

Disposal of Land or Improvements

Policy 3230

November 2, 2004

Review Date: February 11, 2014

The Board of Education will establish procedures for the disposal of land or improvements in accordance with the School Act and Ministerial Order M 93/08.

Definitions:

Land – includes any interest in land, including any right, title or estate in it of any tenure.

Fair Market Value – means the amount, price, consideration or rent that would be obtained in an arm's length transaction in an open market between willing parties acting in good faith.

Procedures and Regulations

- 1. The Secretary-Treasurer will formally notify the Board of School Trustees of land or improvements that are of no future educational need to the school district.**
- 2. The Board of Education will formally approve, by bylaw only, the disposition of land or improvements in accordance with the School Act Section 65 (5).**
- 3. Where appropriate, an appraisal of the property will be received from an independent professional appraiser.**
- 4. Disposal of land or improvements will be through a public process, and will be at fair market value.**

Exceptions to the above may include rights of way, easements and restrictive covenants in which the school district enters into agreements with other local government bodies and/or crown corporations.

- 5. The Board of Education will provide to the Minister of Education a copy of the bylaw referred to under 2 of this policy, and written notice of the disposition and allocation of the proceeds in accordance with the School Act Section 100 (2).**
- 6. This policy does not apply to grants of Crown Land as described in the School Act Section 99.**