third reading would not be given at that meeting. However, it would very clearly be communicated at what future date third reading would be considered by the board. Generally, the board's policy would determine the appropriate time period between the two meetings.

Common periods of time between second reading and third reading of a school closure bylaw are at least two months or 60 days. If their policies state the time period, boards should ensure that they comply. As more boards engage in this process the time period is getting longer. SD63 (Saanich) has a four-month time period (see Appendix 3).

Communication

The first communication required in the formal school closure process is widespread notification about the board meeting at which first and second reading of the bylaw will occur. It is particularly important that the parents of any school that is on the list are informed of the meeting. Unfortunately, in two of the BC court cases involving school closure, parents were not clearly informed in writing, as the policies stated, that their children's school was being considered for closure at a particular meeting.

There should be an opportunity at the meeting for the school to make representation to the board regarding their inclusion on the list of schools to be considered for closure. Following the board meeting, once again, it is very important to notify parents of each of the schools that are now moving forward in the school closure process.

While there may be considerable other communication regarding closure issues, the next critical communication involves the board meeting, at which third reading of the bylaw will be considered. Again, there should be an opportunity for the school to make representation to the board.

Obviously, following the decision the school community needs to be informed, as does the minister of education in compliance with the *School Opening and Closure Order*. Appendix 5 provides a check list of issues that need to be dealt with once the board has passed second reading of a school closure bylaw.

Information

Many policies suggest the information that should be available to each community. Such an information package might include:

- Reasons for the proposed closure
- Financial aspects

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- The number of students who would be affected, at both the closed school and receiving schools.
- Impact on catchment areas
- Effect on transportation routes
- Effect on surrounding (receiving) schools
- Impact on educational program and course offerings
- Impact on community or district programs housed in affected schools
- Impact on the board's capital plan
- The proposed effective date for the closure.

This information needs to be available to the public shortly after the board's decision to move forward with the closure process for that school. Certainly, it needs to be available well before any public consultation meetings occur.

In addition to this information, **the board needs to be able to present a compelling case as to:**

1. **why any schools needs to close**
2. **why this school needs to close (as compared to any other school)**

More Consultation

Most boards' school closure policies suggest some of the forms of public consultation that will occur. Most commonly, this will take place as a community forum, a school forum or both. Additionally, the board needs to indicate how to make written and email submissions. The district should establish a binder for each school to gather the information submitted and this should be available to all trustees. The board should discuss how e-mail submissions will be shared.

The community or school consultation meeting typically has the following format:

- Welcome, purpose of the meeting, introductions
- A presentation by the chair or superintendent or secretary treasurer as to why school closure is being considered. This presentation should be general enough to cover any school closure and also specific to the school being considered. Alternatively, if it is a broader community meeting, the presentation may be an explanation of the possible scenarios.

THE SCHOOL CLOSURE PROCESS

- An opportunity for community input. Asking people to sign up on a speaker lists facilitates this task. Another consideration is to ask for partner group input first before going to the general community. Inviting partner groups ahead of time is courteous. Be cautious about responding to questions from presenters. It is easy to lose control of the meeting. Some boards may wish to respond to questions, while others may wish to indicate that a record will be kept of the questions and a response will be provided over the course of the next week, perhaps in a newsletter so that the information is shared in a widespread manner.
- In some cases, and wherever possible, if the format of the meeting is to be table groups rather than auditorium style, the board may wish to consider a method of having participants indicate their preference for one option over another after discussion at the tables. The larger the meeting the more difficult a task this is. It is also more difficult if it is an open community meeting rather than a meeting of invited representatives.
 - If the meeting is comprised of invited representatives, a more structured process can be undertaken that will provide the board with the preferences of the group. This process could be repeated around two issues, e.g., district configuration – {K-7, 8-12}, {K-5, 6-8, 9-12}, K-7, 8-10, 11-12}; and the closure scenarios that each would generate.
 - Provide the representatives with the options to be considered prior to the meeting.
 - Predetermine table seating by having one or more representatives of each group sit at each table. Try and have every group represented at each table.
 - Explain each option. Present their pros and cons. Allow for questions. Post the options at the front of the room.
 - Give each table “sticky dots” or some similar voting token. Give them 50 per cent +1 “sticky dots” of the options under consideration, i.e., if there were five options each table would receive three “sticky dots.”
 - Board may consider using a skilled neutral facilitator to organize and chair public consultation meetings. Each table is charged with the task of deciding on which options it will cast its “sticky dots.” The table could place all three dots on one option, two dots on one and one dot on another, or one dot on three different options.

THE SCHOOL CLOSURE PROCESS

- After an appropriate time period, ask the tables to place their dots on the posted options at the front of the room. The option with the greatest number of sticky dots is the preferred option.
- A second, much more rigorous method in seeking group consensus is likely appropriate if one is working with a committee. This method is known as a Prioritization Matrix. It is fully explained in Appendix 4. Its basic steps involve:
 - Having the group determine the criteria it will use in selecting the best option, e.g., safety, savings, community impact, travel time, condition of building.
 - Weighting the criteria, e.g., is safety equal in importance to savings, twice as important, 175 per cent as important? These two steps would probably take one meeting to accomplish.
 - With each criterion, determining the extent to which each option addresses that criterion, e.g., for safety, which option presented the least safety concerns compared to which presented the most.
 - Determining the aggregate of each option in order to arrive at the preferred solution. (It is unlikely that one could use this approach in an open community meeting. However, it might be possible to take components of it, such as the concept of the criteria that one might use in determining the best option, to embed into the district's consultation process.)
- In closing the chair of the meeting should indicate the remaining timeline for the process and when and where the board will decide on the closure.

It is hoped that if the situation were a complex one, the board would have used some of these methods of consultation prior to reaching the stage of considering school closures. For example, it is wise to address the higher level question of district reorganization first, before considering the closure of specific schools.

The use of committees, group meetings – e.g., administrators, district parent advisory council, teachers' executive, representative group – all have a place prior to the consideration of the closure of a specific school. The more consensus-building that can occur through this phase, the better off the board will be as it reaches the ultimate stage of decision-making.

Finally, while many education sector professionals have the skills to implement the suggestions above, the board, administration and community might benefit from using a skilled *neutral* facilitation specialist to organize and chair public consultation meetings.

The Board Meeting

If there is only one school closure to consider, place it at or near the front of the meeting. If there are several school closures on the agenda, it may be wise of the board to hold a special board meeting with the closures being the only item on the agenda.

The board may wish to invite a representative of each school considered for closure to make a short presentation at the beginning of the meeting. There needs to be a separate bylaw for each school. The board may also wish to consider having one trustee – perhaps the vice-chair – make all the motions regarding third reading. The chair may even wish to comment on that procedure. The order in which the schools are being considered for closure may be significant. If such is the case, pay attention to this detail. The case could be if the board closes School A then it cannot close School B and School C. However, if it does not close School A, then it could close either or both of School B and School C. If the board does not vote on School A first, then it could box itself in as to the outcome.

Notification

If the decision is to close the school, obviously the school and its community need to be informed. The school will be in a state of emotional turmoil. The morning following the board meeting, the personal presence at the school of the superintendent and board chair, while potentially painful, is warranted and at a latter date may even be appreciated.

Written notice should go to the homes of all the students of the closed schools. Parents need to be informed of the effective date of the closure, what the new catchment areas will be for their neighbourhood, transportation arrangements if necessary, and any transition activities for their children.

The district may wish to discuss with receiving schools the desirability of postponing parent advisory council elections until September so that new parents have an opportunity to become involved at that level.

As required by the *School Opening and Closure Order* the minister needs to be informed in writing of the closure and its reasons.

THE SCHOOL CLOSURE PROCESS

Summary of School Closure Process

1. Generally, use separate processes to determine which schools are going to be considered for closure as compared to which schools are going to be closed.
2. As the board moves forward in determining if a school is going to be closed, there are several key considerations:
 - 2.1. Adhere to the board's policy on school closure
 - 2.2. Provide written notice to the parents of the school being considered for closure
 - 2.3. Provide clear information and adequate time for the community to digest it. The information should answer these two questions:
 - 2.3.1. Why do schools need to close?
 - 2.3.2. Why does this school need to close?
 - 2.4. Provide access to an open-minded board. Trustees must avoid making comments that suggest their mind is made up.
3. Use the school closure bylaw to initiate the formal closure process by giving first and second reading to a school's being considered for closure. Consider a third reading at a subsequent meeting, ensuring that the time gap between the two meetings complies with board policy, and is sufficient for meaningful public consultation.
4. Develop the implementation plan as if the school were to be closed. The district needs to be able to answer the logistical questions ranging from, "Which school would my child attend?" to "What will happen to the hot lunch program?"
5. Hold at least one public forum. In fact, the number of public forums may exceed the number of schools being considered for closure. This may depend on the amount of public consultation that occurred in determining which schools would move forward into the formal closure debate.
6. Have a robust transition plan ready to go as soon as the decision is made. Having students and parents from the closing school visit the receiving school as soon as possible often helps reduce anxiety.

Working with the Media

Reporters, like sharks, get very excited at the smell of blood. Both species have been known to go into uncontrollable feeding frenzies.

In a reporter's case, the blood scent is triggered by anyone who seems unwilling or unable to be interviewed or anyone who is evasive and not forthcoming in an interview. A reporter believes no one should have anything to hide. In fact, undisclosed information is a challenge to be discovered.²²

IT is not an option to choose to ignore the media. The influence of the media is simply too pervasive. The most advantageous position to be in is to have nurtured a positive relationship with the media in all your dealings. Consider the media to be an ally in presenting your message. It is important to keep the lines of communication open not only with the media but with anyone affected by the closure situation. The school communities affected are going to be seen as victims. It is important for them to be aware of what is going on. The balancing act for the board is to try and give the system the information while at the same time letting the media know in a timely manner. Of course, anything that is said to the system can quickly find its way to the media.

What is Your Message?

Before any media encounter it is crucial to know your key messages and to have identified your target audience. That means taking the time to identify the two or three major points that you want to make. In developing your key message be concise. Think of the key message as if it is the motto or slogan for that action. You want people to remember it. Try and make it positive. Can it be stated in 10 to 20 seconds? If it takes longer than that break it into two or three key messages. After stating your key message then give further information, examples, or illustrative stories. Some examples of key messages that boards have used are:

²² Ken Coach, *Media Power*, Damn Good Productions, Vancouver, 1998, p.83

WORKING WITH THE MEDIA

- “Too much space, not enough kids”
- “Stability – five years of stability!”
- “Which is more important – keeping facilities open or maximizing services and programs?”
- “Programs for all students matter more than neighbourhood schools for some.”

In sharpening your message think about whom it is aimed at. Whom are you trying to inform or influence? Tailor your message to that audience. What questions do you hope the media won't ask? Think about how your key message could be a part of the answer.

The Board Spokesperson

The board needs to be clear about who will speak to the media. Most boards have a practice of the chair and/or superintendent being the spokesperson. If it is the board chair it is extremely important that there be a procedure for the flow of information to the chair. It is also important for the spokesperson to be readily available to the media and to promptly return their calls. It is not at all uncommon for the media to simply phone the next trustee when the spokesperson can't be reached promptly. Reporters are competitive, have their deadlines, and have space to fill. They are not particularly concerned about the district's protocol.

One guiding principle for any trustee who is speaking to the media is to remember the need to have an open mind, and be seen to have an open mind, in regards to the actual closure of any one school. Trustees have been banned from the process by the courts because their comments to the media were taken to indicate they had already made up their minds.

Be prepared to answer the basic questions a reporter is going to ask:

- Who is affected?
- What is happening?
- When is it happening or when will the next steps be taken?
- Where is it happening?
- Why is it happening and why now?
- How does it affect people?

The spokesperson may be asked for information he/she doesn't have. It is perfectly acceptable to tell the media that you don't have that information but as soon as you do,

you will get back to them. Then, do! As well, it is better not to speculate. Some who hear the speculation will take it as a *fait accompli*. And lastly, what you say is often less important than how you say it, particularly on television where emotion and visual information are a part of the message.

Information

Reporters are not experts in the field of education, facilities or finance. The more complicated the issue, the more of a challenge it is for the district to provide succinct but sufficient information that will allow the reporter (and the community) to understand the issue. The most common response from districts that feel they have been successful in dealing with the media during school closures is that they were open, honest, forthcoming and proactive. In short, they saw the media as an ally in helping them get their message out.

The news release is one avenue for conveying information. Try and encapsulate your key message in the headline of your news release and restate it in the lead sentence. In your first paragraph answer the basic five W's: Who, What, Where, When and Why. The first paragraph should have the most important information in it. If the news release is longer than two pages consider attaching background information to it. Make sure that the background information is understandable. Include a contact name and number for more information.

A press conference with background information is another format for the board to consider. In larger centres this may be a more formal event, while in smaller centres it may be an invitation to the local media contact to drop by for an update. In the more formal setting determine beforehand who is going to deliver the key messages and whether that person will also provide more detailed background information verbally. Who will respond to questions from the various media sources at the press conference? In the less formal setting don't be lulled into forgetting that the interviewer is a reporter.

Incorrect Information

Unfortunately, and not infrequently, districts perceive that the media have got it wrong; the wrong information, the wrong contemplated action, the wrong timeline, or the wrong amount. This is different from being misquoted. That is another issue. In the former instance the district may wish to contact the reporter to set the record straight. However, the last thing the district needs is to anger the media, and so such an approach must be carried out tactfully. There may or may not be a correction but it could increase the likelihood that the reporter may check her or his facts the next time.

Summary of Working with the Media

1. Develop a positive, open, responsive approach with the media as the district's *modus operandi*.
2. Be thoughtful and considerate about balancing communication within your system and with the media.
3. While it may not seem like it at first (or second) glance, the media are the critical conduit through which the message flows.
4. Work on developing the key message(s) so that it reflects due consideration of:
 - 4.1. Accuracy, a positive stance, conciseness, and some memorable catch phrases;
 - 4.2. The intended audience;
 - 4.3. All trustees (and senior staff) being able to repeat it
5. The board spokesperson should be informed, focused, readily accessible, and articulate!
 - 5.1. Focus on presenting an open-minded stance when commenting on specifics. This is a critical dimension if the board's ultimate action is challenged legally.
6. Develop a background information package, regarding the issues and the proposed solutions that meet the "necessary and sufficient" test.
 - 6.1. Avoid jargon and abbreviations in the background.
7. Correct media misinterpretation/inaccuracy, diplomatically remembering that there is a tomorrow.

After the Decision: Facilities, Finances, and Physical Assets

“It was only a building.”

– Comment to a superintendent by a parent who had been a strong and vocal supporter of a school that had been closed four months previously.

Once it is determined that a school will be closed, there is a significant logistical operation. Students have to be moved to and received in the new school. Physical assets have to be assessed and assigned. Decisions, regarding which of the physical assets will be moved, where they will be moved to and who will move them, must be finalized. Not only are there mountains of school district equipment that may need to follow the children but there will be employees who have been in the school, not for years but for decades, who will have amassed a mound of personal and professional treasures which they will want to take with them to their new place of work. Once these elements are in place the district can begin to move forward in deciding what happens to the facility.

In the end, schools may only be buildings, but they come with significant emotional attachment and often are seen as icons in, and by, the community. They are full of community memories. Understandably, once the school is closed there will be some community apprehension as to what will occur with the building. On the one hand, the community does not want to have a vacant building that will become an eyesore and a potential safety risk. On the other hand, the not-in-my-back-yard syndrome is front and centre over any potential community or public use beyond what it has always been – a school.

Moving Day

The complexity of the reallocation of physical assets from the closing school depends on whether or not there is one primary receiving school or several schools that will receive the students. While technically the resources are the property of the district and can be distributed however the district wishes, a good rule of thumb is that the “funds and equipment follow the students.” Therefore, if almost all the students move from School A to School B then the school funds and equipment of School A move to School B. However, if 40 per cent move to School B, 30 per cent to School C and 30 per cent to School D, then the funds and equipment from School A should be distributed proportionately. Naturally, things never quite work out that way – and perhaps they shouldn’t. School C may be better off in a particular area and perhaps would need fewer computers from School A than the others would. A district official should act as arbiter in facilitating the fair distribution of goods from the closing school.

Once a school has been closed the district is wise to move the physical assets to the respective receiving schools as promptly as it can. Unoccupied schools are more susceptible as security risks. The more attractive the asset the quicker it should be moved to its new destination.

General principles of asset distribution

The district needs to hold a meeting with the principals of both the closing and receiving schools to go over the ground rules, logistics and timeline for the move. As well, the district will need to develop clear written guidelines for teachers, administrators, teacher-librarians, school secretaries, and the maintenance department relative to the move. Some general principles are outlined in Appendix 7 – Asset Distribution for Schools Involved in Amalgamations.

Teachers become particularly anxious during this time. The district needs to provide clarity about whose responsibility it is to pack, label and move the various components of the classroom. It certainly helps if the human resources department has completed the staff redistribution so that teachers know what and where their assignment is for the next school year. Some districts restrict teacher access to school buildings during the summer and this practice may require revision to allow teachers the time needed to pack up and then unpack at their next assignment.

Student and office records

Particular care and attention must be given to student records, special education files and office records. There are definite confidentiality issues. Losing boxes of files, having them end up at the municipal dump, or inadvertently shredding them are not scenarios one would wish for. See Appendix 7, Guidelines for Packing Up School Office Records.

School financial issues

Also of significant importance are the closing of the school’s finances. There are a range of issues to consider – from parent advisory council accounts to petty cash, from GST rebates to school generated funds. Clear guidance to the principal and school secretary is of utmost importance. See Appendix 9 – Guidelines for Financial Issues – School Closures.

School library

The library is another area that is a major challenge in the smooth transition to one or more new schools. In the closing school, additional time and assistance may have to be allotted to the teacher-librarian and clerical help as they sort and weed the materials to be moved, and in preparing the receiving school's library for the influx of material. This matter becomes more complex if the collection of the closing library is being split between several schools. See Appendix 10 – Guidelines for School Libraries Slated for Closure.

Once the move has been made, there will, in all likelihood, be a significant quantity of unwanted equipment. If there are several schools being closed this can be substantive. The district needs to formulate a plan as to what to do with this material. This becomes a more pressing issue if the school is going to be leased or sold.

Dealing with a closed school is a great deal of work. It will likely require additional staff to make a timely and effective move. Underestimating the amount of work will lead to headaches down the road with an increased potential for lost or stolen equipment, partially empty buildings which are a shambles on the inside, unsafe buildings, and more difficult buildings to market for lease or sale.

Keep, Sell or Flatten

The board has an asset in a school; however, the building quickly becomes a deteriorating asset if it is left vacant for long. In more urban centres it may be the land that has the true value rather than the building. It is often difficult to find a buyer who has the financial wherewithal to support the infrastructure costs that are inherent in any building the size of most schools.

The board and the Ministry of Education will wish to see the maximum value returned for the asset, whether it is in capital dollars by selling, operating dollars by leasing, greater community good by leasing to a community agency at a discounted rate, or future district need by retaining the site. In September 2007, the minister of education issued *Ministerial Order 233/07 – Disposal of Land or Improvements*. The purpose of the new process is to ensure that surplus K-12 real estate identified for disposal by a board of education is first reviewed for provincial government and Crown agency interest, followed by local government consultation, before being offered to third parties in the marketplace. This process is designed to be time sensitive with negotiations based on fair market value. See Appendix 11 – Process for Disposal of Land or Improvements.

The board has two options with a permanently closed school, and each option has several variations. The board can keep the property (and building) or dispose of the property (and building). If the board decides to keep the property and building there are three alternatives: keep the building and let it remain vacant, lease the building, or keep the property but demolish the building. While disposing of the building may seem more straightforward, some situations have involved trading the property for

another site and, in the Lower Mainland, there may be the opportunity for a developer to acquire it and provide space back to the district in a new development.

Keep the Property

School district inventory

Keeping the building may be far-sighted, but such a decision comes with problems. The least desirable situation is that of a vacant building. In order to protect the asset, service systems need to remain operational: water, power, some heat and alarm systems. As a result, the board will not realize the full utility savings that it had projected. Also, even with monitoring, a vacant building is more susceptible to leaks, shifting, broken pipes and other sundry ills that go unnoticed for some time. Neighbours do not appreciate an empty building as it tends to attract undesirable elements and it deteriorates more rapidly than an occupied building. Boards that face school closures, where there is already an old vacant school building in the community, will find that the existing vacant building will be a burden rather than a comfort.

Heritage issue

If the building is not seen as a valuable asset but the land is, then the alternative is to demolish the building and keep the land. The first drawback to this situation is the cost of the demolition and inevitable asbestos abatement that will ensue. Demolition comes with a steep price tag. The second disadvantage is that there is no revenue return on the property while there continues to be a property maintenance cost in keeping the grounds to neighbourhood standards. A third potential major issue is that of the possible heritage designation of the building. A district is wise if, long before it considers demolition, it has sorted out whether or not the building is to be considered as a heritage building and what the consequences are.

Lease

The most advantageous situation, if the board wishes to keep the property, is to lease the school. Finding business, agencies, or institutions that have an interest in a building the size of most schools is fortuitous. Prospective renters often tend to be government agencies or large community organizations. The district needs to be aware that in most instances there will be internal modifications required to the building to make it attractive to or functional for the renter. While they may or may not bear the cost of the modifications those modification will need to be undone if the school were to revert to its original purpose. If the renovation needs are extensive in order for there to be a sufficient “payback period,” the renter may wish a lengthy lease. Boards need to keep in mind that any lease of five years or longer is not allowed to be a part of operating revenue. Another issue that may arise if the land/building is not used for educational purposes is property taxes. A lease (as well as a sale) is also a disposal of property and needs bylaw approval by the board.

Another issue with leases involves responsibility for grounds maintenance and, in the case of an elementary school, what happens to the playground. What are the liability issues for the board, who will maintain it, and who will monitor it? In some cases, playgrounds have been removed. This tends to be an unpopular decision from the neighbourhood’s perspective, as the playground was probably the product of extensive community fundraising.

DEALING WITH THE FACILITY

Some examples of lease situations are:

- A 150-student elementary school is leased to the Northern Health Authority primarily for office space. Concerns were expressed by the community over the kinds of services that would be provided from the facility, e.g., needle exchange.
- A 300-student elementary school is leased to the Association for Community Living. This association supports children who have special needs, adults who have developmental disabilities and their families. Prior to moving in, this agency had scattered in numerous facilities throughout the community. The internal renovations to this school have been significant and it would require significant cost to return it to a functioning school.
- A 200-student, recently renovated, elementary school is leased to the Family Resource Centre. This centre offers health, educational and social services in a friendly, family-oriented environment in one of the neediest areas of the city. It is a partnership of several agencies, including Northern Health Authority, the Ministry of Children and Family, the City of Prince George, SD57 (Prince George), and the South Fort George Community Association.
 - Some of the services provided include:
 - Drop-In Health Clinic
 - Well Baby Clinic
 - Families Count Program
 - Parent and Tot Drop-In
 - Mental Health Service
 - Alcohol and Drug Counseling
 - Support Network for Fetal Alcohol Syndrome
 - 15-space daycare for three- to five- year olds and seven-space child-minding for 18-month- to five-year olds
 - Ministry of Children and Family Development offices
 - South Fort George Community Association offices
 - Storefront Alternate Education Program for 24 full-time and 10 part-time students.

DEALING WITH THE FACILITY

- Clothesline and Toy Room – new clothes and toys for families in need
- Power Play Group – early childhood education program.
- Pulling a project like this together requires some real champions and, in this particular case, involved hiring a very skilled facilitator to get and keep all the partners on track.

In all of these cases, there was community concern about the proposed or possible use of the facility, misunderstandings, and rumours. Several thoughtful and skilfully presented open houses need to be staged in the affected neighbourhoods to assist the smooth implementation of such programs. After several years of operation there are no community issues – in fact, the sites are seen as community assets.

Sell the Property

Fair market value

If a school is sold it is required by the Ministry of Education that the price be fair market value. Additionally the board must comply with the requirements if the *Disposal of Land or Improvement Ministerial Order*. Disappointingly, for most schools outside the larger urban areas, this is a considerably discounted price as there are generally few buyers. Buyers range from those who wish to turn a small school in to a large house; those who want to turn a public school into a Christian school or a Chinese medicine school, to those who have some entrepreneurial adventure in mind. Do not be surprised if after a period of time the school is back on the market.

Rezoning

Because of the wish to increase the potential value of the property, boards will inevitably find themselves debating whether to get involved in the rezoning process. It can be an interesting but not necessarily rewarding endeavour. Boards will have to determine what the challenges will be versus what the potential rewards are before venturing too far.

Real estate agent or....

Boards often chose a real estate agent to act on their behalf in the disposition of the property. There are standard documents that confirm the arrangement between the board and the agent. Similar to a home owner who wishes to avoid legal pitfalls, so to a board can benefit from the expertise of a real estate agent. Using an agent is not worry-free, and of course there is a fee to the agent for the work done on behalf of the board.

A board, likely through their secretary treasurer, can do it themselves but should seek legal advice to ensure proper documentation of the sale. SD57 (Prince George) has developed an alternate method to seek interested buyers. Their *Invitation for Expressions of Interest* is designed to seek declarations of interest from parties wishing to purchase the property. The submission of an expression of interest is intended to facilitate negotiations and the preparation of a legal agreement based on an offer to purchase, which is a part of the *Invitation for Expressions of Interest* document. The process is not a tendering process.

DEALING WITH THE FACILITY

Proceeds split

The proceeds from the sale of a capital asset are generally split on a 75/25 per cent basis. Seventy-five per cent goes to the bylaw capital reserve, which requires Ministry of Education approval before it can be spent on a capital project. Twenty-five per cent goes to the board's local capital reserve over which the board has control. There are exceptions to this split if the board can clearly prove that the asset was fully purchased by district funds.

Summary of Facilities, Finances, and Physical Assets

1. A school, even empty, is a community icon filled with memories. If it remains empty for long it can become a community eyesore.
2. In the transition, moving students from the closed school to the receiving school is very easy compared to the work involved in transferring the physical assets.
 - 2.1. The cost of the transition must be paid now or later. It is much better to pay now and do the move correctly and completely than to do it piecemeal over an extended period of time.
 - 2.2. If the parent advisory council of the closing school was involved in purchasing some of the assets, its wishes regarding where the assets go should be given due consideration.
 - 2.3. Enlist a group of “concrete-sequential” thinkers to work out the logistics of the move.
 - 2.4. It is quite possible that once the move is made, the district will be unpleasantly surprised by how much is still in the school. Develop a plan that caters for the storage and/or disposal of the surplus material.
3. The least desirable option with a closed school is to have it remain a vacant building.
4. Beware the heritage issue. If this is even a remote possibility, tackle it early.
5. The best lease is one that produces solid revenue and contributes to the greater good of the community.
 - 5.1. Regardless of whether you think such a lease contributes to the greater good of the community, the community may have a different opinion. Provide an open house so that the potential client can explain the use and answer the community’s questions.
 - 5.2. Be aware that modifications to the building may occur, and that it may be expensive to put the building back to “school” format.
6. If the building is offered for sale the fair market value may not be as high as was hoped for (unless it is located in the Lower Mainland).
 - 6.1. Compare the money, time and resources incurred in rezoning with the anticipated dividend. It may be better to leave rezoning to the purchaser.
 - 6.2. Remember the proceeds primarily remain in the capital account and require ministry permission to expend.

Recommendations

It is inevitable that over the next decade there will be as many, or more, school closures than there have been in the past five years. How can boards do the right thing in the right way?

Ten years ago the average school size in British Columbia was 366 students; it is now 335 students. With the prediction of a further drop of 35,000 students over the next five years, it is not difficult to contemplate the possibility of a further 100 schools being closed. What would help boards cope with this emotionally-laden and politically-charged challenge?

A common answer is, “More money!” Yet many boards are now asking themselves, “If we had more money would we spend it on operating buildings that are partially full or would we be wiser to spend it on programs for all students?” Additionally, the seismic mitigation issue is becoming more of a driver for boards in realizing that they do have to make some choices around consolidation. It is a very major cost factor for the provincial government. A government of any political persuasion would look irresponsible if they spent hundreds of millions of dollars on many facilities that are only partially full. School districts are responsible for students’ safety. However, it is unlikely that school districts will receive funds for seismic mitigation until they have consolidated facilities if their facilities are underutilized.

The districts that will be the most involved in school closure issues over the next five years are those facing both major seismic mitigation needs and declining enrollment. Either factor may trigger the school closure debate; both factors will trigger the school closure debate. Board responsibility for student safety will demand that closure and consolidation in safe buildings be a priority.

RECOMMENDATIONS

Recommendations

1. A board should review its school closure policy to ensure that it provides procedural fairness, and adequate and realistic timelines.
2. BCSTA may wish to identify the districts that have a major seismic mitigation challenge, those that are forecasted to experience a significant enrollment decline, and those that have both characteristics. Within those subsets, it could look at those which are stuck – have not been, or are not, addressing seismic mitigation and/or closure and consolidation issues. Those districts run a liability risk if they are not taking adequate and timely action to address student safety, and they may need outside assistance.
3. BCSTA may wish to hold a symposium on the issue of school closure.
4. BCSTA may wish to meet with representatives of BCSSA, BCSDSTA, and BCCPAC to determine if there is a joint endeavour that could be undertaken to assist boards in dealing with this issue.

Appendices

Appendix 1 - Financial Context

The current funding formula recognizes the significance that a school plays in the life of a small community. In those circumstances the challenge for the board is to determine the balance between educational proximity and educational opportunity.

IN 2002 the SD57 (Prince George) Board of School Trustees considered the closure of a dozen schools and in the end closed seven. Two of the schools under consideration were Hixon Elementary and Haldi Road Elementary. Hixon was a 45-student Kindergarten-to-Grade-7 school located approximately 60 km south of Prince George. The next nearest school was 45 kilometres away. Hixon offered two multi-grade classrooms with minimal library and learning assistance. It had a strong technology and music program provided by the principal. Haldi Road was a 90-student Kindergarten-to-Grade-Seven school located on the west edge of Prince George. The next nearest school was located less than five kilometres away with slightly over 200 students. Haldi Road offered split grade classes with some library and learning assistance. It had a strong academic focus.

Hixon received the small community supplement of approximately \$100,000 as it was further than five km from the next nearest elementary school while Haldi Road did not. The board determined that, based on its service levels, Hixon was close to a “break-even” situation while Haldi Road, even with a reduction in staff to reflect its declining enrollment, was not. However, more significant in the board’s consideration of closure was the feedback from the communities. Both communities expressed strong support for their schools. The Hixon community did not have any problems with the multi-grade instructional situation, particularly when the alternative included a 45 km bus ride and the loss of the community’s only school. On the other hand, the Haldi Road community expressed strong displeasure at the possibility that there might be even one triple grade class in their school. Despite displeasure at the change to the status quo, the preferred option for many was to attend the larger elementary school down the road. The board closed Haldi Road Elementary School and did not close Hixon.

The above story illustrates the relationship between service level and distance to next nearest school, between service level and sense of community, and between service level and funding.

The Financial Triangle: Expenses, Funding, Facilities

School boards in their budget deliberations are tasked with the challenges of meeting the varied educational needs of their students in the communities in which they live. The board is required to present a balanced budget. In tackling this challenge the board determines how many schools it requires to meet this mandate and how much funding it will allocate to each of those schools.

If expenses go up and funding does not then service levels go down; if expenses go down and funding does not then service levels go up. If funding goes up and expenses do not then service levels go up; if funding goes down and expenses do not the board is in a great deal of trouble!

On top of the day-to-day operating costs of running a school there is a direct infrastructure cost associated with each school. Those services supplied by the district include maintenance, grounds, computer labs and technology services. Additionally, and of considerable significance, are building upgrade costs such as seismic mitigation projects and heating, ventilating, and air conditioning upgrades.

In considering school closures the questions often asked are: How much will we save by closing a school? Will we lose any funding? If we don't close the school how much will it cost for the facility to meet health and safety expectations?



Expenses

How much are expenses reduced if a school is closed? Each district has different staffing and service levels, and so a precise answer is not possible. As well, each circumstance will be different dependent upon the additional staff the receiving school will need to accommodate the population of the closing school. While there are likely to be some savings in these areas the dominant reductions will come in the non-instructional expenses. In this area there are more commonalities than differences.

Expense reductions will also be affected by the size of the school. As well, some areas of potential savings may not be realized immediately. For example, utility costs won't be fully eliminated unless the school is sold. Similarly, personnel savings may not be gained in the first year following closure because of possible severance costs or the placement of individuals in supernumerary positions awaiting retirements.

While these savings may not be gained in the first year they are not one-time savings, neither are they cumulative, but they are continuous. After the first year the costs do not return. They are gone forever. The following table outlines many of the possible infrastructure savings. Thus, the average expense reduction incurred by closing an elementary school could be in the \$190,000 range.

Area of Potential Expense Reduction in a 120 Student Elementary School	Approximate Expense Reduction if full Time Equivalent
Administrative Time	\$53,000
If Administrator teaches – differential between pro rated average teacher salary and administrator's pro rated salary	\$7,000
Secretarial Time	\$33,000
Custodial Time	\$40,000
Noon Hour Supervisor Time	\$8,000
Utility Costs	\$50,000
Total	\$191,000



Funding Allocation System²³

Since the vast majority of school closures have involved elementary schools, an examination of their funding and expenses in relation to enrollment are pertinent. As has been noted, schools do not generate any funding unless they are further than five kilometres away from another elementary school or 20 km away from another secondary school. In the 2007/2008 Funding Allocation System from the Ministry of Education, each student generates \$5,851. This funding incorporates both school level support and recognition of district infrastructure costs, although some of these costs are recognized in other components of the Funding Allocation System.

Number of Full Time Equivalent Students	Funding Generated at \$5,300 per FTE Student
20	\$ 106,000
40	\$ 212,000
60	\$ 318,000
80	\$ 424,000
100	\$ 530,000
120	\$ 636,000
140	\$ 742,000
160	\$ 848,000
180	\$ 954,000
200	\$ 1,060,000
220	\$ 1,166,000

If one assumed that approximately 90 per cent of the per student allocation supported school level services, approximately \$5,300 per student would be allocated to schools. Using this figure one can roughly calculate the funding that various sizes of schools would generate in support of children's education.

Similarly, one can also begin to calculate the expenses associated with providing educational services to those students.

Using staffing levels from an actual district and extrapolating them to the benchmark school list, the following instructional costs are determined.

²³ Two years ago the Ministry of Education introduced a "Funding Protection Grant." In its first year a district's funding was guaranteed to be no less than 99 per cent of the previous year's funding. This year the guarantee has been increased to 100 per cent of the previous year's funding. This grant makes the possible financial loss from a school closure a moot point. However, it would be unwise for a district to disregard this issue as at some not-too-distant point it is inevitable that the base year will be revised and a district will feel the consequences.

APPENDIX 1- FINANCIAL CONTEXT

FTE Students	Teachers	Learning Assistance / Support Teacher	Librarian	Cost of Teachers
20	1.73	0.08	0.05	\$ 142,000
40	2.57	0.16	0.10	\$ 216,000
60	3.41	0.24	0.16	\$ 290,000
80	4.24	0.32	0.21	\$ 363,000
100	5.08	0.40	0.26	\$ 437,000
120	5.91	0.48	0.31	\$ 510,000
140	6.75	0.56	0.36	\$ 583,000
160	7.59	0.64	0.42	\$ 658,000
180	8.42	0.72	0.47	\$ 731,000
200	9.26	0.80	0.52	\$ 805,000
220	10.09	0.88	0.57	\$ 878,000

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As well, there are the non-instructional costs to consider such as secretarial, custodial, noon hour supervision, supplies and operational funds, and administration.

FTE Students	Secretarial Costs	Noon Hour Supervisor Costs	Administrator Costs at \$100,000	Custodial Costs	Supplies & Operations	Non-Instructional Costs
20	\$ 20,000	\$ 4,500	\$ 9,000	\$ 21,000	\$ 17,100	\$ 72,000
40	\$ 22,600	\$ 5,200	\$ 18,000	\$ 25,000	\$ 22,200	\$ 93,000
60	\$ 25,200	\$ 5,900	\$ 26,000	\$ 28,800	\$ 27,300	\$ 114,000
80	\$ 27,900	\$ 6,600	\$ 35,000	\$ 32,700	\$ 32,400	\$ 135,000
100	\$ 30,500	\$ 7,300	\$ 44,000	\$ 36,500	\$ 37,400	\$ 156,000
120	\$ 33,100	\$ 8,000	\$ 53,000	\$ 40,400	\$ 42,500	\$ 177,000
140	\$ 35,700	\$ 8,700	\$ 62,000	\$ 44,300	\$ 47,600	\$ 199,000
160	\$ 38,400	\$ 9,400	\$ 70,000	\$ 48,100	\$ 52,700	\$ 219,000
180	\$ 41,000	\$ 10,200	\$ 79,000	\$ 52,000	\$ 57,800	\$ 240,000
200	\$ 42,400	\$ 10,900	\$ 88,000	\$ 55,900	\$ 62,800	\$ 260,000
220	\$ 42,400	\$ 11,600	\$ 97,000	\$ 59,800	\$ 67,900	\$ 279,000

Combining the above two charts of instructional and non-instructional service levels, one is able to determine the size at which a school is drawing from other resources in the district in order to operate.

Number of Full Time Equivalent Students	Funding Generated at \$5,300 per FTE Student	Instructional Costs	Non-Instructional Costs	Difference
20	\$ 106,000	\$ 142,000	\$ 72,000	(\$108,000)
40	\$ 212,000	\$ 216,000	\$ 93,000	(\$97,000)
60	\$ 318,000	\$ 290,000	\$ 114,000	(\$86,000)
80	\$ 424,000	\$ 363,000	\$ 135,000	(\$74,000)
100	\$ 530,000	\$ 437,000	\$ 156,000	(\$63,000)
120	\$ 636,000	\$ 510,000	\$ 177,000	(\$51,000)
140	\$ 742,000	\$ 583,000	\$ 199,000	(\$40,000)
160	\$ 848,000	\$ 658,000	\$ 219,000	(\$29,000)
180	\$ 954,000	\$ 731,000	\$ 240,000	(\$17,000)
200	\$ 1,060,000	\$ 805,000	\$ 260,000	(\$5,000)
220	\$ 1,166,000	\$ 878,000	\$ 279,000	\$9,000

²⁴ For this example the cost of a teacher – salary and benefits – is \$80,000 less the Teacher Salary Adjustment of \$4,000.

APPENDIX 1- FINANCIAL CONTEXT

Based on the assumptions that have been made, in this district a school of 200 students or fewer will draw against other district programs. The point of this exercise is not to highlight the precision of the break-even point but to stress the concept that there is an economy of scale when funding is provided on a per student basis without regard to the infrastructure costs for a school of any size.

Small Community Supplement – Elementary

The above economics are skewed significantly if the elementary school is farther than five kilometres away from the next nearest elementary school and has fewer than 250

Number of Full Time Equivalent Students	Small School Supplement
20	\$ 126,000
40	\$ 126,000
60	\$ 126,000
80	\$ 126,000
100	\$ 126,000
120	\$ 117,000
140	\$ 99,000
160	\$ 81,000
180	\$ 63,000
200	\$ 45,000
220	\$ 27,000

students as a result of its being a recipient of the Small Community Supplement. If one of the benchmark schools were the beneficiary of this funding it would generate the amount in the chart to the left.

If any of the benchmark schools qualify for the Small Community Supplement funding, and it is allocated to the school, then the following results are obtained.

Number of Full Time Equivalent Students	Funding Generated at \$5,300 per FTE Student	Small Community Supplement	Instructional Costs	Non-Instructional Costs	Difference
20	\$ 106,000	\$ 126,000	\$ 142,000	\$ 72,000	\$ 18,000
40	\$ 212,000	\$ 126,000	\$ 216,000	\$ 93,000	\$ 29,000
60	\$ 318,000	\$ 126,000	\$ 290,000	\$ 114,000	\$ 40,000
80	\$ 424,000	\$ 126,000	\$ 363,000	\$ 135,000	\$ 52,000
100	\$ 530,000	\$ 126,000	\$ 437,000	\$ 156,000	\$ 63,000
120	\$ 636,000	\$ 117,000	\$ 510,000	\$ 177,000	\$ 66,000
140	\$ 742,000	\$ 99,000	\$ 583,000	\$ 199,000	\$ 59,000
160	\$ 848,000	\$ 81,000	\$ 658,000	\$ 219,000	\$ 52,000
180	\$ 954,000	\$ 63,000	\$ 731,000	\$ 240,000	\$ 46,000
200	\$ 1,060,000	\$ 45,000	\$ 805,000	\$ 260,000	\$ 40,000
220	\$ 1,166,000	\$ 27,000	\$ 878,000	\$ 279,000	\$ 36,000

It would appear that, based on the assumptions made and the service levels as outlined, if such a school were closed it would be for other than financial reasons. However, schools that are at some distance from the district’s core create other financial impacts on the district. Such schools draw on central resources – from higher maintenance costs to itinerant special education services, from higher technology service costs to travel both to and from the school. Nonetheless, barring other circumstances, it would appear the *raison d’etre* for the consideration of the closure of a school that qualifies for the Small Community Supplement would be an educational one rather than a financial one.

Small Community Supplement – Secondary

To date the vast majority of schools closed have been elementary. This may change over the next decade as secondary schools start to dwindle in population as a result of the reduced flow of elementary children.

Appendix 2 – the Small Community Supplement, from the *2007/2008 Operating Grants Manual*, denotes two sources of funding for small secondary schools: Secondary Small Community Funding and Grade 11 and 12 Small Community Funding. Neither of these will be explored as extensively as the Elementary Small Community Funding.

Any district that faces the challenge of attempting to meet the educational needs of secondary students in a small community knows it is a daunting endeavour – particularly in meeting the breadth of the challenge. The Ministry of Education recognizes this challenge through significant funding.

A 100-student secondary school that is further than 25 km from another secondary school generates \$374,500. That recognition reduces in increments for smaller and larger schools until it is eliminated at zero and 635 students respectively.

As well, there is additional funding for such schools if they enroll Grade 11 and 12 populations. With 15 Grade 11 and 12 students combined, a school would receive \$150,000 and this would reduce in increments for smaller and larger numbers of students until it is eliminated at zero and 215 students respectively.



Facility Costs

Beyond the day-to-day operation of the school lies an increasingly significant issue: the cost of upgrading buildings to meet current health and safety standards. Aside from general “sprucing up” of a building, more substantive issues pertain to building upgrades – roofing, lighting, electrical, heating, ventilating and air conditioning (HVAC), and most significantly, seismic mitigation projects.

Those projects that cost over \$1.5 million are funded by the Ministry of Education. Obviously, there is reluctance on its part to fund projects of this magnitude if the district has several buildings in need and yet there is considerable vacant space in each of them. As an example, a district may have three elementary schools all within three kilometres of each other, averaging 40 per cent vacancy, and all in need of both seismic and HVAC upgrades. To compound matters all of the buildings are approaching the end of their projected lifespan. The board realizes that it is not going to receive ministry funding for all three projects, and will likely not receive funding for any, until it clarifies its vision as to the future configuration of this aspect of the district.

In this case the driver for the consideration of school closures is neither financial – in the sense of day-to-day financial or educational – but is rather a facility-capital plan issue. The district is stuck – buildings will continue to deteriorate and health and safety

APPENDIX 1- FINANCIAL CONTEXT

issues will not be addressed until the district makes a decision about which school(s) it will close and which it will keep open.

Financial Summary

1. Closing an elementary school may save approximately \$190,000 without consideration for instructional staff efficiencies if they are available.
 - 1.1. All these savings will not materialize in the first year but they are continuous savings.
2. Depending on the service level a district provides to its elementary schools, the break-even point for per student funding provided to meet the service costs may be as high as a 200-student school. That is, smaller schools draw district resources away from other programs to support the existence of the smaller school.
3. The Elementary Small Community Supplement addresses the economy-of-scale issue and a district may not save money by closing an elementary school that receives this supplement.
 - 3.1. The reason for closing a small community elementary school may be more educationally driven than financially driven.
4. The Secondary Small Community Supplement is composed of two parts:
 - 4.1. the Small Secondary Supplement increase to \$374,500 when a school reaches 100 students and is eliminated by the time the school reaches 635 students.
 - 4.2. small secondary schools with Grade 11 and 12 students will receive up to \$150,000 when the combined population of Grade 11 and 12 reaches 15 and is eliminated by the time the population reaches 215.
5. Capital costs, particularly for seismic upgrades and HVAC upgrades, are becoming an increasing component in the consideration of school closures.

Appendix 2 – Small Community Supplement 2007-2008²⁵

The Small Community Supplement is provided when a student population within a defined area does not exceed 250 elementary students and/or 635 secondary students. This defined area is the number of FTE students in a single school, or the combined total of FTE students of all schools located within five kilometres by the shortest road distance for elementary schools and 25 kilometres by the shortest road distance for secondary schools. Only regular schools are eligible for this supplement.

The Small Community Supplement is based on the previous year's enrollment. For 2007/08, the Supplement is determined using final 2006/07 funded enrollment.

The Supplement is calculated for each "community" by placing the number of FTEs into the applicable formula that appears below for each of the three categories. The totals for each community are then aggregated to provide a total district funding amount for the Small Community Supplement.

Beginning in 2007/08, the Small Community Supplement for each district will be increased by a factor equal to the percentage increase in the total announced operating grants since 2002/03. For 2007/08, as previously announced, the factor will be 6.7 per cent.

A. Elementary Small Community Funding

Eligibility: Communities with 250 or fewer elementary school-age FTE students. For each community with 110 or fewer elementary FTEs:

Lesser of \$126,000 or $(\$10,000 \times \text{FTEs})$

For each community with 110 to 250 elementary FTEs: $\$126,000 - (\$900 \times (\text{FTEs} - 110))$

B. Secondary Small Community Funding

Eligibility: Communities with 635 or fewer secondary school-age FTE students:

For each community with 100 or fewer secondary FTEs: $\text{FTEs} \times \$3,745$

For each community with 100 to 635 secondary FTEs: $\$374,500 - (\$700 \times (\text{FTEs} - 100))$

C. Grade 11 and 12 Small Community Funding

Eligibility: Communities eligible for the Secondary Small Community Funding, and with school-age enrollments in Grades 11 and/or 12:

For each community with 15 or fewer Grade 11 & 12 FTEs: \$10,000 per FTE

For each community with more than 15 and less than 215 Grade 11 & 12 FTEs: $\$150,000 - ((\text{FTEs} - 15) \times \$750)$

²⁵ British Columbia Ministry of Education, *Operating Grants Manual*, Table 5a, 2007-08

Appendix 3 – School Closure Policy – SD63 (Saanich)

Policy No. 2470

Date Approved: September, 2003

Date Amended: February 2006

Preamble

The board recognizes that declining and shifting student populations may necessitate the consolidation and/or closure of schools from time to time. The board will make its proposed plans on consolidation or school closure clear to all concerned, to provide ample lead time before closing any school, and to support a process that provides an opportunity for those who will be affected to be involved before any decision is made.

Policy Statement

The board of school trustees will provide appropriate facilities for all students. The board recognizes that the number and location of schools must be balanced with education program needs, operational efficiency and must be considered within available resources. When school closures are considered, a full and comprehensive consultation process will be undertaken.

Guiding Principles

In discussing school closures, the board will consider:

1. Overall program diversity and educational experience for students;
2. Safety of access for students being relocated;
3. Reasonable class sizes in those schools receiving students from a closed facility;
4. Program offerings in nearby schools.

The board will:

1. Engage in discussion and consultation with parents, staff and the community to ensure that all points of view and viable options are considered;
2. Examine the possible impact of school closures on other board policies, such as attendance areas and personnel assignment.

Administrative Procedures

1. A school may be considered for potential closure when a preliminary analysis suggests that closure is worth considering from demographic, educational and/or fiscal perspectives.
2. There will be a minimum of two months of opportunity for those who will be affected by a potential closure to provide input before the board officially determines whether or not the school should be identified for proposed closure. Such participation should include at least district staff, school staff, school administrators, trustees, parents, community members, and municipal representative(s).
3. Following the two months of input, a report shall be prepared by the superintendent and presented to the board of school trustees. The report should include information on student demographic trends, facility status, fiscal considerations and educational programs, as well as a recommendation on whether or not the board should, through a board motion, identify the school for proposed closure.
4. If the board identifies a school for proposed closure, the superintendent of schools will appoint a committee and develop timelines for a (minimum) four month consultation period.
 - (a) The committee may include:
 - The superintendent or designate;
 - The secretary treasurer or designate;

APPENDIX 3 - SCHOOL CLOSURE POLICY

- Up to three members of the board of school trustees;
- The principal of the school being considered for closure;
- Another school administrator;
- District staff as appropriate;
- Two representatives of the school staff;
- A representative of the parent advisory council;
- A representative of the school planning council;
- A representative of the Saanich Teachers' Association;
- A representative of the Canadian Union of Public Employees, Local 441;
- A representative of the Saanich Indian School Board;
- A representative from each affected municipality;
- Others as appropriate.

(b) The committee's terms of reference will include:

- Analysis of demographic trends, facility status and other relevant data related to the school being considered;
- Analysis of educational and fiscal implications of the proposed closure/consolidation;
- Analysis of information gathered and feedback from public meetings, including neighbourhood and municipal input;
- Preparation of a final report that includes recommendations to the superintendent.

These recommendations should include whether or not the school should be closed and, if so, what implementation issues should be considered.

5. There shall be a minimum of four months between the time a board decision is made on a proposed closure and the board's final closure decision. During that four-month period, the board will organize and host at least one community forum in order to provide information, facilitate discussion and collect feedback for consideration by the consultation committee and the board.
6. In order to gather feedback from the community at large, in addition to communication coming through the representatives on the consultation committee, the public will be informed of the proposed school closure through the district website and media releases, and will be encouraged to provide feedback either through the website, by letter, by personal contact with trustees or by presentations at public board meetings.
7. At the conclusion of the four-month consultation period, the superintendent will prepare and present a report to the board of school trustees. The report will include the recommendations of the committee.
8. The board will consider the recommendations at a public board meeting, and make a final decision as to whether or not, and if so when, the school will be closed.
9. Closure shall normally be implemented at the end of a school year (June 30) rather than at the end of a calendar year (December 31) or during a school year.
10. The superintendent will be responsible for implementing any recommendation(s) adopted by the board of school trustees and shall ensure that disruptions are minimized during any transitions required as a result of the implementation of the recommendation(s) adopted.

Appendix 4a – Prioritization Matrices: Analytical Criteria Method²⁶

Prioritization Matrices

When you need to prioritize tasks, issues, or possible options based on known, weighted criteria. Using a combination Tree and Matrix Diagram format, they narrow down options to the most desirable/effective choice.

**Prioritization Matrices:
A. Full Analytical Criteria Method**

- Use When:**
- Key issues identified and action options must be narrowed down.
 - There is disagreement over the relative importance of decision making criteria.
 - Limited implementation resources prevent you from doing all the options.
 - The options generated are strongly related.
 - Ranking options, not simply sequencing tasks to be done.

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Construction Steps

1. Agree Upon the Ultimate Goal to be Achieved
 - Use consensus or use the statement at the head of the Tree Diagram
2. Create the List of Criteria
 - Previous directives or brainstorming
 - Create operational definition for each criterion
3. Rate Each Criterion Against All Other Criteria
 - 1 = Equal
 - 5 = Better
 - 1/5 = Worse
 - 10 = Much Better
 - 1/10 = Much Worse
 - Use L-Shaped Matrix
 - Record mirror images
 - Compute columns, row, and grand totals
4. Compare All Options to Weighted Criteria
 - Express each row total as a percentage of grand total
 - Options are usually drawn from the lowest level of detail of a Tree Diagram
 - Create L-Shaped Matrix for each weighted criterion
 - Use same rating scale and calculation step as in Step 3
5. Compare Each Option Based On All Criteria Combined
 - Use L-Shaped Matrix
 - List criteria on the horizontal and options on the vertical
 - Multiply each criterion weight (Step 3) by each option weight (Step 4)
 - Add option scores across criteria
 - Convert to percentage of grand total

Construction/Interpretation Tips

- Helps to word criteria in desired direction, e.g., "Low Implementation Cost" vs. "Implementation Cost."
- Always use mirror images when rating on rows and columns.
- Convert all fractional ratings to decimals, e.g., 1/10 = .10 or use decimal equivalents only.
- (instead of using fractions)
- After comparing criteria to themselves, can limit the number of criteria then compared to each option. If there are strong clusters in ratings.
- Use this option when there is sufficient time and complexity to warrant such comprehensive analysis.

Notes

²⁶ The two prioritization matrices are from *The Memory Jogger Plus Featuring the Seven Management and Planning Tools*, Michael Brassard, Goal/QPC, Methuen, Massachusetts, 1989. They are reprinted with permission of GOAL/QPC, 128 Manor Parkway, Salem, NH 03079, www.goalqpc.com



Full Analytical Criteria Method Reducing Data Entry Complexity

Step 1: Ranking the Criteria

Criteria	Low Cost to Implement	No Customization	Quick to Implement	Easy to Adopt/Use	Impact on Other Depts	Row Totals (% Grand Total)
Low Cost to Implement	5	1/10	1/10	1/10	1/5	5.4 (0.9)
No Customization	1/5	1/5	1/10	1/10	1/5	7 (0.1)
Quick to Implement	10	5	1/10	1/5	1/5	15.3 (2.1)
Easy to Adopt/Use	10	10	10	10	1/5	39.3 (4.2)
Minimal Impact on Other Depts	5	5	5	5	5	20 (2.8)
Column Total	25.2	29	15.3	5.3	8	Total Across Criteria: 71.6

1 Equally important
 5 Significantly More important
 10 Extremely More important
 1/5 Significantly less important
 1/10 Extremely less important

Step 2: Ranking Options by Criteria

Options	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	Row Totals (% Grand Total)
Quick to Implement	1/5	1/5	5	10	1/5	10	1/5	1/10	1/5	1/5	1/5	1/5	1/10	10	5	5	1/10	38.9 (0.4)
Error Prevention Training	5	5	10	10	1/5	10	1/5	1/5	1/5	1/5	1/5	1/5	1/10	10	5	5	1/5	56.6 (0.7)
Sequential Inspection Training	5	1/5	5	5	10	1/5	10	1/5	1/10	1/5	1/5	1/5	1/10	5	5	1/10	1/10	47.7 (0.6)
Problem Solving Training	1/5	1/10	1/5	1	1/10	5	1/5	1/10	1/5	1/5	1/5	1/10	1/10	1	1/5	1/10	1/10	8.9 (0.1)
Shoreline 11 Dept	1/5	1/10	1/5	1	1	1/5	5	1/5	1/10	1/5	1/5	1/10	1/5	1/10	1	1/10	1/10	9.9 (0.1)
More Critical Difference Among Prod Divs Codes	1/5	1/5	1/5	5	1/5	10	1/5	1/5	1/5	1/5	1/5	1/5	1/5	1/10	1	1/10	1/10	22.2 (0.3)
More Critical States and Customer Service Plans	10	5	10	10	10	5	10	5	1	5	5	1	5	1	5	1	10	103.0 (1.2)
Column Total	70.8	95	46	102.2	117.2	14.2	120	34.5	10.8	31.6	28.7	10	23.6	3.8	48.2	71.5	4.9	869.9

1 Equally important
 5 Significantly More important
 10 Extremely More important
 1/5 Significantly less important
 1/10 Extremely less important
 * These criteria cluster for comparison with each option were taken from this criteria ranking (Exhibit P-2). Where there is a significant difference between groups of criteria, the cluster was the cluster with the highest rating card. Do not do further analysis, in this case, the top three criteria were chosen.

Step 3: Ranking Options by All Criteria

Options	Quick to Implement	Easy to Adopt/Use	Minimal Impact on Other Depts	Row Totals (% Grand Total)
A Error Prevention Training	0.4 X .21 = .008	0.3 X .42 = 0.13	0.3 X .28 = .006	0.29 (0.3)
B Sequential Inspection Training	0.7 X .21 = 0.15	0.4 X .42 = 0.17	0.2 X .28 = .006	0.38 (0.4)
C Problem Solving Training	0.5 X .21 = 0.11	0.4 X .42 = 0.17	0.3 X .28 = .008	0.36 (0.4)
D Shoreline 11 Dept	0.1 X .21 = .002	1.2 X .42 = .050	0.3 X .28 = .006	0.60 (0.7)
E More Critical Difference Among Prod Group Codes	0.3 X .21 = .006	1.0 X .42 = .042	1.3 X .28 = .036	0.84 (0.9)
F More Critical States and Customer Service Plans	1.2 X .21 = .025	0.3 X .42 = 0.13	0.4 X .28 = 0.11	0.49 (0.5)
Column Total	2.11	4.21	2.79	9.11

Appendix 4b – Prioritization Matrices: Consensus Criteria Method

Prioritization Matrices

When you need to prioritize tasks, issues, or possible options based on known, weighted criteria. Using a combination Tree and Matrix Diagram format, they narrow down options to the most desirable/effective choice.

**Prioritization Matrices:
B. Consensus Criteria
Method**

Use When:

- Key issues identified and action options must be narrowed down.
- There is disagreement over the relative importance of decision making criteria.
- Limited implementation resources prevent you from doing all the options.
- The options generated are strongly related.
- Ranking options, not simply sequencing tasks to be done.

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Construction Steps

- 1. Create L-Shaped Matrix for Options and Criteria**
 - Options are usually drawn from lowest level of Tree Diagram detail
 - Criteria from Consensus or from outside source
- 2. Prioritize the Criteria**
 - Use consensus to weight each criterion
 - Use a variation of Nominal Group Technique (NGT) for rank ordering:
 - All members individually weight criteria distributing the value 1.0 among all criteria, the higher the decimal, the more important the criteria
 - Add across all team members for total weight
 - Highest total equals highest priority.
 - Record the total weighting number in each criterion box for the horizontal axis of an L-shaped matrix
- 3. Rank Order Options Based on Each Criterion**
 - Use L-Shaped Matrix
 - Use NGT (as in Step 2) except simply rank order rather than distributing a weight for each option
 - Add each member's ranking per option to get team total
 - Convert to a team ranking
- 4. Compute Individual Importance Score of Each Option**
 - Multiply each option's team ranking score by each criteria weighting number
- 5. Compute Total Ranking Scores Across All Criteria**
 - Add together all columns across each row (horizontal)

Construction/Interpretation Tips

- In NGT, use letters to identify options being ranked, this avoids confusion.
- Some recommend in NGT using the 30% + 1 rule which allows you to rank order only half of the options, e.g., with 20 options, the team would rank only 11 options.
- Once NGT results have been tabulated, review for consistent ranking across team members.

Notes

APPENDIX 4B- CONSENSUS CRITERIA PRIORITIZATION MATRIX

**Consensus Criteria Method
Reducing Data Entry Complexity**

Evaluation Criteria	Quick to Implement (1.85)	Easily Accepted (1.25)	Minimal Impact (0.70)	Low Cost (1.75)	Available Technology (1.45)	Total
A Error Prevention Trng	5(1.85)=9.25	3(1.25)=3.75	1(0.70)=0.8	4(0.75)=3.00	16(0.45)=7.20	33.00
B Sequential Inspection Trng	8(1.85)=14.8	4(1.25)=5.00	8(0.70)=5.60	6(0.75)=4.50	5(0.45)=2.25	32.15
C Problem Solving Training	6(1.85)=11.1	5(1.25)=6.25	6(0.70)=4.20	9(0.75)=6.75	7(0.45)=3.15	31.45
D Optical Scanning Syst	3(1.85)=5.55	2(1.25)=2.50	4(0.70)=2.80	3(0.75)=2.25	4(0.45)=1.80	14.90
E On Line System at Customr Site	2(1.85)=3.70	1(1.25)=1.25	3(0.70)=2.10	2(0.75)=1.50	1(0.45)=0.45	9.00
F Increase Monitor Size	12(1.85)=22.20	11(1.25)=13.75	1(0.70)=0.70	12(0.75)=9.00	11(0.45)=4.95	57.60
G Voice Activate System	1(1.85)=1.85	3(1.25)=3.75	2(0.70)=1.40	1(0.75)=0.75	2(0.45)=0.90	8.65
H Menu Driven	15(1.85)=27.75	14(1.25)=17.50	13(0.70)=9.10	15(0.75)=11.25	3(0.45)=1.35	66.95
I Improve Prompts	17(1.85)=31.45	15(1.25)=18.75	15(0.70)=10.50	16(0.75)=12.00	17(0.45)=7.65	80.35
J Auto Check on Standard Price Data	7(1.85)=12.95	9(1.25)=11.25	7(0.70)=4.90	7(0.75)=5.25	6(0.45)=2.70	37.05
K Display Only Num Increase Size to	9(1.85)=16.65	7(1.25)=8.75	10(0.70)=7.00	8(0.75)=6.00	8(0.45)=3.60	42.00
L Increase Legibility Color Code Forms by	13(1.85)=24.05	12(1.25)=15.00	12(0.70)=8.40	13(0.75)=9.75	12(0.45)=5.40	62.60
M Form Contains Only Non Standard Customer Info.	10(1.85)=18.50	10(1.25)=12.50	1(0.70)=0.70	10(0.75)=7.50	9(0.45)=4.05	43.25
N Color Code Expd. Product Code	16(1.85)=29.60	17(1.25)=21.25	16(0.70)=11.20	17(0.75)=12.75	15(0.45)=6.75	81.55
O More Obvious Inference Among Prod. Gp. Codes	11(1.85)=20.35	16(1.25)=20.00	9(0.70)=6.30	11(0.75)=8.25	10(0.45)=4.50	59.40
P Train Clerical Sales & Customer Serv. Pers.	14(1.85)=25.90	13(1.25)=16.25	17(0.70)=11.90	14(0.75)=10.50	13(0.45)=5.85	70.40
Q	4(1.85)=7.40	6(1.25)=7.50	5(0.70)=3.50	5(0.75)=3.75	14(0.45)=6.30	28.45

- 1) The highest score possible is equal to the total number of options (e.g. 17 = needs ordered most completely, 1 = least needs the ordering)
- 2) All options are rank ordered
- 3) The highest score possible is equal to the total number of criteria (e.g. 5 = most important, 1 = least important)
- 4) In the example "Easily Accepted" = most important and "Available Technology" = least important

Appendix 5 – School Closure – Checklist

References:

- Opening and Closing of Schools Policy
- Ministry Policy 3.3.20: Closure of Schools (obsolete, but useful)
- Samples of previous notices, bylaws, consultation meeting agendas, etc.

Steps

1. First reading of motion, or first and second (no debate permitted on first reading).
2. Allow minimum of 60 days for input.
3. Send notice home to parents.
4. Send letters to relevant organizations – city, regional district, Aboriginal bands, etc.
5. Place notice in paper; include information about public consultation meeting and how to submit input in writing.
6. Place notice on website.
7. Make available in writing the reasons for considering closure, how the closure would affect students, programs, transportation etc., financial considerations and the proposed use of the closed school (per ministry policy).
8. Organize and advertise public meeting.
9. At meeting, present summary of reasons, implications etc. (see ministry policy).

Note:

- Need to determine which school the students will attend when the school closes – it's helpful if this is part of the motion.
- Also need to determine where the student records will go – if this is also determined by motion, then there will be a record for the future

Appendix 6 – Pro Forma School Closure Bylaw

PRO FORMA

SCHOOL CLOSURE BYLAW NO. *<insert bylaw #>* “SCHOOL”

A BYLAW OF THE BOARD OF SCHOOL TRUSTEES OF SD *<INSERT SCHOOL DISTRICT # & NAME>* (hereinafter called the “Board”) to close a school.

WHEREAS, pursuant to Section 73 of the *School Act*, a board may, subject to the orders of the Minister of Education (hereinafter called the “Minister”) open, close or re-open a school permanently or for a specified period of time;

AND WHEREAS, pursuant to *School Opening and Closure Order*, Ministerial Order 320/02, closing a school permanently means the closing, for a period exceeding 12 months, of a school building used for purposes of providing an educational program to students;

AND WHEREAS, pursuant to said Ministerial Order 320/02, the Board has developed and implemented a policy that includes a public consultation process with respect to permanent school closures and made that policy available to the public;

AND WHEREAS, pursuant to said Ministerial Order 320/02, the Board has applied the above-noted policy;

NOW THEREFORE the Board of School Trustees of SD *<INSERT SCHOOL DISTRICT # & NAME>* hereby directs that *<insert School, Facility #>*, located at *<insert location>*, be closed effective *<insert closure date>*.

This Bylaw may be cited as “SD *<INSERT SCHOOL DISTRICT # & NAME>*) School Closure Bylaw No. *<insert bylaw #>* *<insert name of school>*Elementary School.

READ A FIRST TIME THE X DAY OF X, 200X *<insert date of 1st reading>*.
READ A SECOND TIME THE X DAY OF X, 200X *<insert date of 2nd reading>*.
READ A THIRD TIME, PASSED AND ADOPTED THE > DAY OF >, 200> *<insert date of 3^d reading>*.

(Corporate Seal)

Chairperson of the Board

Secretary Treasurer

I HEREBY CERTIFY this to be a true and original SD *<INSERT SCHOOL DISTRICT # & NAME>*) School Closure Bylaw No. *<insert bylaw #>* adopted by the Board the X day of X, 200X *<insert date of closure>*.

Secretary Treasurer

Appendix 7 – Asset Distribution for School Amalgamations

June 2002

Note: Determination of schools to be closed will be made at the July 2, 2002 board meeting. This memo is for “planning purposes” only. Assets should only be distributed after the July 2, 2002 closure decisions are made by the board of school trustees.

- A general “rule of thumb” is that schools who are designated as the new “catchment” schools will have the first opportunity to receive assets from a school to be closed. Further, if there is more than one new “catchment” school designated, the “default position” for the distribution will be in proportion to the students slated for attendance at the new schools in September 2002.
- The “default position” should be used as a guide, and with the agreement of the principals involved (school and designated catchment schools), may be modified. Depending on the asset, others such as the PAC may have input into the decision before it is finalized. In the case of network infrastructure devices such as managed switches and servers, equipment not required by the designated catchment area school(s) will be distributed, based on advice from the district technology support coordinator, to another school affected by amalgamation.
- In the event that an agreement between school principals is not reached, the default position list will be used.
- Assets may involve instructional equipment and supplies, learning resources or school operating funds. Generally, assets that are “permanently attached” are not included. There are exceptions however, such as playground equipment that has been initially funded by a PAC. Note that trust fund disbursements must be in keeping with the terms of reference for the trust fund.
- Please refer to other memos in the Amalgamation Folder for further details on the process of selecting and distributing assets. The focus of this memo is on the default position for the distribution among designated catchment schools.
- For further information, please contact your assistant superintendent. Non-designated school names have not been included in the distribution formula but the total number of students attending non-designated catchment area schools has been included for background information.

School closure guidelines. SD57 (Prince George). May 2002. Excerpts reprinted with permission from SD57.

Appendix 8 – Guidelines for Packing Up School Office Records

Sufficient labels for boxes, for each affected school, will be distributed by June 11. Box labels will be 8 x 11 coloured paper. Please use the appropriate coloured labels when boxing up files and attach to the “narrow” side of the box. This will ease the transfer of boxes to the receiving school. The following colours have been designated for labels:

- Pink – active students’ records
- Salmon – inactive student records
- Green – financial records
- Blue – general office correspondence
- Yellow – shredding/destroying

Note: All boxes must also have attached, to the “wide” side of the box, the standard “fluorescent orange” shipping destination label, as is attached to all boxes requiring movement.

For the purposes of these guidelines, the term “primary” receiving school will be the school that is receiving the majority of transfers from the closing school.

Student records (to be packaged by June 28): Weed student files, where possible.

Content of student files – be sure the following items are included:

- Registration/Verification form
- FOIPOP permission form
- Medication form
- L/A folder should be put in student’s folder (the L/A folder can be removed at the receiving school)

Red files – to be sent to Area Support Team. The team will forward files, where necessary.

Preparing student files boxes – please consider the following:

- All files should be sorted in GRADE order
- As well, provide an alpha name and grade list for the receiving school secretary

In and Out Record – forward this file or binder to the “primary” receiving school.

APPENDIX 8 – GUIDELINES FOR PACKING UP SCHOOL OFFICE RECORDS

Inactive files – files older than this school year (2001-02) will be picked up from the school and delivered to the central warehouse. All inactive files that are less than a school year (2001-02 school year) will be delivered to the “primary” receiving school.

“Student Management System” Computer – this computer will be sent to the “primary” receiving school. At a later date, TBA, once all relevant data has been transferred and non-relevant data have been deleted, the receiving school will determine the final disposition of the computer.

Turbo School back-up disks – when preparing back-up disks, select “OPTION 2” in Turbo School Utilities Backup to create disks for all years on the school computer. As well, prepare backup disks for years not on the school computer.

Financial Records (to be packaged by July 5):

Trust Account files – files from July 1995 to June 2002 must be transferred to the “primary” receiving school. Attach the year-appropriate label to boxes that you have already boxed up, in prior years (ex. 1995-1996). It is not necessary to “re-box” files, but a label must be secured on the box to provide clarity for the receiving school and for audit purposes.

SDS Account files – files for July 2001 to June 2002 must be boxed up with appropriate labels and transferred to “primary” receiving school. Previous years may be destroyed as the original documents are kept in the Finance Department.

Guidelines for financial issues upon school closures – please refer to memo re financial issues.

General Office Correspondence (to be packaged by July 5):

Review all general office correspondence. Determine what files or documents will need to be transferred to the receiving school and prepare boxes with appropriate labels.

Shredding/Destroying Files (to be packaged by July 5):

Schools may have files or documents that need to be shredded/destroyed, as opposed to recycled. Please attach appropriate labels to all boxes that need to be picked up for destruction. Leave boxes in the office area at the closing school.

Our district has definite obligations under the *School Act*, *Freedom of Information and Protection of Privacy Act* and District Records Management Program.

Additional Information A representative from the Retired Teachers’ Association may contact your school for information that they feel is of heritage value. Please consider this when purging files.

School closure guidelines. SD57 (Prince George). May 2002. Excerpts reprinted with permission from SD57.

Appendix 9 – Guidelines for Financial Issues – School Closures

The following is intended to provide general guidance to schools subject to closure. It also provides guidance to primary receiving schools of students previously enrolled in a closed school.

Year-End Reconciliations

The regular year end accounting procedures must be carried out at all schools. These procedures are covered in the Year-End Booklet provided to all schools.

The primary receiving school is responsible for the completion and submission of all year-end reconciliations for the closing schools.

Back-Up Disks

All closing schools are requested to prepare a Quicken back-up disk for the following business applications on the office computer as at June 30, 2002:

- SDS accounts
- Trust accounts
- Replacement accounts

This disk is to be submitted to the Finance Department.

Petty Cash

The petty cash account is to be reconciled and the balance returned to the Finance Department.

GST Rebate

A GST Rebate is to be prepared by all closing schools, up to and including June 30, 2002. It is to be forwarded to the Finance Department. The closing school should record the anticipated amount of the rebate in their GST school trust account at June 30, 2002. This amount will also be considered an outstanding deposit on the trust account reconciliation at June 30, 2002 and also until such time as the rebate is received.

MasterCard

All staff at closing schools that currently have a district purchasing card (MasterCard) are asked to return the card to the Finance Department.

School Trust Accounts

In general, it is expected that school trust accounts should have a minimal balance as at June 30, 2002. Schools are encouraged to request and pay all invoices from trust before school closes. If necessary, please contact vendors/suppliers/parents to ensure that all invoices are available for payment.

Reconciliation of the school trust accounts at June 30, 2002, and annual reporting to the Finance Department, will be the responsibility of the primary receiving school. The annual report of trust account activity and balances is due no later than September 30, 2002.

It is recommended that remaining trust account balances from closing schools be amalgamated with similar balances at the primary receiving school.

In all matters related to school trust accounts, please remember that trust funds must only be spent for the purpose, and in the spirit, in which they were raised.

Parent Advisory Council Trust Account Balances

PAC trust account balances at closing schools should be reviewed at the last PAC meeting of the year. Closing school PACs should record in their minutes their wish for the disposition of the remaining PAC funds. Many PAC constitutions will contain a clause with respect to the disposition of assets on the dissolution of the PAC. This clause will likely include the phrase “the assets which remain after payment of all costs, charges, and expenses which are properly incurred in the winding up shall be distributed to such charitable organization or organizations in British Columbia, registered under the provision of the Income Tax Act (Canada), as may be determined by the members of the Council at the time of winding up or dissolution.”

SD57 (Prince George) is a charitable organization registered under the provision of the *Income Tax Act* (Canada).

SDS Accounts – Supplies

All remaining balances in SDS accounts at closing schools will initially be returned to the district. Extraordinary costs related to the closure of the school will be accumulated and may be charged to the surplus of the closing school.

The remaining surplus will be allocated to the catchment area school(s) receiving students from the closing school, in the proportion of students received from the closing school.

Replacement Account

All replacement account balances at closing schools will initially be returned to the district. Surpluses will be allocated to the catchment area school(s) receiving students

**APPENDIX 9 – GUIDELINES FOR FINANCIAL ISSUES UPON
SCHOOL CLOSURES**

from the closing school, in the proportion of students received from the closing school.

Replacement deficits, as always, will be subject to review by the assistant superintendents. They in turn will recommend the recovery of the deficit for the approval of the superintendent.

Education Renewal Funds

All Education Renewal funds remaining at closing schools will be allocated to the catchment area school(s) receiving students from the closing school, in the proportion of students received from the closing school.

Accreditation Funds (Fund 21)

Ann Garside, accreditation officer at the Ministry of Education, has confirmed that if an external accreditation team has visited and reported on the accreditation process undertaken in the 2001-2002 school year at a school proposed for closure, any remaining Year 1 funds remain with the school. The ministry will not provide Year 2 Growth Plan funding for closing schools.

The balance of Fund 21 Accreditation remaining at June 30, 2002 for all closing schools will be transferred to the primary receiving school.

Learning Resources Trust Funds (Fund 22)

Learning Resources Trust Funds remaining at closing schools at June 30, 2002 will be transferred to the primary receiving school.

Curriculum Funds

Curriculum Funds (143-14000-ccc) remaining at June 30, 2002 for all schools will be rolled over directly into the same account for the 2002-2003 school year.

Balances remaining at closing schools will be rolled over into curriculum funds at the primary receiving school for the 2002-2003 school year.

Appendix 10 – Guidelines for School Libraries Slated for Closure

MUST DO's for donor schools:

All items charged out to lost and discards **MUST** be deleted from the donor school libraries. Everything on loan **MUST** be discharged from all donor schools. Otherwise, the Unicorn system will not allow the collection to be transferred from one library to another.

Check both your XXXLOST and XXXDISCARDS user records. If there are items charged out to these users, please have them deleted from the database. Schedule your overdues to print DAILY, if necessary, in order to get all your library materials returned. Include your staff overdues in the June reports since most teachers have semester loan privileges.

Scenario I: One (complete) library collection to be moved from one school to another.

1. Both receiving and donor schools should WEED and inventory their library collection.
2. Have everything returned to your library, discharged and put back on the shelves. Note: Everything **MUST** be discharged from the donor schools. Otherwise, the DRC will **NOT** be able to do a global move of the entire collection on the system.
3. It is recommended that the teacher-librarian at the receiving school work out an arrangement with the teacher-librarian at the donor school for an appropriate time to make selections.
4. The selected items can either be tagged with the receiving school's name, remain on the shelves and wait for someone else to put them in boxes ... OR...
5. The teacher-librarian can select what she wants directly from the shelves and, at the same time, put them in boxes in call # order, with the receiving school's library name marked on the boxes.
6. Steps 3, 4 and 5 may occur prior to June 28, 2002 or at the option of the schools, may occur in September 2002.
7. These items will then be ready for shipping to the receiving school, without coming through the DRC. Note: The covering up of existing school library names on these resources is the responsibility of the receiving schools.

**APPENDIX 10 – GUIDELINES FOR SCHOOL LIBRARIES
SLATED FOR CLOSURE**

8. The surplus items will remain on the shelves. The DRC staff will go to each closed school, charge these “surplus” items out to the receiving school’s DISCARD user, and then the DRC library technician will delete them from the database.

9. Absolutely no picking is allowed until the above discarding procedure is completed. Otherwise, the library database will become inaccurate.

10. After the discarding procedure is done, items remaining on the shelves will be designated as surplus. They will now be made available to the rest of the schools for general picking. Once picked, items must come through the DRC for re-cataloguing.

11. Items not picked by any other schools will be disposed of by the Property & Maintenance crew.

Scenario II: One library collection to be separated and distributed to two or more schools.

1. Both receiving and donor schools should WEED and inventory their library collection.

2. Have everything returned to your library, discharged and put back on the shelves. Note: Everything MUST be discharged from the donor schools. Otherwise, the DRC will NOT be able to do a global move of the entire collection on the Unicorn system.

3. It is recommended that the entire donor school collection be globally moved on the Unicorn system to the **primary** receiving school that will inherit the bulk of the collection. The teacher-librarians at these receiving schools will still need to confirm that this is indeed what we are going to do. (Note: This major step will NOT be done on the system until the official announcement is made on school closures in July.) Once this is identified – let’s say the entire school X collection is now designated on the system as school Y – the school Y librarian will pick out the resources. They are ready to be sent directly from the donor school to the primary receiving school without coming through the DRC.

Note: The covering up of existing school library names on these resources is the responsibility of the receiving schools. This method will keep the physical handling of the resources to a minimum and allow us to expedite transferring the collection to receiving schools more efficiently.

4. The school Z librarian can also pick the resources that she wants from the school X collection (which are now designated as school Y resources on the Unicorn system) at the same time if she wishes. The resources picked by the school Z librarian, however, have to be shipped to the DRC for editing (i.e., changing the library code from school Y to school Z).

**APPENDIX 10 - GUIDELINES FOR SCHOOL LIBRARIES
SLATED FOR CLOSURE**

5. The rest of the collection will remain on the shelves at the closed school (in this example, school X) for the DRC staff to come on site and charge them out to DISCARDS (i.e. school Y DISCARDS).

6. Steps 3 and 4 may occur prior to June 28, 2002 or at the option of the schools, may occur in September 2002.

7. Absolutely no picking is allowed until the above “discarding” procedure is completed. Otherwise, the library database will become inaccurate.

8. After the discarding procedure is done, items remaining on the shelves at the closed schools will be designated as surplus. They will now be made available to the rest of the schools for general picking. Once picked, items must come through the DRC for re-cataloguing.

9. Items not picked by any other schools will be disposed of by the Property & Maintenance crew.

Scenario III: Dual-track collection (French and English) moving to another school.

1. Both receiving and donor schools should WEED and inventory their library collection.

2. Have everything returned to your library, discharged and put back on the shelves. Note: Everything **MUST** be discharged from the donor schools. Otherwise, the DRC will **NOT** be able to do a global move of the entire collection on the system.

3. The DRC will separate the two collections on the system by language.

4. It is recommended that the French and English collections be physically separated on the shelves if at all possible by June 28, 2002.

5. It is recommended that the teacher-librarian at donor school work out an arrangement with the teacher-librarian at receiving school for an appropriate time to make selections.

6. The items can either be tagged with the receiving school’s name, remain on the shelves and wait for someone else to put them in boxes ... OR...

7. The teacher-librarian can pick and choose what she wants and at the same time, put them in boxes in call # order, with the receiving school’s library name marked on the boxes.

8. Steps 5, 6 and 7 may occur prior to June 28, 2002 or at the option of the schools, may occur in September 2002.

**APPENDIX 10 – GUIDELINES FOR SCHOOL LIBRARIES
SLATED FOR CLOSURE**

9. These items will then be ready for shipping to the receiving school, without coming through the DRC.

Note: The covering up of existing school library names on these resources is the responsibility of the receiving schools.

10. The surplus English items will remain on the shelves. The DRC staff will go to the school to charge them out to the DISCARD user of the receiving school and then the DRC library technician will delete these items.

11. Absolutely no picking is allowed until the above discarding procedure is completed. Otherwise, the library database will become inaccurate.

12. After this discarding procedure is done, items remaining on the shelves will be designated as surplus. They will be made available to the rest of the schools for general picking. Once picked, items must come through the DRC for re-cataloguing.

13. The surplus French items can be sold to the French board if they are interested. Otherwise, our immersion schools can do the picking if they so wish.

14. Items not picked by any other schools will be disposed of by the Property & Maintenance crew.

Scenario IV: Schools with no libraries

It is recommended that these schools do not take part in the first round of the selection process. Continue with the rotating collection from the DRC.

Library Computer Hardware

1. Donor schools: Please leave the circulation counter computer AS IS in the library. The DRC staff will need to use it for charging items out to DISCARDS.

2. It is highly recommended that PCs and laser scanners are to replace MACs and wands (if they are available from donor schools), to make way for the new graphical user interface (GUI) client for all schools that only runs in a Windows environment.

Textbooks and Novels

1. All textbooks and novels (that are bar-coded) MUST be discharged on the library system.

2. Any textbooks that are not bar-coded can be picked and shipped directly to any school. The covering up of existing school names on these resources is the responsibility of the receiving schools.

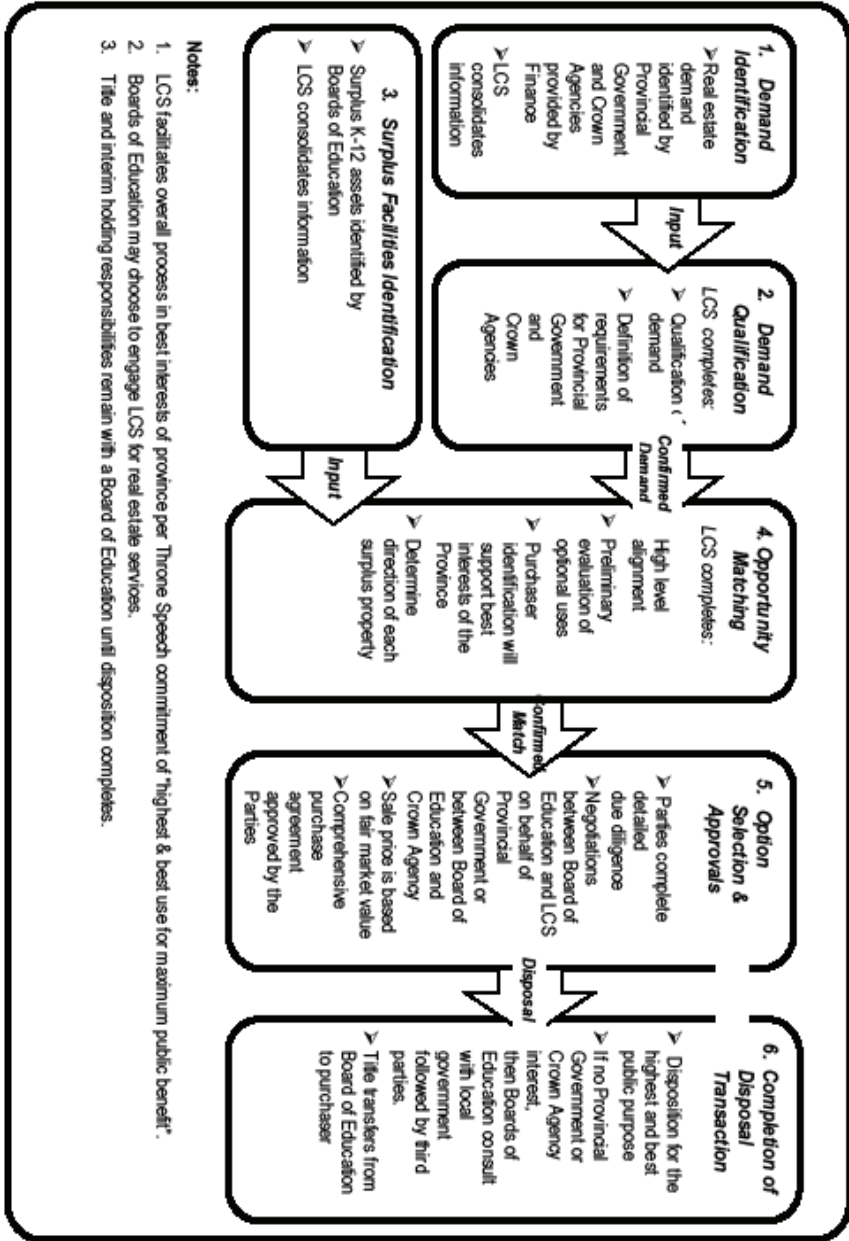
**APPENDIX 10 - GUIDELINES FOR SCHOOL LIBRARIES
SLATED FOR CLOSURE**

3. If schools receiving this type of resource would like their textbooks and/or novels catalogued and bar-coded, please contact the DRC library technician prior to shipping them to the DRC for cataloguing.

School closure guidelines. SD57 (Prince George). May 2002. Excerpts reprinted with permission from SD57.

Appendix 11 – Disposal of Lands or Improvements

APPENDIX I: K-12 High Level Real Estate Portfolio Process



- Notes:
1. LCS facilitates overall process in best interests of province per Throne Speech commitment of "highest & best use for maximum public benefit".
 2. Boards of Education may choose to engage LCS for real estate services.
 3. Title and interim holding responsibilities remain with a Board of Education until disposition completes.

Edm – Process map revised September 13 07 V6-1

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September 13, 2007

Note: LCS in the above document refers to the Ministry of Labour and Citizens' Services. Within that Ministry Accommodation and Real Estate Services will administer the K-12 Real Estate Portfolio Program on behalf of Government.

References

Statutes

Basis for the Code of Administrative Justice, Section 23 (1), *Ombudsman Act*

Conflict of Interest, Section 5, *School Act*

Disposal of Land or Improvements, Ministerial Order 233/07, *School Act*

Establishment and closure of Schools, Section 73, *School Act*

Passage of bylaws, Section 68, *School Act*

Power of the minister of education to require the board to close a school if the number of students attending the school falls below eight, Section 168 (2) (g). *School Act*

School Opening and Closure Order, Ministerial Order 320/02, *School Act*

Legal Judgements and Opinions²⁷

Clark, Judith, Legal Opinion – Trustee Conflict of Interest in School Closure: Property Interest, BCSTA, unpublished, 2003

Dickson, *Cook v School District No. 43 (Coquitlam)*, Supreme Court of British Columbia, Docket S073501, 2007

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²⁷ Most of the court cases can be found on the following web page: <http://www.canlii.org/>