

**POLICY**

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REVIEW DATE:	October 2020	REVISED:	

The primary responsibility of the District School Board of Niagara (DSBN) is to provide quality education to students in facilities that are safe, secure and being used in an efficient manner. The DSBN also believes that co-operative and collaborative partnerships are part of the foundation of a strong, vibrant and sustainable publically funded education system. In order to maximize the efficient use of facilities and recognize the role of partnerships, the DSBN will work with community partners to share facilities in a manner that will benefit both parties. These partnerships will not prevent the DSBN from building, renovating or closing schools or from disposing of surplus assets when required.

**1. Intent**

The intent of Partnerships is:

- To reduce facility operating costs
- To improve services and supports available to students
- To strengthen the relationships between the DSBN and community partners and the public
- To maximize the use of public infrastructure
- To provide a foundation for improved service delivery for communities

**2. Opportunities for Partnerships**

Through the planning process, the DSBN conducts ongoing accommodation analysis of all schools under the DSBN's jurisdiction. This information will assist the DSBN in identifying facilities that may be suitable for partnerships with respect to use of space within existing schools or co-build opportunities when undertaking new construction or significant renovations. The analysis should include enrolment projections, school capacity, renewal needs, potential consolidations, construction or renovations. Partnerships are distinguished from Community Use of Schools in that partnerships allow the DSBN to enter into agreements that grant partners exclusive use of underutilized space within an identified school, during instructional hours, whereas Community Use of Schools allows rental of space, outside of instructional hours, that is otherwise required for the DSBN's purposes.

It is the role and responsibility of school boards to determine what facilities are suitable and not suitable for partnerships, what entities are suitable and not suitable partners, and when to enter into a partnership.

**3. Criteria for Partnerships**

The DSBN considers the value of the partnerships to students when applying the following criteria in approving partnerships:

- The health and safety of students must be protected
- Partnerships must be appropriate for the school setting
- Partnerships must not compromise the student achievement strategy
- Entities providing competing education services such as tutoring services, JK–12 private schools or private colleges, and credit offering entities that are not government funded, are not eligible partners

**4. Co-building Opportunities**

New schools, additions and significant renovations may be considered as opportunities for partnerships. The DSBN will notify potential partners of opportunities to partner 1 to 3 years prior to the potential construction start date. The DSBN does not have to have a funding source or Ministry approval to solicit partners for co-building opportunities but partnership agreements will not be finalized until both the DSBN and the partners have an approved source of funding. The DSBN encourages community partners to provide notification to the DSBN when community partners have proposals or plans to build their own new facilities.

**5. Underutilized Space Versus Surplus Space**

If the space is both suitable for partnerships and is available for the long-term, the DSBN will consider whether the space should be declared surplus and circulated for lease through Ontario Regulation 444/98.

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If the space is suitable for partnerships but is not declared as surplus to the DSBN's needs by the Board of Trustees, the DSBN will follow the notification process outlined in this policy.

**6. Factors to Consider When Determining Suitability of Underutilized Space**

- a) 65% utilized or less for two years.
- b) Ability to identify and create a distinct and contiguous space within the facility, separate from the students.
- c) The space is not required for DSBN programming or other uses.
- d) The safety and security of students is not compromised.
- e) Configuration of facility will allow appropriate access to the space without disturbing students.
- f) Suitable parking.
- g) Site use restrictions, zoning restrictions.
- h) Facility condition.
- i) Other criteria as appropriate.

Using the above criteria schools will be identified that may be suitable for partnership opportunities. The Superintendent of Business Services or designate will prepare a report for the Finance Committee identifying a list of schools that have suitable space for partnership opportunities.

**7. Notification Process**

The DSBN will post information on the DSBN external website regarding their intention to build new schools or to undertake significant renovations as well as information regarding unused space in an open and operating facility that is available for partnership opportunities. This information will be updated annually.

The DSBN will post the name and contact information of the staff member at the DSBN who will respond to questions regarding partnerships throughout the year.

The DSBN will also notify the entities listed in Ontario Regulation 444/98 of the facilities that may be suitable for partnerships, including:

- Co-terminus school boards
- Local municipalities
- Region of Niagara
- Niagara College
- Brock University
- Provincial and federal governments
- Existing child care operators
- Applicable District Social Services Administration Board(s) or Consolidated Municipal Service Manager(s)
- Applicable Public Health Boards, Local Health Integration Networks and Children's Mental Health Centres
- Other entities as requested

The DSBN will hold a public meeting at least once a year to discuss potential partnership opportunities with the community. Additional staff-level meetings may be held to discuss additional information with relevant entities. Entities on the notification list and the general public will be notified about the public meeting.

When inviting entities on the notification list to the annual meeting, the DSBN will request that organizations prepare to bring relevant planning information, including but not limited to:

- Population projections
- Growth plans
- Community needs
- Land-use and green space/park requirements

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Those that are interested in being on the Notification List to discuss potential partnership opportunities or co-building are encouraged to contact the DSBN's Community Outreach Coordinator directly rather than waiting for the annual public meeting to present their ideas. Contact information will be posted on the DSBN website and provided through any advertisements.

**8. Partnership Proposals**

Entities who are interested in submitting proposals for the use of underutilized space in existing facilities or co-building opportunities can contact the DSBN's Community Outreach Coordinator.

**9. Selection of Partnership Proposals**

Partnerships will be evaluated based on how well the proposal meets the Criteria for Partnerships (section 3 of the policy). The DSBN will have full discretion when evaluating and selecting partners. Before being approved potential partners must:

- Provide financial statements showing financial viability of their organization
- Agree to operate in accordance with DSBN policies
- Be willing to enter into a lease or joint-use/partnership agreement
- Present proof of criminal background checks for staff working within the school

**10. Costs**

The DSBN will not incur any additional costs to support partnerships. On a cost recovery basis, the fees charged to partners should cover the operations and capital costs. It is the responsibility of the partner to bear the costs of any renovations to make the space suitable for the partnership. 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.

**11. Agreements**

The DSBN will provide clear instructions to potential partners regarding their rights and responsibilities as tenants, including maintenance standards and the applicability, or lack thereof, of DSBN policies including accessibility and inclusiveness.

The successful partner is expected to enter into agreements for the use of space within DSBN facilities. The DSBN will ensure that all legal agreements respect the *Education Act* and protect the rights of the school board. Agreements may contain clauses regarding, but not limited to the following:

- Term of the agreement
- Cost sharing
- Use of the leased premises
- Hours of operation
- Maintenance
- Improvements or alterations to the building
- Insurance/liability
- Mediation in the event of conflict
- Terms of termination
- Other clauses as deemed applicable
- Duties and responsibilities of parties