



## COMMUNITY PLANNING AND FACILITY PARTNERSHIPS

Responsibility:	<i>Coordinating Superintendent, Business Services &amp; Treasurer of the Board</i>
Legal References:	<i>Education Act, Ontario Regulation 444/98 Education Act, subsection 171(1), paragraph 44 Education Act, subsection 171.1(2), paragraph 4 Education Act, sections 183, 194, 196</i>
Related References:	<i>Board Policy 1011 – Community Planning and Facility Partnerships Community Planning and Partnerships Guideline, Ministry of Education (March 2015) Board Policy 4000 – Pupil Accommodation Review (Consolidation or Closure) Board Policy 4002 – Community Use of Schools</i>
Revisions:	<i>February 2016</i>
Reviewed:	<i>August 2016, May 2022</i>

### 1. Preamble

- 1.1 The following procedures provide guidelines for *Board Policy 1011 - Community Planning and Facility Partnerships*.

### 2. School Board Planning and Broader Community Objectives

- 2.1 The Waterloo Region District School Board (WRDSB)'s Long-Term Accommodation Plan (LTAP) will be informed by relevant information obtained from local municipal governments and other community partners and include:

- long-term enrolment projections;
- school capacity; and
- facility renewal needs.

- 2.2 To assist the WRDSB in identifying space that may be suitable for facility partnerships, and to provide an opportunity to consider potential surplus properties in which community partners may be interested, the long-term capital and accommodation plan will forecast:

- where new schools or additions may be needed;
- which schools will remain well-utilized;
- which open and operating schools may have unused space; and
- which schools may be candidates for consolidation or closure.

- 2.3 The LTAP will be shared with community partners to provide time to respond.

- 2.4 Where unused space in open and operating schools is not surplus but is available for partnership, or where the partnership opportunity involves new construction, the information will be provided to potential partners through the notification process outlined in Section 4 below.

### 3. Eligible Community Partners

3.1 Organizations and agencies interested in partnering with the WRDSB will be subject to an application process before being approved and added to the notification list. Potential community partners will submit an initial application to the WRDSB's Planning department containing an outline of the proposed partnership opportunity that includes:

- company/organization background;
- letter of intent, including the intended use of space; and
- financial statements.

3.2 A committee of representatives from Purchasing, Facilities, Finance, Planning, the Waterloo Region Elementary Administrators (WREA) and/or Secondary School Principals Association (SSPA), and a representative from Waterloo Region Assembly of Public School Councils (WRAPSC) and/or the school(s) involved, will receive and evaluate all applications.

3.3 At a minimum, applications will be evaluated based on the Community Partner Selection Criteria in Section 3.3.1. The committee will have full discretion when evaluating partners' compatibility and suitability.

#### 3.3.1 Community Partner Selection Criteria

*The community partner must:*

- provide financial statements showing financial viability;
- be willing to enter into a lease, license, or joint-use/partnership agreement that requires the operator to pay a pro-rated share of utility, custodial and maintenance costs;
- have independent liability insurance;
- pay for and finance costs to perform minor renovations to protect student safety, provide appropriate washrooms, and otherwise make the space suitable for use;
- pay for and finance its share of construction in a co-building partnership, including a proportional share of joint-use or shared space;
- agree to operate in accordance with WRDSB policies; and
- agree that staff working within a school complete a criminal background check.

3.4 The notification list of approved community partners will include the following:

- Agencies listed under *Ontario Regulation 444/98 – Disposition of Surplus Real Property*;
- Non-profit child care operators;
- District Social Services Administration Boards (DSSABs);
- Consolidated Municipal Service Managers (CMSMs);
- Public health boards;
- Local Health Integration Networks (LHINs);
- Children's mental health centres; and As appropriate, other potential community partners may include other government agencies and non-profit organizations.

3.5 Ineligible organizations include:

- Entities providing competing education services including tutoring services, Junior Kindergarten to Grade 12 private schools or private colleges, and credit offering entities that are not government-funded;
- Political organizations; and
- Others as identified by the WRDSB.

3.6 Interviews may be conducted with all qualified applicants. The committee will make their recommendations to the Coordinating Superintendent of Business Services. The Coordinating Superintendent of Business Services will make the final decision to add a potential community partner to the notification list.

#### **4. Notification Process**

- 4.1 Information regarding the WRDSB's intention to build new schools and undertake significant renovations and unused space in open and operating schools and administrative buildings available for facility partnerships will be posted to the WRDSB's website. This information will be updated at least once a year for space in existing schools and as needed for co-building opportunities.
- 4.2 The name and contact information of the staff member at the WRDSB who will respond to questions regarding facility partnerships throughout the year will be posted on the WRDSB's website.

#### **5. Annual Capital Planning and Facility Partnerships Meeting**

- 5.1 Entities on the WRDSB's notification list will be sent invitations to the annual Capital Planning and Facility Partnerships meeting. The invitations will request that each organization bring relevant planning information, including but not limited to:
  - population projections;
  - growth plans;
  - community needs; and
  - land-use and green space/park requirements.
- 5.2 The WRDSB will formally document the invitation list, the entities in attendance, and any information exchanged at the annual meeting.
- 5.3 The following information will be presented or provided during the annual Capital Planning and Facility Partnerships meeting:
  - all or a portion of the WRDSB's LTAP (as described in Section 2);
  - details of any schools deemed eligible for facility partnership;
  - relevant information available on the WRDSB's website; and
  - any supplementary capital planning and facility partnerships information.

#### **6. Planning Prior to a Pupil Accommodation Review**

- 6.1 In addition to the annual Capital Planning and Facility Partnerships meeting, the WRDSB will hold staff-level meetings with municipalities and other community organizations on the notification list to explore options to address underutilized space issues in schools within specific areas of the WRDSB. These meetings will inform proposals that staff may present to the Board of Trustees (Board), including recommendations to undertake a pupil accommodation review process.
- 6.2 Where a pupil accommodation review may take place, the WRDSB should obtain a clear indication of any community planning and facility partnership opportunities.
- 6.3 Where a planned pupil accommodation review will occur, the WRDSB will request from the local municipality or municipalities technical information including, but not limited to:
  - population projections; and
  - future development projections.

## **7. Co-building with Community Partners**

- 7.1 As part of the planning process, when considering building a new school or undertaking a significant addition or renovation, the WRDSB will notify the entities on the notification list one (1) to three (3) years prior to the potential construction date.
- 7.2 When building or renovating schools, meeting deadlines related to student accommodation needs is paramount; therefore, the WRDSB will make its timelines clear to potential partners and may establish policies to ensure that timelines are maintained.
- 7.3 The notification process should be supported by a Board resolution. Ministry approval and/or an identified funding source are not required prior to notifying partners of the WRDSB's plan or intention to build. Similarly, plans to build may be contingent on Board decisions that have not yet been made.
- 7.4 Once notified, entities may express their interest in co-building with the WRDSB.
- 7.5 The Coordinating Superintendent, Business Services & Treasurer of the Board and, if required under the *Education Act*, the Minister of Education will evaluate the expressions of interest to select a partner(s) based on *Board Policy 1011 – Community Planning and Facility Partnerships*.
- 7.6 No partnership agreement may be finalized until both the WRDSB and the partner(s) have an approved funding source.
- 7.7 Where the portions are sizable, the WRDSB's preference for co-location partnerships is that each entity has ownership of their respective portions of the facility.
- 7.8 The WRDSB will encourage community partners to notify the WRDSB when they have proposals or plans to build new facilities.

## **8. Sharing Unused Space in Existing Schools with Community Partners**

- 8.1 Underutilized open and operating schools and administrative facilities will be reviewed on an annual basis for their suitability for partnership based on one or more of the following criteria:
- 60 percent utilized or less for two or more years;
  - 200 or more unused pupil places;
  - no anticipated enrolment increase within the existing boundary of the school in the mid-term that would require use of the space;
  - the school is not located within an area identified for a Pupil Accommodation Review within the next 3 years;
  - the space is not required for existing educational programming and initiatives;
  - amenities are appropriate (e.g., parking, washrooms, separated access, etc.) or, if required, can be accommodated through renovations;
  - the ability to separate the space used by partners from the space used by students and other factors that make the school suitable for sharing during the school day;
  - zoning and municipal bylaw restriction(s);
  - other municipal planning considerations regarding appropriate site use can be satisfied;
  - facility condition; and
  - the ability to accommodate other Ministry of Education initiatives, as required.
- 8.2 If the space is both suitable for facility partnerships and is available for the long-term, the WRDSB will consider declaring the space surplus and circulating it for lease through Ontario Regulation 444/98.
- 8.3 If the space is suitable for facility partnerships but is not surplus to the WRDSB, the entities on the notification list will be notified of the potential for partnerships. The notification process should be supported by a Board resolution.

8.4 When notifying entities of facility partnership opportunities in shared unused space in existing schools, the WRDSB will provide at a minimum the following information about the available space:

- school/site name
- size (if known);
- location;
- facility amenities;
- required renovations (if needed);
- anticipated timing of when the space will become available;
- estimated duration of available space for partnerships;
- estimated cost for licensing the space (if available); and
- suitable partner uses, where applicable (some spaces may only be suited to certain types of partners).

8.5 Once notified, entities may express their interest in using the space. The expression of interest must include the following:

- space requirements (including square footage, number of rooms, washrooms, etc.);
- parking requirements;
- required renovations;
- zoning amendments (if required);
- hours of operation;
- number of users/clients/occupants;
- desired length of term/occupancy; and
- expected maintenance program or custodial services.

8.6 The Coordinating Superintendent, Business Services & Treasurer of the Board will evaluate the expressions of interest to select a partner(s) based on *Board Policy 1011 – Community Planning and Facility Partnerships*.

8.7 Pending approval of the facility requirements, the community partner will be required to:

- enter into a lease, license, or joint-use/facility partnership agreement;
- process any zoning amendments or obtain building permits through the appropriate jurisdiction;
- bear all costs associated with minor renovations to protect student safety, provide appropriate washrooms, and otherwise make the space suitable for use by the partner;
- be responsible for 100% of the costs associated with any zoning amendments, property taxes or renovations to the building and/or property;
- bear the cost for all land, legal and administrative costs incurred by the WRDSB related to the partnership;
- pay for and finance any additional costs to support the facility partnership

8.8 The WRDSB may then enter into a license or joint use agreement with the partner(s). The length of the term will be negotiated on a case-by-case basis. Under the *Education Act*, Minister of Education approval may be required.

## **9. Partnership Agreements and Cost-Recovery**

9.1 The WRDSB will provide clear instructions to potential partners regarding their rights and responsibilities as tenants and/or partners, including maintenance standards and the applicability, or lack thereof, of WRDSB user policies, including accessibility and inclusiveness policies. Unless otherwise negotiated, operational costs will include maintenance and custodial services provided by WRDSB staff.

9.2 Legal agreements will respect the *Education Act* and protect the rights of the WRDSB. The community partner is responsible for its legal counsel's review of the agreements.

- 9.3 The WRDSB will take on no additional costs to support facility partnerships; however, the WRDSB will continue to use its discretion in supporting partnerships based on its student achievement strategy.
- 9.4 Fees charged to partners will be on a cost-recovery basis. They should cover the operational and capital costs, including administrative costs and property taxes (if applicable), to the WRDSB of the space occupied by the partner.
- 9.5 In co-building, partners will be required to pay for and finance their share of construction, including a proportional share of joint-use or shared space and elements required to partition or provide special service to that space (i.e., ensure safety, non-mixing of populations, if needed, etc.). The WRDSB will continue to build within Ministry space and funding benchmarks for the WRDSB's portion of the facility.