

## **Disposal of Land or Improvements**

The Board of Education will establish procedures for the disposal of land or improvements in accordance with the School Act and Ministerial Order M16/03, as follows:

- The Secretary-Treasurer will formally notify the Board of Education of land or improvements that are of no future educational need to the school district.
- 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).
- Where appropriate, an appraisal of the property will be received by an independent professional appraiser.
- Disposal of land or improvements will be through a public process, and will be at fair market value with the following exceptions:
  - Rights of way, easements and restrictive covenants etc. in which the school district enters into agreements with other local government bodies and/or crown corporations.
  - Transfers for a nominal cost to other government agencies or non-profit societies where the Board deem it appropriate.
- The Board of Education will provide to the Minister of Education a copy of the bylaw referred to above, and written notice of the disposition and allocation of the proceeds in accordance with the School Act Section 100(2).
- This policy does not apply to grants of Crown Land as described in the School Act Section 99.

**Date of Board Approval: September 2008**

*Definition:*

- *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 the open market between willing parties acting in good faith.*

*Legal Reference: School Act, Sections 65, 99, 100  
Ministerial Order M16/03*