
PUPIL ACCOMMODATION REVIEWS

- Legal References:** *Education Act Section 8 (1) 26 School Closings; Section 171 (1) 7 Power of Boards to Close Schools; Sections 194-196 Disposal or Purchase of a School Site; Ontario Regulation 444/98 Disposition of Surplus Real Property; Ministry Guidelines: Loading Capacity*
- Related References:** *Ministry of Education Memorandum 2009:B7 - Revised Pupil Accommodation Review Guideline*
-

- 1.1 Avon Maitland District School Board is committed to providing a comprehensive range of educational opportunities equitably distributed across a broad and diverse geographical area through sustainable community schools. Various factors beyond the control of the board impact on this commitment. These factors include changing and mobile populations, a changing funding environment, new legislation, changing educational objectives, community aspirations, the potential for mutually beneficial partnerships with other agencies and the physical characteristics of buildings.
- 1.2 To maintain its commitment to the judicious use of finite resources, Avon Maitland District School Board monitors and evaluates all schools on a regular basis and studies in detail schools whose viability may be in question.
- 1.3 Avon Maitland District School Board is aware that changes in any school's student accommodation or other status have an impact beyond the school. The board therefore maintains that the detailed study of any school must have a district-wide perspective and include public consultation.

2. Application

- 2.1 This policy applies to schools offering elementary or secondary regular day-school programs.
- 2.2 This policy **does not apply**:
 - 2.2.1 Where a replacement school is to be rebuilt by the board on the existing site or rebuilt or acquired within the existing school attendance boundary as identified through the board's existing policies or procedures;
 - 2.2.2 When a lease is terminated;
 - 2.2.3 When the board is planning the relocation in any school year or over a number of school years of a grade or grades, or a program, where the enrolment constitutes less than 50% of the enrolment of the school; this calculation is based on the enrolment at the time of the relocation or the first phase of a relocation carried out over a number of school years;

- 2.2.4 When the board is repairing or renovating a school, and the school community must be temporarily relocated to ensure the safety of students during the renovations; and
 - 2.2.5 Where a facility has been serving as a holding school for a school community whose permanent school is over-capacity and/or is under construction or repair.
- 2.3 In the circumstances in which this policy does not apply, the board shall consult with school communities regarding decisions affecting the accommodation situation of students.

3. Process

- 3.1 The process of student accommodation review, which may or may not result in change in student accommodation, shall consist of three stages:
- (a) Preliminary Analysis of Accommodation Data
 - (b) Review for Possible Substantial Change
 - (c) Decision and Implementation
- 3.2 Student accommodation review may result in such changes as: changes to the grades offered in a school; closures; and/or any other practical solutions to overcrowded, underutilized or inadequate school facilities.
- 3.3 In this policy, use of the word “school” shall mean “schools” where more than one school is being considered.
- 3.4 In this policy use of the word “day” shall include all calendar days, instructional days and weekends, but exclude the following school holidays: summer vacation, Christmas break and Spring break, including adjacent weekends.
- 3.5 In this policy the terms “director of education” and “school board administration” shall refer to the director of education or designate.

4. Preliminary Analysis and Identification for Review for Possible Substantial Change

- 4.1 Each school year, the director of education shall conduct a preliminary accommodation analysis of all schools under the board’s jurisdiction.
- 4.2 Upon completion of the analysis, the director shall present a report to the board which may include:
- (a) The Ministry of Education capacity for each school;
 - (b) The level of actual occupancy as a percentage of the Ministry of Education capacity;
 - (c) The current and projected enrolments in each school;

- (d) Other information or special circumstances that the director of education may deem relevant such as:
 - i. The number of border-crossing students in attendance at each school;
 - ii. The location of and enrolment in special programs which attract students from other parts of the district;
 - iii. The status of the physical plants;
 - iv. The number and location of the portable or temporary classrooms;
 - v. The need for alterations and additions, and
 - vi. Preliminary financial information.
- (e) Recommendations to the board regarding which school(s) should be placed in “Under Review status” and the circumstances that support this designation.
- (f) Rather than examining individual schools, wherever possible the board shall consider for ‘Under Review Status’ a group of schools in a planning area that are close enough to facilitate the development of viable and practical solutions for student accommodation.
- (g) If the board of trustees votes to place a school or schools under further review, the director of education shall inform the affected school community(ies) of the accommodation review and, specifically, the potential for any school closures as a result of the review.

5. Establishment of a Local Accommodation Review Committee

- 5.1 When the board, by motion, identifies a school or schools as being “Under Review”, the following actions shall occur:

Initiating the Accommodation Review Committee

- 5.1.1 The board of education shall forthwith inform parents, staff, the school council(s), and the community(ies) of the identification and possible changes in accommodation status.
- 5.1.2 The board of education shall specify clearly if school closure is an option.
- 5.1.3 The board of education shall establish a local Accommodation Review Committee (ARC).
- 5.1.4 The board of education shall provide the ARC with Terms of Reference that describes the ARC’s mandate. The mandate will refer to the board's educational and accommodation objectives in undertaking the ARC and reflect the board's strategy for supporting student achievement. The Terms of Reference will contain Reference Criteria that frame the parameters of ARC discussion. The Reference Criteria include the educational and accommodation criteria for examining schools under review and accommodation options. Examples may include grade configuration, school utilization, and program offerings. The Terms of Reference will also identify ARC membership and the role of voting and non-voting members, including board and school administration as defined in this Policy. The Terms of Reference will also describe the procedures for the ARC, including meetings; material, support, and analysis to be provided by board administration; and the material to be produced by the ARC. A sample Reference Criteria is found in Appendix A.

Composition of the Accommodation Review Committee

5.1.5 Voting Members of the ARC shall, where possible, include:

- The chair(s) of the school council(s) of the school(s) under review, or another member of the school council chosen by the council;
- A community member appointed by each of the school council(s) of the school(s) under review;
- An elected municipal representative from each of the local municipalities served by the school(s) under review, as appointed by the respective municipal council;
- Where a person, or persons, above declines the invitation to be a member of the local ARC, the board shall appoint a replacement.

5.1.6 Non-Voting Members of the ARC shall include:

- The trustee(s) representing the area in which the school(s) under review are located;
- The principal of each of the school(s) under review;
- superintendent of schools for the school(s) under review;
- The superintendent of operations and the superintendent of business
- Central office staff members.

5.1.7 The local ARC shall be chaired by the director of education or designate.

5.1.8 Staff members and the trustee(s) sitting on ARCs shall be non-voting members.

Rules of operation for the Accommodation Review Committee

5.1.9 Meetings of the local ARC shall be conducted under Robert's Rules of Order, and minutes of meetings of the local ARC shall be made publicly available on the board's website.

5.1.10 All meetings of a local ARC shall be open to the public, and the dates of such meetings shall be published.

Role of the director of education or designate

5.1.11 The board of education shall provide the ARC with information regarding the board's long-term enrolment and capital planning. This information shall include partnership opportunities (e.g. with other school boards, municipalities, community groups, etc.), or lack thereof, as identified as part of the boards' long term planning process.

5.1.12 The board of education shall provide the local ARC with at least one alternative accommodation option that addresses the objectives and Reference Criteria outlined in the Terms of Reference. The option(s) will address where students would be accommodated; what changes to existing facilities may be required; what programs would be available to students; and transportation. If the option(s) require new capital investment, the board administration will advise on the availability of funding, and where no funding exists, will propose how students would be accommodated if funding does not become available.

- 5.1.13 The board of education shall provide the ARC with a School Information Profile (Appendix B) for each school listed in an Accommodation Review. The profile will provide information about each school that addresses its
- Value to the student,
 - Value to the school board,
 - Value to the community, and
 - Value to the local economy.
- The school's value to the student takes priority over other considerations about the school. The ARC will consult with the community regarding the content of the School Information Profile and edit the profile based on those consultations. Board staff will assist the local ARC in reviewing and editing the School Information Profile(s). A final version of the School Information Profile for each school under review will be presented to the public and the board of trustees as part of the ARC's final report.
- 5.1.14 All information the local ARC receives that it deems relevant to the accommodation review shall be posted on the board's website, and made available in print on request. Where relevant information is technical in nature, it is to be explained in plain language.

6. Community Consultation and Public Meetings

- 6.1 A minimum of thirty calendar (30) days shall elapse between the date at which the director of education informs parents, staff, the school council(s), and the community(ies) of the identification and possible changes in accommodation status, and the local ARC's first public meeting. The date of this meeting shall be established by the board.
- 6.2 The local ARC is to ensure that a wide range of consultation occurs with the school(s) and community(ies) under review.
- 6.3 This consultation is to be based on the School Information Profile(s), and the Terms of Reference, and include input from a wide range of school and community groups. These groups may include the school council(s), parents, guardians, students, school staff, the local community, and other interested parties.
- 6.5 A minimum of four public meetings are to be held as part of the consultation.
- 6.6 At the discretion of the local ARC additional public meetings may be held where deemed by the local ARC to be necessary.
- 6.7 Public meetings will be publicized in advance, and held in the school(s) under review, or in a nearby facility if physical accessibility cannot be provided at the school(s).
- 6.8 For the board to be able to verify that a non-parent/guardian of a pupil in one or more of the school(s) under review has participated in the review process, the non-parent/guardian must have attended one or more of the public meetings held by the local ARC, and their attendance must have been recorded as in 6.9.

- 6.9 Attendance at such public meetings must be recorded in order to track people who have taken part in the accommodation review process. Attendance must include the printed name, full address, home phone number, and signature of attendees.
- 6.10 The last of the public meetings held by the local ARC will be for the purpose of presenting to the school community(ies), and the board of trustees, the Accommodation Report. Following this meeting the ARC may further revise the report based on input received at this meeting prior to submitting the final written document to the director of education.
- 6.11 The local ARC's report shall include the final School Information Profiles(s) and any proposed alternative accommodation recommendations developed by the ARC. The ARC's accommodation recommendations may include new capital investment. The board administration will advise the ARC on the availability of funding and, where no funding exists, the ARC with the support of the board administration will propose how students would be accommodated if funding does not become available.
- 6.12 A minimum of ninety (90) calendar days shall elapse between the first and last public meeting of the local ARC. The date of the last public meeting shall be established by the board, in consultation with the local ARC.
- 6.13 In the interests of achieving a timely conclusion for the community(ies) involved, a maximum of fourteen (14) calendar days shall elapse between the last of the local ARC's public meetings and the submission of the local ARC's final Accommodation Report to the director of education.
- 6.14 Should a local ARC fail to submit its final accommodation report to the school board administration within the fourteen (14) calendar day period, it must request an extension of this timeline. The request for the extension must be addressed to the chair and director of the board, and include detailed reasons why the local ARC requires an extension to the timeline.
- 6.15 The board may require the local ARC appear before it to explain the reasons for the delay, to discuss the progress of the ARC, and to establish timelines for the ARC's work.
- 6.16 Minutes reflecting the full range of opinions expressed at the meetings are to be kept, and made publicly available. ARCs and board administration are to respond to questions they consider relevant to the ARC and its analysis, at the meetings or in writing appended to the minutes of the meeting and made available on the board's website.

7. Local Accommodation Report Review and Board Decision(s)

- 7.1 The ARC will produce an Accommodation Report that will make accommodation recommendations consistent with the objectives and Reference Criteria outlined in the Terms of Reference. The report will include:

- a final version of the School Information Profile for each school in the group of schools under review,
 - an accommodation proposal or proposals,
 - community input regarding the proposal, and
 - other possible options identified by the local ARC as solutions to the accommodation issues under consideration.
- 7.2 The director of education will make this report accessible to trustees and the public, and will have the report reviewed and analyzed by board staff.
- 7.3 The director of education will present the ARC report to the board, a staff analysis of the final ARC report, any additional staff findings, and recommendations to the trustees, prior to the decision of the board.
- 7.4 The director of education shall recommend to the board:
- (a) That a school or school(s) continue to operate in the present format; or
 - (b) That a school or school(s) operate under a revised format; or
 - (c) That a school or school(s) under review be closed.
- 7.5 A minimum of sixty (60) calendar days notice will be given to the public prior to the meeting where the trustees will vote on the recommendations.
- 7.6 A maximum of seventy-five (75) calendar days shall elapse between the receipt by the board of the report from board staff and the recommendations of the director of education, and any decision that the board makes with regards to the recommendations of the director of education.
- 7.7 This period may be used by affected individuals or groups to make delegations to the board, as described in board policy 9. In addition to regular board meetings scheduled during this period, one special board meeting will be held during this period for community members to make their views known by delegation to the board before any decision(s) are made by the board.
- 7.8 Following the completion of the period the board shall decide, in open session:
- 7.8.1 That a school or school(s) continue to operate in the present format; or
 - 7.8.2 That a school or school(s) operate under a revised format; or
 - 7.8.3 That a school or school(s) under review be closed.
- 7.9 Should the board pass a resolution to close a school or school(s), the board shall outline clear timelines around when the school(s) will close. When the board decides to operate a school with a change to the grades offered, the director shall notify, in writing, the parents of the students in the school affected that the board has passed the specific resolution and shall inform the parents of the arrangements for the accommodation of the students, including clear timelines for implementation.

- 7.10 When the board decides to close a school, the director shall notify, in writing, the parents of the students in the school to be closed that the board has passed the specific closure resolution and shall inform the parents of the arrangements for the accommodation of the students.
- 7.11 Every reasonable effort shall be made to facilitate any changes with maximum consideration for students' needs.
- 7.12 Wherever possible school(s) will only be subject to an accommodation review once in a five-year period.

8. Administrative Review of Accommodation Review Process

- 8.1 An individual or individuals may seek a review of the school board's accommodation process from the Ministry of Education. In order to seek a review the individual or individual(s) must:
- 8.1.1 Submit a copy of the board's accommodation review policy highlighting how the accommodation review process was not compliant with the school board's accommodation review policy.
 - 8.1.2 Demonstrate the support of a portion of the school community through the completion of a petition signed by a number of supporters equal to at least 30% of the affected school's student headcount (e.g., if the headcount is 150, then 45 signatures would be required). Parents/guardians of students and/or other individuals that participated in the accommodation review process are eligible to sign the petition.
 - 8.1.3 The petition must provide a space for individuals to print and sign their name; address (street name and postal code); and to indicate whether they are a parent/guardian of a student attending the school subject to the accommodation review, or an individual who has participated in the review process.
 - 8.1.4 The petition and the justification must be submitted to the school board and the Minister of Education within 30 calendar days of the board's closure resolution.
- 8.2 When the board receives a petition, the board must:
- 8.2.1 Confirm to the Minister of Education that the names on the petition are parents/guardians of students enrolled at the affected school(s) and/or individuals who participated in the review process.
 - 8.2.2 Prepare a response to the individual's or individuals' submission regarding the process and forward the board's response to the Minister of Education within thirty (30) calendar days of receiving the petition.
 - 8.2.3 The director of education shall post the decision of review completed by the Minister of Education on the board's website, and make available at the meeting at which the decision is made, any Ministry of Education's Administrative Review of the Accommodation Review Process for the school(s) so reviewed.