

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