

Disposal of Land or Improvements

Policy No. 402.12

The Board of Education, School District No. 91 (Nechako Lakes), in compliance with Section 96(3) of the *School Act* and applicable Ministerial orders, with respect to the disposal of property defined as lands, buildings and other improvements, leases (in excess of 10 years), rights of way, easements and land dedications, must include:

- a) Consideration of the future educational needs of the school district,
- b) Disposition of land or improvements through public process, and,
- c) Disposition of land or improvements at fair market value.

Boards must not dispose of land or improvements by sale and transfer in fee simple or by way of a lease of 10 years or more unless such disposal is to another board or an independent school for educational purposes or is approved by the Minister.

Boards may dispose of land or improvements by way of lease, other than a lease of 10 years or more, if such disposition is to an agency or organization for an alternative community use.

The Minister may approve, with any terms and conditions, a disposition of land or improvements.

The Board's bylaw authorizing the disposal of property owned or administered by the Board, made pursuant to section 65(5) of the *School Act*, must include:

- a) Confirmation that the Board will not require the property for future educational purposes;
- b) The name and facility number of the property; and,
- c) The address and legal description of the property.

When a board disposes of land or improvements, the Board must, without delay, provide the Minister with written notification of the disposition and allocation of the proceeds as required under section 100(2) of the *School Act*.

For grants of leases, rights-of-way, easements, and other interests in property, the Board will consider the impact on market value of the subject site.

Note: This policy does not apply to grants of Crown Land described in Section 99 of the *School Act*.