

OUR MISSION

*The Toronto Catholic District School Board is an inclusive learning community rooted in the love of Christ..
We educate students to grow in grace and knowledge and to lead lives of faith, hope and charity*

OUR VISION

*At Toronto Catholic, we transform the world
through witness, faith, innovation and action.*



ADDENDUM REGULAR MEETING OF THE MEETING OF THE TORONTO CATHOLIC DISTRICT SCHOOL BOARD PUBLIC SESSION

Angela Kennedy, Chair

Frank D'Amico, Vice-Chair

Wednesday, April 19, 2017

7:00 P.M.

	Pages
11. Delegations	
11.a Sam Perciasepe regarding Boundary Review for St. Gregory Catholic School	1 - 2
12. Consideration of Motions for which previous notice has been given	
12.b Previous Report regarding School Cash Online - Survey Results (Refer Item 12a)	3 - 17
14. Matters recommended by Statutory Committees of the Board	
14.b Draft Minutes of the Special Education Advisory Committee Meeting held on April 12, 2017	18 - 24
<i>That SEAC recommend to the Board of Trustees to investigate the costs to possibly promote SEAC Special Education information through innovative technological methods.</i>	
<i>That SEAC recommend to the Board of Trustees to apply for a regional pro-grant to facilitate parent engagement around Special Education.</i>	
17. Reports of Officials Requiring Action of the Board of Trustees	

***17.k Report of the Governance and Policy Committee on Update to Real
Property Policies (R.01, R.04, R.05, R.07, R.08, R.09, R.10)***

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TORONTO CATHOLIC DISTRICT SCHOOL BOARD

DELEGATION REGISTRATION FORM FOR STANDING OR OTHER COMMITTEES

PLEASE BE ADVISED THAT ALL STANDING
COMMITTEE MEETINGS ARE BEING
RECORDED

For Board Use
Only

Delegation No. _____

☐ Public Session
☐ Private
 Session
☐ Three (3)
 Minutes

Name	Sam Perciasepe
Committee	Regular / Special Board
Date of Presentation	4/19/2017
Topic of Presentation	Boundary Review for St Gregory Catholic Elementary Scchool
Topic or Issue	Report regarding Elementary School Attendance Boundary Review: St. Gregory, Nativity of Our Lord, Mother Cabrini, St. Marcellus and Our Lady of Sorrows – (Wards 1, 2)
Details	<p>I am opposed to the two recommendations being put forward for approval:</p> <p>1) The attendance boundaries for St. Gregory, Nativity of Our Lord, Mother Cabrini, St. Marcellus and Our Lady of Sorrows remain status quo (unchanged).</p> <p>2) That, in accordance with the Long-Term Accommodation Program Plan (LTAPP), staff investigate and assess possible locations in the South /Central Etobicoke area for a new elementary school to alleviate enrollment pressures in this area.</p> <p>< TR></p>
Action Requested	<p>I would like to address the board on this issue at the board meeting on Wednesday, April 19, 2017.</p> <p>I would also like to have a single PowerPoint Slide projected on screen during my presentation. Please advise how I can get you a copy of the 1 slide so it can be projected on screen during my delegation.</p>
I am here as a delegation to speak only on my own behalf	Yes

I am an official representative of the Catholic School Parent Committee (CSPC)	
I am an official representative of student government	
I am here as a spokesperson for another group or organization	
Submittal Date	4/19/2017



REPORT TO

CORPORATE SERVICES, STRATEGIC PLANNING AND PROPERTY COMMITTEE

SCHOOL CASH ONLINE – SURVEY RESULTS

“For I know the plans I have for you, declares the Lord, plans to prosper you and not to harm you, plans to give you hope and a future.”

Jeremiah 29:11

Created, Draft	First Tabling	Review
March 7, 2017	March 9, 2017	Click here to enter a date

D. Bilenduke, Sr. Coordinator of Finance

P. De Cock, Comptroller of Business Services & Finance

L. DiMarco, Superintendent of Curriculum Leadership & Innovation, ICT

M. Mascarenhas, Sr. Coordinator of Computer Services

RECOMMENDATION REPORT

Vision:

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Mission:

The Toronto Catholic District School Board is an inclusive learning community uniting home, parish and school and rooted in the love of Christ.

We educate students to grow in grace and knowledge to lead lives of faith, hope and charity.



R. McGuckin

Associate Director of Academic Affairs

A. Sangiorgio

Associate Director of Planning and Facilities

C. Jackson

Executive Superintendent of Business Services and Chief Financial Officer

Angela Gauthier

Director of Education

A. EXECUTIVE SUMMARY

School Cash Online provides District School Boards and Schools with an integrated portal for processing school activity fees online and seamlessly interfaces with both Board and School level banking and accounting management systems. The ultimate reduction and/or elimination of cash handling tasks reduces the workload for school staff, mitigates the risk associated with cash transactions at the school level and increases student safety.

The implementation of an online payment processing application will also allow schools to recover HST rebates on invoices paid from school generated funds, which are not currently collected. Thus recovering usable funds for schools to access.

All school generated cash and online transactions will carry an additional administrative cost component of 1%. Any resulting shortfall between the administrative fees collected and the operational costs could be offset by funds derived through the recovery of HST rebates that have not historically been available. The remaining HST rebates would be returned to schools proportionately, based on their rate of collection. In every scenario presented, the recovery of HST paid in the form of rebates will generate an overall net gain for schools, and create administrative efficiencies by reducing the time-consuming task of collecting, depositing and reconciling cash/cheque deposits and mitigate the risks associated with these manual tasks.

Arising from a Board motion, TCDSB staff conducted a consultation effort with the TCDSB Community and all of its stakeholders in order to assess the interest of parents, guardians, staff and students. This report provides the survey results and recommends a plan to implement School Cash Online. The completed survey results indicated that 84.0% [4,247] respondents from a total of 5,056 respondents indicated “Yes” in favour of implementing an online payment processing system which includes a 1% administrative fee on all payments.

B. PURPOSE

1. Several requests by School Principals and Catholic School Parent Councils have been received to date inquiring into the prospect of implementing e-commerce solutions for school banking transactions.
2. The Toronto District School Board (TDSB) is currently phasing in the implementation of an e-commerce solution, in their elementary and secondary schools. The availability to conduct business with school communities in a safe and secure manner may be regarded as a competitive advantage which may attract enrolment from parents and guardians concerned with student safety.

C. BACKGROUND

1. The TDSB awarded a Request for Proposal to KEVgroup, which contains a piggy-back clause onto which other District School Boards can take advantage while remaining compliant with the Broader Public Sector Procurement Directive.
2. KEVgroup currently works with 53 Ontario school districts, of which 43 are currently using School Cash Online. School Cash Online is also being implemented in other countries.
3. KEVgroup presented to Education Council on 16 January 2017 and provided an overview of the School Cash Online suite of products and answered questions about how TCDSB could recover the costs of the application.
4. Education Council recognized the need to proceed in this direction and indicated support for this initiative to proceed to Director's Council for review and consideration.
5. A report titled "School Cash Online" was presented to the Board of Trustees during the Regular Board meeting held on February 23rd 2017. The following Board motion was approved:

"That the TCDSB consult with our parent community to gauge interest in this service prior to embarking on the implementation of the School Cash Online suite using scenario number 3 enhanced with credit card option. The addition of alternative payment options may be considered at a later date. That details

in this report and an on-line sample, walking people through the process, be provided to inform comments. Staff to report back with the results of the consultation prior to engaging the firm.”

D. EVIDENCE/RESEARCH/ANALYSIS

1. KEVgroup’s School Cash Online suite of integrated accounting and fee management tools provides many advantages some of which include the following:
 - One product solution by one company which is compatible with the existing School Banking Software installed at TCDSB
 - Simple and Easy user interface for schools and parents/guardians
 - Many payment methods available for processing student activity fees
 - Advanced security and higher piece of mind by digitizing school banking transactions
 - Increased communications and messaging provided by automatic email notifications/reminders concerning upcoming events and related fees
 - Integrated charitable donation and receipt generation capability
 - Viewable purchase history by which parents/guardians can print receipts
 - Ability to implement payment plans for higher priced events such as school overnight trips and activity fees
 - Ability for parents without chequing accounts to transfer money to the school through an online account
 - A comprehensive canned suite of reports and analysis tools not currently available in SAP School Banking
 - The ability for one family to manage multiple students at multiple schools with multiple payers from one secure source
2. Parents/Guardians who choose to can still send funds directly to the school as in the past.
3. The annual application costs include the use of eCheque, which allows parents to transfer funds as required from their bank account directly to their School Cash Online myWallet account. Parents/Guardians can then pay for school

related items (pizza lunches, field trips, etc.) directly from myWallet. Parents/Guardians do not have to have a chequing account to use this feature.

4. The application would also allow for the schools to make outgoing payments for invoices received by the school and to track all HST payments on all outgoing payments. This would enable the board to easily apply for HST rebates on behalf of schools. To date it has not been possible to realize the rebates for smaller cost school invoices. Currently, some schools are able to claim HST rebates on high cost invoices through a labour intensive process. Currently, TCDSB is realizing approximately \$150 000 in HST rebates on \$1.5 million of expenditures. By moving to School Cash Online, the TCDSB will have the ability to claim potential rebates on \$20 million of expenditures. These rebates could both pay for the system outright and provide a source of revenue to the schools that has not previously been available to them.
5. Once fully implemented, the annual application fees of \$325,902 (approximately 1% of the TCDSB school generated funds OR approximately \$3.50 per student per year) would be recovered by the addition of an administrative fee (1%) to all prices charged to parents/guardians (For every \$9.90 charge, increase cost by \$0.10 to \$10).
6. The one-time cost of implementation and support from KEVgroup staff would be \$87,600. This can be funded from a small portion of the HST rebates that will be recovered from the school generated funds banking activity.
7. The 1% administrative fee and the HST payment rebates would be held centrally to ensure funds are available to pay for the School Cash Online application. Once all costs are covered, remaining collected amounts would be returned to schools proportionately based on the fees collected through the school generated funds banking accounts.
8. Additional costs are incurred if the board chooses to permit the use of Credit Card payments within the application. To add this functionality, the board would require a third party, online payment provider. The cost to offer this service would amount to approximately 2% per transaction.
9. By using an online payment provider, the Board could also choose to accept Interac Transactions at a cost of \$0.75 per transaction. This option could be pursued at a future date, following a review of administrative fees collected, HST rebates realized and total costs incurred.

10. Summary of all costs:

ONE-TIME COSTS:

- Set up costs (implementation support for Phases 1-2): \$60 600
- Set up support for Phases 3-5 (optional): \$27 000

ONGOING ANNUAL COSTS:

- Annual fees (eCheque and myWallet): \$325 902
- Addition of credit cards payment option: Approx. 2% of costs

11. The various cost recovery options are outlined below in section F.

E. VISION

VISION	PRINCIPLES	GOALS
Provide a cost-effective and safe environment for conducting school business transactions.	Ensuring Stewardship of Resources and Fostering Student Well-being by providing students and staff with safe learning environments	Reduction and/or elimination of cash-handling tasks in school communities in order to mitigate risk and increase student/staff safety. Increase paperless communication home and streamline the reporting process.

F. ACTION PLAN

F. #1 Explanation of Options/Scenarios

#1 Basic Functionality	#2 Enhanced with Credit Card Option	#3 Enhanced with Credit Card Option – less impact on parents
<ul style="list-style-type: none"> 1% administrative fee on all transactions 	<ul style="list-style-type: none"> 2% administrative fees on all transactions 	<ul style="list-style-type: none"> 1% administrative fee on all transactions
<ul style="list-style-type: none"> Parents able to pay through bank transfers (eCheque) to myWallet 	<ul style="list-style-type: none"> Parents able to pay through bank transfers (eCheque) to myWallet or by credit card 	<ul style="list-style-type: none"> Parents able to pay through bank transfers (eCheque) to my Wallet or by credit card
<ul style="list-style-type: none"> The fee would recover the annual costs of the application 	<ul style="list-style-type: none"> The fee would recover annual cost of the application and offset costs of credit card usage 	<ul style="list-style-type: none"> The fee would recover annual cost of the application and offset some of the costs of credit card usage
HST rebates, not previously collected, would be collected		
One-Time Costs could be covered through HST rebates		
Remaining funds collected centrally through HST and admin fee would be distributed to schools based on their rate of collection.		
The option of using Interac could be considered at a later date. Interac fees are a flat rate per transaction. As a result they incur a higher cost per transaction on lower cost items, which represent a high proportion of the funds collected by schools.		

G. METRICS AND ACCOUNTABILITY

- 1) The survey used by TCDSB staff to consult with our parent community in order to gauge interest in this service prior to embarking on the implementation of the School Cash Online suite appears in Appendix A.
- 2) The survey results, appearing in Appendix B, was completed by 4,525 respondents. In the instance where a respondent has more than one child at more than one school, the count of respondents increases to 5,193 because the respondent is counted for each school where they have a child registered.

- 3) The overall survey results, appearing in Appendix B, showed the following responses to the question –
- “Knowing that there would be a 1% administration fee on all payments, do you think that the TCDSB should offer this online payment solution to allow parents/guardians to pay for items through bank transfers or credit cards?”*
- A. 84.0% [4,037] of Parents indicated “Yes”
 - B. 79.4% [100] of Students indicated “Yes”
 - C. 87.3% [110] of Employees indicated “Yes”
 - D. 84.0% [4,247] of all respondents indicated “Yes”
- 4) The open-ended comments provided by 20.1% of the respondents appear on page 3 of Appendix B. The largest grouping of comments [376 or 8.3%] were supportive of implementing an online payment system. The second largest grouping of comments [2.7% or 124] suggested that the Board absorb the cost of the online payment application.
- 5) This survey response as a reflection of the overall community opinion, given the sample size and the total population of parents, students and staff surveyed, is accurate to within 2.6%, 95% of the time.

H. IMPLEMENTATION, STRATEGIC COMMUNICATIONS AND STAKEHOLDER ENGAGEMENT PLAN

- 1. The Secondary Panel presents the greatest opportunity from a dollar volume perspective and maximizes the risk mitigation surrounding cash management.
- 2. The most successful implementations, as per the experience of the vendor, use a phased approach with the first two phases introducing 25 schools to the application. Additional phases can include 50 schools.
- 3. Following the suggested implementation plan Phase 1 and 2 would each have 25 schools, phases 3-5 would comprise of approximately 50 schools each.
- 4. The timeline for implementation would have all schools operational on the application by March 2018.
- 5. The most successful implementations, as per the experience of the vendor, include secondary schools and their nearby elementary schools. The reason being that parents may have children in both panels. Since our Superintendent

areas are approximately 25 schools each, they would fit with the suggested implementation strategy in #2 above.

6. Strategic engagement of the unions and associations representing the impacted employee groups would be required in order to ensure adequate consultation and implementation.
7. KEVgroup will be providing in-servicing activities and communications strategies as appropriate for the implementation.
8. A communications strategy is required in order to create an awareness of the new service offering, and thereby, ensure a greater buy-in by the TCDSB community.

I. STAFF RECOMMENDATION

That the TCDSB embark on the implementation of the School Cash Online suite using scenario #3 enhanced with credit card option, provided in Section F, and that the addition of alternative payment options be considered at a later date upon further review of annual operational costs.

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School Cash Online Consultation

* I am:

- ☐ A parent of TCDSB student(s)
- ☐ A TCDSB student
- ☐ A TCDSB employee

School Cash Online Consultation

* How many children do you have in TCDSB schools?

- ☐ 1
- ☐ 2
- ☐ 3
- ☐ 4
- ☐ 5
- ☐ 6
- ☐ 7+

School Cash Online Consultation

* In how many TCDSB schools do you have students registered:

- ☐ My child(ren) all attend 1 school
- ☐ I have children registered in 2 different TCDSB schools
- ☐ I have children registered in more than 2 different TCDSB schools

School Cash Online Consultation

* Please select first school from this list, you will then be taken to another question to add the second school
(Note - Sts. Cosmas and Damien is plural):

School Cash Online Consultation

Please list all TCDSB schools in which you have children registered.(Please use a comma [,] to separate school names)

School Cash Online Consultation

* School (Note - Sts. Cosmas and Damien is plural):

School Cash Online Consultation

- * • TCDSB is considering offering parents/guardians the ability to pay funds electronically to schools, when required.
- Parents/guardians would still have the option to continue to pay in cash, as per past practice.
 - Examples of payments that are often made to schools include but are not limited to: lunch programs, field trips, agenda books, yearbooks, activity fees, etc.
 - The electronic payments could be made from any computer, tablet or smartphone that can connect to the internet with a web browser (Internet Explorer, Edge, Chrome, Safari, Firefox, etc)
 - For larger items such as overnight trips, this online system would also allow parents to pay using installments.
 - The cost of this online application would be 1% added to the total cost of all items.
 - For example, an item that costs \$9.90 would cost \$10.
 - At the time of the purchase, \$9.90 would stay in the school account to pay for the item and \$0.10 would go directly to the TCDSB central account to help offset the cost of the online application.

Payment options would include:

1. Ability to securely transfer funds directly from parent's bank account (no cheque required) to an online 'myWallet' account. Money is kept in parent's 'myWallet' account until parent chooses to pay for an item. When they wish to make a payment to the school, they simply add an item to their shopping cart and pay for it from their 'myWallet' account.
2. Ability to pay with a credit card (VISA or MasterCard).

Knowing that there would be a 1% administration fee on all payments, do you think that the TCDSB should offer this online payment solution to allow parents/guardians to pay for items through bank transfers or credit cards?

☐ Yes

☐ No

Optional: If you wish to add any comments, please do so here

Thank you for taking the time to complete this survey!

Total Number of Respondents = 4525
Representing 197 schools

Respondents	Parents	Students	Employees	Total
Ward 1 Schools Total	306 (91.9%)	18 (5.4%)	9 (2.7%)	333
Ward 2 Schools Total	844 (95.9%)	19 (2.2%)	17 (1.9%)	880
Ward 3 Schools Total	316 (94.9%)	7 (2.1%)	10 (3.0%)	333
Ward 4 Schools Total	227 (91.2%)	13 (5.2%)	9 (3.6%)	249
Ward 5 Schools Total	703 (97.4%)	8 (1.1%)	11 (1.5%)	722
Ward 6 Schools Total	145 (93.5%)	3 (1.9%)	7 (4.5%)	155
Ward 7 Schools Total	434 (94.6%)	12 (2.6%)	13 (2.8%)	459
Ward 8 Schools Total	353 (89.8%)	20 (5.1%)	20 (5.1%)	393
Ward 9 Schools Total	231 (96.3%)	3 (1.3%)	6 (2.5%)	240
Ward 10 Schools Total	284 (95.0%)	8 (2.7%)	7 (2.3%)	299
Ward 11 Schools Total	696 (95.2%)	17 (2.3%)	18 (2.5%)	731
Ward 12 Schools Total	360 (90.2%)	26 (6.5%)	13 (3.3%)	399
Total	4899 (94.3%)	140 (2.7%)	154 (3.0%)	5193

Note: If a parent indicated that they have students at more than one school they are shown as having responded for each school in which they have a child registered. There were 4525 respondents; there were 5193 school selections.

	Parents		Students		Employees		Total	
	Yes	No	Yes	No	Yes	No	Yes	No
Ward 1 Schools	242 (80.7%)	58 (19.3%)	11 (78.6%)	3 (21.4%)	6 (66.7%)	3 (33.3%)	259	64
Ward 2 Schools	684 (82.3%)	147 (17.7%)	16 (94.1%)	1 (5.9%)	15 (100.0%)	0 (0.0%)	715	148
Ward 3 Schools	250 (82.0%)	55 (18.0%)	3 (60.0%)	2 (40.0%)	6 (75.0%)	2 (25.0%)	259	59
Ward 4 Schools	172 (79.3%)	45 (20.7%)	6 (75.0%)	2 (25.0%)	9 (100.0%)	0 (0.0%)	187	47
Ward 5 Schools	571 (83.0%)	117 (17.0%)	6 (85.7%)	1 (14.3%)	9 (90.0%)	1 (10.0%)	586	119
Ward 6 Schools	115 (81.0%)	27 (19.0%)	1 (50.0%)	1 (50.0%)	5 (83.3%)	1 (16.7%)	121	29
Ward 7 Schools	365 (85.7%)	61 (14.3%)	6 (75.0%)	2 (25.0%)	12 (92.3%)	1 (7.7%)	383	64
Ward 8 Schools	294 (84.5%)	54 (15.5%)	13 (68.4%)	6 (31.6%)	15 (83.3%)	3 (16.7%)	322	63
Ward 9 Schools	197 (86.8%)	30 (13.2%)	2 (66.7%)	1 (33.3%)	5 (100.0%)	0 (0.0%)	204	31
Ward 10 Schools	239 (86.0%)	39 (14.0%)	5 (100.0%)	0 (0.0%)	5 (83.3%)	1 (16.7%)	249	40
Ward 11 Schools	592 (86.3%)	94 (13.7%)	13 (86.7%)	2 (13.3%)	11 (78.6%)	3 (21.4%)	616	99
Ward 12 Schools	316 (88.8%)	40 (11.2%)	18 (78.3%)	5 (21.7%)	12 (92.3%)	1 (7.7%)	346	46
Total	4037 (84.0%)	767 (16.0%)	100 (79.4%)	26 (20.6%)	110 (87.3%)	16 (12.7%)	4247	809

Note: Some respondents did not respond to the “Yes/No” question. They are not included in this table.

Comment	Frequency	Percentage of Respondents
Fully support this idea	376	8.3%
The fee should be absorbed by the board	124	2.7%
Should continue to allow the other payment options	95	2.1%
The fee should be less	50	1.1%
I do not support this idea, I am fine with current system	40	0.9%
Prefer credit card option	33	0.7%
The convenience of online payments is great	32	0.7%
PayPal should be an option	22	0.5%
Do not feel online banking system is safe	21	0.5%
Create overall/annual fee	16	0.4%
EFT would be better	15	0.3%
Want more information on platform and reason for fees	13	0.3%
This system allows for tracking (receipts)	13	0.3%
The 1% fee shouldn't go up	11	0.2%
Do not know where this 1% fee goes	7	0.2%
Debit card should be an option	7	0.2%
Not fair to charge fee to people paying cash/cheque	7	0.2%
Consultation with CSPCs on the process is needed	7	0.2%
Fee should be capped at a certain number	6	0.1%
Is the fee a temporary thing?	3	0.1%
Important for children to handle money	3	0.1%
"Square" is a great payment option	2	0.0%
Is there an APP for the platform?	2	0.0%
Does it support all banks?	1	0.0%
It would eat into fundraising profits	1	0.0%
Allow top ups of students accounts	1	0.0%
If paying in installments, do you pay administrative fees every installment?	1	0.0%
Total	909	20.1%

**MINUTES OF THE REGULAR MEETING
OF THE
SPECIAL EDUCATION ADVISORY COMMITTEE**

HELD WEDNESDAY, APRIL 12, 2017

PUBLIC SESSION

PRESENT:

Marilyn Taylor, Chair
Rosanna Del Grosso
John MacKenzie
Sandra Mastronardi
Tyler Munro
Giselle Romanino
Gizelle Paine
Mary Pugh

Trustees A. Andrachuk – by teleconference
 A. Kennedy

R. McGuckin
C. Fernandes
A. Coke
A. Coke
M. Kokai
D. Reid
P. Stachiw

S. Harris, Recording Secretary
K. Eastburn, Assistant Recording Secretary

Apologies were tendered on behalf of Trustee Tanuan, Ashleigh Molloy, Dario Imbrogno, Raul Vomisescu and Glenn Webster who were unable to attend the meeting.

Prayers were offered for two teachers who recently lost their two and a half year-old son and father respectively.

MOVED by Trustee Andrachuk, seconded by John MacKenzie, that the Agenda, as amended, be approved to include Items 13a) Inquiry from Rosanna Del Grosso regarding News Release from the Minister of Education regarding additional funding for Special Education and its impact on TCDSB and 13b) Inquiries from Sandra Mastronardi.

The Motion was declared

CARRIED

MOVED by John MacKenzie, seconded by Giselle Romanino, that the Minutes of the Regular Meeting held March 22, 2017 be approved with the following amendments:

- 9e) **Draft Report on Accountability Framework for Special Education 2016-2017** - include that Tyler Munro had voted against the motion.
- 9g) **Special Education Plan – Autism and Learning Disability Framework Updates** – include that Sandra Mastronardi had voted against the motion.

The Motion was declared

CARRIED

MOVED by Gizelle Paine, seconded by Mary Hugh, that Item 9a) be adopted as follows:

9a) **2017-2018 Budget Projections for Consultation Purposes** – received.

The Motion was declared

CARRIED

MOVED by Rosanna Del Grosso, seconded by Sandra Mastronardi, that Item 13a) be adopted as follows:

13a) **Inquiry from Rosanna Del Grosso regarding the recent News Release from the Minister of Education regarding additional Special Education funding and its Impact on the Toronto Catholic District School Board** received and that staff bring back a list of the consolidated ISP classes.

The Motion was declared

CARRIED

MOVED by John MacKenzie, seconded by Giselle Romanino, that Item 9b) be adopted as follows:

9b) **SEAC Monthly Calendar Review** – received.

The Motion was declared

CARRIED

MOVED by Gizelle Paine, seconded by Giselle Romanino, that Item 9c) be adopted as follows:

9c) **Special Education Superintendent Update April 2017** – received.

The Motion was declared

CARRIED

MOVED by Trustee Kennedy, seconded by John MacKenzie, that Item 9d) be adopted as follows:

9d) **Parent Conference, April 1, 2017** that SEAC recommend to the Board of Trustees to investigate the costs to possibly promote SEAC Special Education information through innovative technological methods.

The Motion was declared

CARRIED

MOVED by Sandra Mastronardi, seconded by Tyler Munro, that SEAC recommend to the Board of Trustees to apply for a regional pro-grant to facilitate parent engagement around Special Education.

The Motion was declared

CARRIED

MOVED by Gizelle Paine, seconded by Giselle Romanino, that Item 9e) be adopted as follows:

- 9e) **Final Report: Review of Educational Assistants and Child Youth Workers Efficiencies Boardwide** - received.

The Motion was declared

CARRIED

MOVED by Trustee Kennedy, seconded by John MacKenzie, that Item 9f) be adopted as follows:

- 9f) **Process for Presentations** that there be one presentation per meeting with the ability to ask questions.

Rosanna Del Grosso, Tyler Munro and Sandra Mastronardi wished for it to be recorded that they were not in favour of the Motion.

The Motion was declared

CARRIED

MOVED by Rosanna Del Grosso, seconded by Sandra Mastronardi, that Item 9g) be adopted as follows:

- 9g) **SEAC Orientation** that a dedicated SEAC June meeting be held for the Orientation.

The Motion was declared

CARRIED

- 13b) **Inquiries and Miscellaneous** – Sandra Mastronardi inquired about the outcome of the OCSTA's Resolutions, Soft Suspension Practice and Indigenous Education.

MOVED by John MacKenzie, seconded by Giselle Romanino, that the meeting adjourn.

The Motion was declared

CARRIED

SECRETARY

CHAIR



REPORT TO

REGULAR BOARD

REPORT OF THE GOVERNANCE AND POLICY COMMITTEE ON UPDATE TO REAL PROPERTY POLICIES (R.01, R.04, R.05, R.07, R.08, R.09, R.10)

*Let the wise hear and increase in learning, and the one who understands obtain guidance
Proverbs 1:5*

Created, Draft	First Tabling	Review
January 18, 2017	January 26, 2017	

Nancy Crawford, Chair, Governance and Policy Committee
Caitlin Kavanagh, Coordinator, Employee Relations & Policy Development

RECOMMENDATION REPORT

Vision:

At Toronto Catholic we transform the world through witness, faith, innovation and action.

Mission:

The Toronto Catholic District School Board is an inclusive learning community uniting home, parish and school and rooted in the love of Christ.

We educate students to grow in grace and knowledge to lead lives of faith, hope and charity.



Members of the Committee:

Nancy Crawford, Chair
Ann Andrachuk, Vice Chair
Jo-Ann Davis, Trustee Ward 9
Maria Rizzo, Trustee Ward 5
Angela Kennedy, Ex-Officio
Frank D'Amico, Ex-Officio

A. EXECUTIVE SUMMARY

During the January 18, 2017 Governance and Policy Committee meeting, Trustees moved receipt and referral of staff's recommendation regarding Real Property policies to Board. The report recommended:

1. that the following policies be rescinded: Sharing (R.01), Site Acquisition (R.04) and School Sites Expansion (R.05) (Appendix A);
2. that the following policies be amended and consolidated into a new policy, Real Property (R.01): Expropriation of Real Property (R.07), Disposal of Surplus Real Property (R.08), School Sites – Operating Budget Surplus (R.10) (Appendix B); and
3. that Alternative Arrangements for School Facilities policy (R.09) be amended and updated in meta policy format to reflect updated legislation and operational procedures (Appendix C).

B. PURPOSE

This report is on the Order Paper of the Regular Board as staff recommend policies to be rescinded, amended and consolidated.

C. APPENDIX

APPENDIX A: Real Property policies currently on policy register

APPENDIX B: Real Property policy (R.01) as proposed

APPENDIX C: Alternative Arrangements for School Facilities policy (R.09) with proposed amendments

D. STAFF RECOMMENDATION

That the Board accept staff's recommendations and:

1. rescind: Sharing (R.01), Site Acquisition (R.04) and School Sites Expansion (R.05) (Appendix A);

2. approve the Real Property policy (R.01) as proposed in Appendix B, consolidating Expropriation of Real Property (R.07), Disposal of Surplus Real Property (R.08), School Sites – Operating Budget Surplus (R.10); and
3. approve the Alternative Arrangements for School Facilities policy (R.09) as amended and proposed in Appendix C.

TCDSB Policy Register – Current Policy

Sharing R.01

Policy

The TCDSB may lease a distinct viable unit of a school - a floor or a wing - on a shared basis where student accommodation needs are beyond those which can be provided by the Board and where an entire school building is not available for purchase or lease.

Regulations:

1. The lease for the sharing arrangement shall be for a minimum of five years, renewable for an additional five years.
2. The shared school shall have a separate entrance with the Catholic school name on the exterior of the school easily visible from the street.
3. The rental fee as determined by the lease/rental formula of the MET shall apply to the shared facility.
4. The sharing of the facility shall allow for the preservation of the milieu and integrity of the Catholic school.
5. A long term plan shall be worked out which will lead to a permanent solution to remove the landlord-tenant arrangement.

BM p 126, 19 Jun 86; BM, May 72.

Site Acquisition R.04

Policy

The Toronto Catholic District School Board shall develop annually a site acquisition program.

Regulations:

1. The site acquisition program will be developed annually through the Capital Expenditure Forecast process which is submitted to the Ontario Ministry of Education in the fall of each year.
2. Size of Sites:
 - a) Elementary school sites will be:
 - 1) a minimum of five acres in size, or
 - 2) a minimum of three acres where it is adjacent to a public park and there is municipal agreement to use the park as a playing campus.

3) a minimum of four acres if adjacent to a proposed church where part of the site will be severed and sold.

b) Secondary school sites will be:

1) a minimum of ten acres in size, or

2) a minimum of six acres where it is adjacent to a public park and there is municipal agreement to use the park as a playing campus.

c) where a school site in a suitable location becomes available which is less than the sizes referred to in a) and b), prior Board of Trustees approval is required before acquisition may be initiated.

3. The Toronto Catholic District School Board will cooperate with the Roman Catholic Episcopal Corporation in locating potential combined school/church sites.

4. The location and suitability of a site will be approved by the Board of Trustees.

5. The Toronto Catholic District School Board will proceed in accordance with the Education Act and the appropriate regulations of the Ontario Ministry of Education.

6. The cost of a school site will be approved by the Toronto Catholic District School Board before a purchase is finalized.

7. The Toronto Catholic District School Board may also acquire school sites through the process of expropriation if required.

BM p 34, 22 Jan 87; BM p 964, Jun 71.

School Sites Expansion R.05

SITE ACQUISITION AND EXPANSION - PLAY AREAS 1403

Policy

It is the policy of the Toronto Catholic District School Board that all schools have adequate play area to service the needs of the school community.

SITES - SIZE 1701

Policy

School sites owned by the Board, whether occupied by a school or not, shall not be reduced to less than five acres.

URBAN SITES - MINIMUM PLAY AREAS AND EXPANSION 1702

Policy

All schools located in the urban areas of the City of Toronto shall be expanded, where feasible, to a minimum standard of 65 square feet of playable area per pupil, provided the total footage does not exceed 1-1/2 acres.

SUBURBAN SITES - AREAS AND EXPANSION 1703

Policy

(1) The Deputy Director, Business Services, in accordance with the site purchasing policy of the Toronto Catholic District School Board shall acquire on the open market, properties offered to the Toronto Catholic District School Board provided:

- (a) the property will increase the playable area to the minimum of 175 square feet per pupil and/or,
- (b) the property will enhance the shape and/or condition of the Board's site and/or,
- (c) if an addition to the existing school is contemplated within two years and the said addition will reduce the playable area below the minimum of 175 square feet per pupil,
- (d) each site will not exceed four acres of playable area.

2. Where a school site is less than 175 square feet per pupil playable area, before an addition is placed on the site, additional property shall be obtained where possible, so that the site shall contain no less than the existing playable area.

BM p 1145, Sept 68., BM p 1028, Aug 68., BM p 165, Feb 68.

Expropriation of Real Property R.07

Site Acquisition- By Expropriation 1501

Policy

(1) The Administrative and Corporate Services Committee shall submit to the Board for approval:

- (a) the Committee's choice of site location, size and boundaries, number of rooms and other facilities to be provided;
- (b) an estimate of the cost to be incurred;
- (c) the name of the surveyor proposed, in accordance with the memorandum of policy related to appointment;
- (d) the name of the Appraiser, Agent and/or Consultants to be retained, and alternates, in accordance with the memorandum of policy related to appointment;
- (e) after consultation with the Administrative and Corporate Services Committee in respect of demolition and site clearance, plan preparation and construction time, the date upon which possession of all properties on the site will be required.

(2) Upon the receipt of all appraisal reports in respect of the properties on the site, the Deputy Director, shall report to the Administrative and Corporate Services Committee the anticipated

total budget requirements for the site, by adding to the aggregate of the appraisal figures an amount of not less than 10%. The figure approved by the Board for the site shall be known as the total budget.

(3) The Deputy Director, upon receipt of the appraisal reports, shall send one copy to the Solicitor, instructing the Solicitor to give the required notice under the Expropriation Procedures Act offering to pay compensation to the owners in an amount equal to the appraisal price for the individual property.

(4) The Deputy Director shall be authorized to settle the amount of compensation to be paid to the individual owners of expropriated properties

(a) without any prior approval or consent, if the settled amount does not exceed 110% of the appraised value of the property;

(b) with the approval of the Administrative and Corporate Services Committee if the settled amount, although exceeding 110% of the appraised value of the property, will not cause the total budget to be exceeded;

(c) with the approval of the Ad Hoc Committee if the settled amount, although exceeding 110% of the appraised value of the property will not cause the total budget to be exceeded by more than 5% provided the claim for compensation for the property has, at that time, been referred to the Board of Negotiation;

The Ad Hoc Committee shall be composed of the Chair of the Board, the Chair of the Administrative and Corporate Services Committee, and one member of the Administrative and Corporate Services Committee.

(d) with the approval of the Ad Hoc Committee if the settled amount, although exceeding 110% of the appraised value of the property will not cause the total budget to be exceeded by more than 8% (in addition to the 5% increase set out in paragraph 4(c) of this memorandum), provided the claim for compensation for the property has, at that time, been submitted to arbitration; and to pay the owner's legal and appraisal fees where requested.

(5) The Board, irrespective of settlement of compensation, shall offer to the owners, prior to taking possession, an amount equal to 75% of his/her equity based on the value established by the Board's appraisal, and further offer to discharge encumbrances.

(6) Upon settlement of compensation by the Ad Hoc Committee at Board of Negotiation or Arbitration, the Board shall receive a full report of the settlement, setting out the appraisal report, the number of offers and counter offers submitted by the Agent, a report from the Coordinator of Facilities Management and/or the Deputy Director, and the Solicitor for the Board.

(7) Where compensation has not been settled but vacant possession has been delivered to the Board, the Deputy Director may order an inspection by any accredited appraiser for the purpose of obtaining evidence for arbitration.

(8) No specific procedure can be laid down in respect of possession where no agreement is made with the owner in this regard. The Board is required to give ten days' notice of possession, but in practice in the past has usually given more. The Board is entitled to take possession after the time set out in the notice.

The act provides that where resistance or opposition is encountered by the Board in taking possession, the Board may apply to a Judge for a warrant to put down the resistance, i.e., put the owner on the street. Since there could be a great deal of unfavourable publicity involved, each situation should be dealt with on its own merits.

BM p 908, July 68.

Expropriation- Payment of Legal and/or Appraisal Fees 1502

Policy

With Respect to properties in which the Board indicates an interest and wishes to acquire through expropriation:

- (1) the Board may pay the legal fees of the vendor for the transfer of said property, reserving the Board's right to have any solicitor's bill taxed;
- (2) the Board shall produce an initial objective appraisal of the property which should be made available to the vendor, and the vendor shall be apprised of his/her right to an independent appraisal;
- (3) the Board may pay for an appraisal where requested by the vendor, and staff shall be empowered to settle any expropriation action within the limits of the Board's initial objective appraisal plus 10% for forceful taking, and all other offers outside these figures shall be presented to the Committee for a recommendation to the Board.

BM p 1564, Nov 67.

Expropriation- Use of Real Estate Agents 1503

Policy

Qualified real estate persons shall be retained to negotiate the compensation to be paid to expropriated owners of properties for the Board; except those properties which will be negotiated by the Board or its own staff. Where the negotiations of expropriated properties are to be carried out by staff personnel, the properties shall be appraised by qualified appraisers on the basis of "Market Value".

- (1) The brokers and/or agents of the Board shall be designated appropriate brokers of property to be suitably appraised at no cost to the Board, and thereby enter into negotiations with the principals in view of successfully concluding sales that are satisfactory to the Board.
- (2) The appraisal fee on individual property negotiations (including a written appraisal) shall be \$500, based on an acceptable purchase price.

(3) If, for any reason, a negotiation to the ending property by the agent or broker is unsuccessful, only the payment of a fee of \$150 per property will be paid for a qualified written appraisal.

(4) The broker and/or agent shall be subject to appearance at any official Board of Arbitration to substantiate his/her appraisal at no cost to the Board.

(5) The appointment of retaining broker-agents in these negotiations shall be the consideration of the Administrative and Corporate Services Committee to be approved by the Board. The broker-agents shall be appointed, with Board approval, by letter with suitable solicitor's terms of reference.

All appraisals shall be submitted within 14 days to the responsible staff official for deliberation. The appraisals, with suitable staff comment, shall be presented to the committee for procedural approval. Secondary negotiations, subject to staff and committee appraisals, shall be fully completed by October 31st, 1967. An extension period of not more than two weeks shall be allowable for properties requiring special attention.

BM p 980-1, Aug 67.

Expropriation- Appraisals 1504

Policy

Appraisals shall not be presented to expropriated owners at the time of the initial presentation of an offer by the Board's agent.

BM p 206 Feb 69.

Expropriation- Payment 1505

Policy

The Board shall offer 75% of the equity of expropriated owners as payment prior to taking possession of the property, as recommended by the Deputy Director, Business Services.

BM p 814, Jun 68.

Disposal of Surplus Real Property R.08

Policy

1. The Toronto Catholic District School Board shall dispose of surplus real properties after having been previously declared surplus by public offering and in such a manner as to obtain the maximum benefit to the Board in terms of financial benefit, or other equally significant consideration.

2. The disposal of all surplus real properties shall be in accordance with all relevant Statutes, Regulations and Ontario Ministry of Education Memoranda.

3. The Toronto Catholic District School Board shall utilize the most appropriate method, usually by sale, to dispose of surplus real properties in order to give due consideration to the unique nature of the specific real property.

4. The Toronto Catholic District School Board shall approve the method of sale to be used for the disposal of each specific real property prior to marketing, usually one of the following:

- a) Buyer Proposal Call;
- b) Negotiated Sale Call;
- c) Listed Sale Call

5. Where:

- a) a trustee of the Toronto Catholic District School Board has, and
- b) an employee of the Toronto Catholic District School Board, if a trustee, would have an obligation pursuant to the Municipal Conflict of Interest Act to disclose an interest in any offer, proposal, contract or other type of disposition of surplus real property of the Toronto Catholic District School Board, every such trustee, in addition to the statutory obligations, and employee, shall give written notice upon becoming aware of such interest, to the Secretary of the Toronto Catholic District School Board.

6. Where the Board established and approves a confidential reserve bid, as required by the Listed Sale Call Method of Disposal, the Deputy Director of Education shall have the authority to accept an offer to purchase provided that the offer to purchase is no less than the confidential reserve bid.

7. In the event of any conflict between the provision of this policy and the provisions of any other Board Policy, this Policy shall supersede.

Regulations:

1. Definition of Terms

a) **A Sale** shall mean any of the following:

- i) Transfer of freehold title upon payment of the total purchase price on closing;
- ii) Transfer of title with part payment in cash and the balance by mortgage;
- iii) By agreement, with part payment in cash and the balance due at a later date prior to transfer of freehold title;
- iv) Conveyance of real property by long term lease with, or without, an option to obtain freehold title upon payment of a price previously established, or to be negotiated;
- v) Exchange of real property.

b) **Real Property** shall mean block land, building lots, relocatable schools, administration buildings and all other forms of real estate, and shall include all rights which flow from its ownership.

c) **Public Offering** shall mean a public offering of real properties which shall be advertised in:

i) A local public newspaper (i.e., one or more of the Toronto Star, the Sun, or the Globe and Mail); and ii) A daily newspaper of the Canadian Construction Industry (i.e., the Daily Commercial News); iii) Other appropriate advertising media.

d) **Buyer Proposal Call** shall mean a publicly advertised indication of the Board's intent to sell, soliciting submissions for the purchase of specific real properties at prices and terms to be negotiated.

e) **Negotiated Sale Call** shall mean a publicly advertised offer requesting submissions to purchase specific real properties. An asking price and terms shall be stipulated, which may be negotiated.

f) **Listed Sale Call** shall mean a publicly advertised listing, either open or exclusive, of a specific property through a Real Estate Board Multiple Listing Service, or an individual registered real estate broker. The asking price and terms shall be specified and may be negotiated, subject to a confidential reserve price previously established by the Board.

g) **Other** shall mean any other method of disposing of real properties which the Board may choose to use from time to time upon the recommendation of the Administrative and Corporate Services Committee.

2. The Board's solicitor shall prepare a title search of the subject lands to verify the legal description and site dimensions, and to ensure that the title is free from any restrictions and to confirm that the Board is able to convey clear marketable title.

3. All Ontario Ministry of Education disposal procedures shall be initiated.

4. Where deemed appropriate, the Board may appoint a planning consultant to determine the development potential of the surplus property.

5. The Board shall appoint an accredited appraiser to determine the fair market value of the property. The appraisal report shall take into account the planning consultant's report, if applicable.

6. The Board may appoint other specialized consultants, if deemed necessary. These may include, but not be limited to, surveyors, financial consultants and engineers.

7. The Board shall request the approval of the Ministry of Education to dispose of surplus real property.

8. The Board shall request the Ministry of Education to waive the negative grant on the proceeds of the sale. In the event that the Ministry of Education does not waive the negative grant, a report shall be submitted to the Board prior to any further action being taken respecting the surplus real property.

9. Regulations 2 through 8 shall be completed prior to the Board entering into an agreement to dispose of the real property.

10. The method of sale to be used in the disposition of the surplus real property shall be recommended by staff and approved by the Board.

11. If the method of sale is to be other than a Listed Sale Call, Negotiated Sale Call, or a Buyer Proposal Call, staff will prepare a report for the Administrative and Corporate Services Committee detailing the alternative method and requesting approval for such. The method employed will give due consideration to the nature of the asset and the existing, as well as anticipated, market conditions.

12. Where the Listed Sale Call method is used to dispose of surplus real property, the Board shall establish a confidential reserve bid based on information contained in the appropriate consultant's reports.

13. A prospectus shall be prepared on each real property offered for sale. The prospectus shall be forwarded to each trustee and made available to all interested persons. The prospectus shall contain:

- a) Location and description of the real property concerned;
- b) An area map and site plan of the real property concerned;
- c) Instructions to potential purchasers on the procedures to be followed;
- d) Terms and conditions which may be acceptable to the Board;
- e) Current zoning;
- f) Current official plan designation;
- g) Potential development schemes based on a planner's analysis, if applicable, and dates for the last day for receipt of offer;
- h) The following statements:
 - i) that the real property shall be accepted in its present condition, which implies a knowledge of contours and subsoil conditions,
 - ii) that the onus is on the prospective purchaser to verify the accuracy of information provided,
 - iii) that the Board is not required to provide a survey,
 - iv) that when offers are received through registered real estate brokers, the Board will not pay real estate commissions until such time as the transaction is closed, or an agreement for sale is completed,
 - v) that the deposit amount of the successful proponent shall be forfeited to the Board if, through the fault of the bidder, the transaction is not completed,
 - vi) that the highest, or any, offer shall not necessarily be accepted,

vii) that a disclosure of principals shall be required to be submitted with the offer.

14. When the Board is utilizing a local newspaper for marketing a property, the advertisement shall be published not less than fifteen working days prior to the closing date, if any, and shall include:

- a) The method of sale;
- b) Location of the real property;
- c) A general description of the real property being offered for sale;
- d) The location and person to whom the proponent must submit his/her offer;
- e) The closing date and time, if applicable;
- f) Instructions for obtaining further information and/or a prospectus.

15. Where the Board specifies the closing date and time for the receipt of offers, all offers received shall be opened in public in the presence of no less than two of the following persons:

- a) Director of Education;
- b) Deputy Director of Business Services;
- c) Deputy Director of Education;
- d) The Chair of the Administrative and Corporate Services Committee, or delegate;
- e) Superintendent of Planning and Facilities;
- f) Coordinator of Planning and Facilities.

16. All offers received shall be reviewed by the Board's solicitor.

17. Prior to the presentation of offers to the Board, circulation of offers and reports thereon shall be limited to:

- a) Director of Education;
- b) Deputy Director of Business Services;
- c) Deputy Director of Education;
- d) Superintendent of Planning and Facilities;
- e) Coordinator of Planning and Facilities;
- f) Recording Secretary of the Board;
- g) Consultants as required.

18. Reports presented to the Board for consideration will contain a detailed analysis of each offer including the following information:

- a) Purchaser's Name;
- b) Agent;
- c) Terms and Conditions of Offer;
- d) Financial Considerations.

19. Original copies of each offer will only be available for inspection, upon request by individual trustees, as follows:

- a) At the Administrative and Corporate Services Committee meeting;
- b) In the Director of Education's office after the Administrative and Corporate Services Committee meeting and prior to the Board meeting.

20. Reports dealing with the sale of surplus real property will be dealt with at a special meeting of the Administrative and Corporate Services Committee which is no more than four days prior to any special or regular meeting of the Board at which the sale is to be considered.

21. Where the Board has established a date and time for the final receipt of offers, that date and time shall be a minimum of two days and a maximum of four days prior to the forty-eight-hour requirement for the receipt of agendas by trustees.

22. Procedures Governing Disposal by Buyer Proposal Call

a) Real properties, which have been declared surplus by the Board shall be advertised in appropriate newspapers at an appropriate date which shall be no later than fifteen working days prior to the final date for the receipt of offers.

b) In addition to the general information, the advertisement shall include:

- i) The closing date, time, location and person to whom the proponent must submit his/her sealed offer to purchase;
- ii) The date, time and location for the opening of offers to purchase;
- iii) A statement that all offers shall remain irrevocable until 12:00 midnight the day following the regular or special meeting of the Board at which all offers will be considered.
- iv) Directions for obtaining further information;

23. Procedures Governing Disposal By Negotiated Sale Call

a) Real properties, which have been declared surplus by the Board, shall be advertised in appropriate newspapers at an appropriate date which shall be no later than fifteen working days prior to the final date for receipt of offers to purchase.

b) In addition to the general information, the prospectus shall contain:

- i) The asking price for the property concerned;

- ii) The closing date, time, location and person to whom the proponent must submit his/her sealed offer to purchase;
- iii) The date, time and location for the opening of offers to purchase;
- iv) A statement that all offers shall remain irrevocable until 12:00 midnight the day following the regular or special meeting of the Board at which all offers will be considered;
- v) Directions for obtaining further information.

24. Procedures Governing Disposal By Listed Sale Call

a) Real properties which have been declared surplus by the Board shall be offered for sale directly through the Real Estate Board Multiple Listing Service with the Board performing the functions of the listing broker or through a registered real estate broker.

b) When the Board utilizes the services of a registered real estate broker, the listing agreement can be either:

- i) Multiple Listing Agreement;
- ii) Exclusive Listing Agreement.

c) In addition to marketing the property through the Multiple Listing Service, the following methods of advertising can be used, when considered appropriate, to market the property:

- i) Real Estate News newspaper;
- ii) Local newspapers;
- iii) Direct Mail Solicitation;
- iv) Any other means of advertising considered appropriate.

d) Sufficient copies of the prospectus shall be supplied to real estate brokers and in addition to the general information, the prospectus shall include:

- i) The asking price for the property concerned;
- ii) Availability of possession in the case of a tenanted property;
- iii) Directions for obtaining further information.

25. Procedures For Disposal By Other Means

a) The Board may wish to dispose of real property in a manner other than

- i) Buyer Proposal Call;
- ii) Negotiated Sale Call;
- iii) Listed Sale Call;

b) A detailed report shall be submitted through the Administrative and Corporate Services Committee to the Board for approval. The detailed report shall contain:

- i) The reason(s) for recommending the particular method of sale;
- ii) The procedures to be followed.

BM, 18 Oct 84; BM p 108, Jan 80.

Alternative Arrangements for School Facilities R.09

Date Approved: January 20, 2000 – Board Meeting	Dates of Amendment:
Cross Reference:	

Background

(1) A number of legislative provisions encourage school boards to consider alternate arrangements for the accommodation of elementary and secondary school pupils to the usual arrangement under which a school site is acquired and a stand-alone school is built on it.

(2) Ontario Regulation 20/98 provides that the education development charge background study contain:

6. A statement of the board's policy concerning possible arrangements with municipalities, school boards or other persons or bodies in the public or private sector, including arrangements of a long-term or co-operative nature, which would provide accommodation for the new elementary school pupils and new secondary school pupils estimated under paragraph 3 of section 7, without imposing education development charges, or with a reduction in such charges.

7. If a previous education development charge background study completed by the board included a statement under paragraph 6, a statement of how the policy referred to in the statement was implemented and, if it was not implemented, an explanation of why it was not implemented.

(3) Regulation 446/98 (Reserve Funds) permits a school board to utilize proceeds in the Pupil Accommodation Allocation Reserve Fund for the acquisition of "school sites that are acquired as part of transactions under which the board also acquires school buildings on the school sites".

(4) Section 210.1 of the *Municipal Act* authorizes municipalities and school boards to enter into arrangements under which they can provide for exemptions from taxation for municipal and school purposes of land or a portion of it that is “entirely occupied and used or intended for use for a service or function that may be provided by a “school board” or municipality”. It also authorizes an exemption to be given from municipal and education development charges in certain circumstances.

(5) The TCDSB recognizes that alternative arrangements can provide an opportunity to improve service delivery and peak enrolment capacity, reduce duplication of public facilities, maximize the effective use of available dollars, and reduce site size requirements. These include a variety of acquisition strategies such as forward buying, options, purchases, lease buy-back, sites exchanges and joint venture partnerships.

(6) The TCDSB’s record demonstrates this commitment:

	<u>AGENCIES INVOLVED</u>
· Humberwood Centre	<ul style="list-style-type: none"> - TCDSB(elementary school) - TDSB (elementary school) - City of Toronto (community centre) - Library Board (library branch)
· Mary Ward Catholic Secondary School	<ul style="list-style-type: none"> - TCDSB (secondary school) - City of Toronto (community centre)
· Lakeshore Grounds Campus (future school(s)/recreation centre/park campus)	<ul style="list-style-type: none"> - TCDSB (secondary & if necessary, elementary school) - Humber College (Lakeshore Campus) - City of Toronto (recreation centre and park)
· Railway Lands (future schools/park/ community centre campus)	<ul style="list-style-type: none"> - TCDSB (elementary school) - TDSB (elementary school) - City of Toronto (community centre and park)
· Port Union Village (future schools/park campus)	<ul style="list-style-type: none"> - TCDSB (elementary school) - TDSB (elementary school) - City of Toronto (park)

Policy

The TCDSB will consider possible arrangements with municipalities, school boards or other persons or bodies in the public or private sector, including arrangements of a long-term or cooperative nature, which would provide accommodation for the new elementary school pupils and new secondary school pupils who are resident pupils of the Board, subject to the Regulations set out below.

Regulations

- (1) The arrangement must be cost effective and advantageous for the TCDSB compared to other possible arrangements including an acquisition of a school site and the construction of a free standing building.
- (2) The arrangement shall comply with any guidelines issued by the Ministry of Education and Training.
- (3) The TCDSB may enter into lease arrangements respecting school facilities intended to be used to accommodate peak enrolment, but shall not enter into such arrangements respecting school facilities that are necessary to accommodate long-term enrolment unless the arrangements could result in ownership at the Board's discretion.
- (4) The TCDSB shall retain sufficient governance authority over the facility to ensure that it is able to deliver the appropriate educational program to its pupils, and to ensure that its identity, ambience and integrity are preserved.
- (5) The facility shall have a separate entrance with the school name on the exterior of the school easily visible from the street."

School Sites - Operating Budget Surplus R.10

Background

(1) Section 9(1) paragraph 8 of O. Reg 20/98 (Education Development Charges - General) provides that an education development background charge study must contain:

8. A statement from the board stating that it has reviewed its operating budget for savings that could be applied to reduce growth-related net education land costs, and the amount of any savings which it proposes to apply, if any.

(2) It is therefore necessary that the review referred to in section 9(1) paragraph 8 be conducted annually as part of the process of setting the estimates.

(3) Under the General Legislative Grant Regulation, only a surplus from the non-classroom part of the estimates is eligible to be used to acquire school sites, thereby reducing the "growth related net education land cost" and the education development charge that may be levied by the TCDSB.

Policy

Where there has been or it appears that there will be surplus in the non-classroom part of the estimates of the TCDSB in a fiscal year, the Board shall determine whether all, part, or none of the surplus will be designated as available for the purpose of acquiring school sites by purchase, lease or otherwise.

Regulations

(1) If there is, or it appears that there will be a surplus in the operating budget, the Board shall pass a motion substantially as follows:

Whereas it appears that there has been or that there will be a surplus in the non-classroom part of the budget;

Moved that:

(i) The Board may designate an amount as available for the purpose of acquiring school sites by purchase, lease or otherwise;

(ii) The Board's reasons for so deciding are as follows:

[The Board may choose to direct some funds to the purchase of school sites or may decline to do so. Reasons for the decision should be included which indicate where the board will be directing the funds and its basic reasons for doing so. The purpose for this part of the motion is to ensure that a clear record of the board's decision and its reasons are available as part of the public record for inclusion in the education development charge background study. This is particularly necessary as evidence for the Ontario Municipal Board in the event of an appeal of the by-law.]

(2) If there is no surplus, or it appears that there will not be a surplus in the operating budget, no further action is required with respect to this Policy."

BM p. 20 Jan 2000



POLICY SECTION: REAL PROPERTY

SUB-SECTION:

POLICY NAME: Real Property

POLICY NO: R. 01

Date Approved: January 26 2017	Date of Next Review: January 2022	Dates of Amendments:
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Cross References:

Amending and Consolidating: R. 07 Expropriation of Real Property, R. 08 Disposal of Surplus Real Property, R. 10 School Sites—Operating Budget Surplus

Purpose:

This policy is intended to provide guidance to the Board with respect to the expropriation, disposition and leasing of Real Property.

Scope and Responsibility:

This policy applies to all school sites and other TCDSB property as well as TCDSB's ability to acquire additional property. The Director of Education is responsible for this policy with the support of the Planning and Development Services.

Alignment with MYSP:

Strengthening Public Confidence

Providing Stewardship of Resources

Policy:

The TCDSB is committed to ensuring planning for school sites and other TCDSB property is developed in accordance with relevant legislation and in conjunction with the plans of municipal councils, other school boards and other authorities to achieve maximum service to the community.



POLICY SECTION: REAL PROPERTY

SUB-SECTION:

POLICY NAME: Real Property

POLICY NO: R. 01

Regulations:

1. Expropriation of Real Property:

- a. The Expropriations Act, R.S.O., 1990, C.E.26 defines the process requirements a school Board, as an expropriating authority, must adhere to.
- b. All expropriations are subject to Board approval.
- c. The procedure for hiring of consultants for expropriation such appraisers, surveyors, and real estate brokers follow the Board's Material Management procurement *Purchasing Policy FP01*.

2. Disposal of Surplus Real Property:

- a. The TCDSB shall dispose of surplus real properties in accordance with the requirements of section 194(3) of the *Education Act*.
- b. The TCDSB shall approve the method of disposition, sale or lease, and issue a proposal in accordance with *Ontario Regulation 444/98; Disposition of Surplus Property*, made under the Education Act.
- c. Should no offers in compliance with the *Ontario Regulation 444/98; Disposition of Surplus Property* be received, and subject to Ministry of Education approval, the TCDSB may proceed with the disposition of the property, at fair market value, to any other body or persons.
- d. All Purchase and Sale Agreements and/or Lease Agreements are subject to Board approval.



POLICY SECTION: REAL PROPERTY

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3. School Sites - Operating Budget Surplus:

- a. Section 9(1) paragraph 8 of O. Reg 20/98 (Education Development Charges - General) provides that an education development background charge study must contain:

A statement from the board stating that it has reviewed its operating budget for savings that could be applied to reduce growth-related net education land costs, and the amount of any savings which it proposes to apply, if any.

It is therefore necessary that the review referred to in section 9(1) paragraph 8 be conducted annually as part of the process of setting the estimates.

Under the **Grants for Student Needs**, only a surplus from the non-classroom part of the estimates is eligible to be used to acquire school sites, thereby reducing the "growth related net education land cost" and the education development charge that may be levied by the TCDSB.

- b. Where there has been or it appears that there will be surplus in the non-classroom part of the estimates of the TCDSB in a fiscal year, the Board shall determine whether all, part, or none of the surplus will be designated as available for the purpose of acquiring school sites by purchase, lease or otherwise.
- c. If there is, or it appears that there will be a surplus in the operating budget, the Board shall pass a motion substantially as follows:

Whereas it appears that there has been or that there will be a surplus in the non-classroom part of the budget;



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d. Moved that:

(i) The Board may designate an amount as available for the purpose of acquiring school sites by purchase, lease or otherwise;

(ii) The Board's reasons for so deciding are as follows:

[The Board may choose to direct some funds to the purchase of school sites or may decline to do so. Reasons for the decision should be included which indicate where the board will be directing the funds and its basic reasons for doing so. The purpose for this part of the motion is to ensure that a clear record of the board's decision and its reasons are available as part of the public record for inclusion in the education development charge background study. This is particularly necessary as evidence for the Ontario Municipal Board in the event of an appeal of the by-law.]

c. If there is no surplus, or it appears that there will not be a surplus in the operating budget, no further action is required with respect to this Policy."

Definitions:

Real Property shall mean block land, building lots, relocatable schools, administration buildings and all other forms of real estate, and shall include all rights which flow from its ownership.

A Sale shall mean any of the following:

- i) Transfer of freehold title upon payment of the total purchase price on closing;
- ii) Transfer of title with part payment in cash and the balance by mortgage;
- iii) By agreement, with part payment in cash and the balance due at a later date prior to transfer of freehold title;



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iv) Conveyance of real property by long term lease with, or without, an option to obtain freehold title upon payment of a price previously established, or to be negotiated;

v) Exchange of real property.

Expropriation is the forced purchase of land by a public authority from a private owner.

Disposition is the act of disposing; transferring to the care or possession of another. The parting with, alienation of, or giving up of property.

Evaluation and Metrics:

The effectiveness of the policy will be determined by measuring the following:

Development Services will continue to monitor and review the policy to ensure compliance with current Statutory and Regulatory requirements with respect to Real Property.



POLICY SECTION: REAL PROPERTY

SUB-SECTION:

POLICY NAME: ALTERNATIVE ARRANGEMENTS FOR SCHOOL FACILITIES

POLICY NO: R. 09

Date Approved: January 20, 2000- Board	Date of Next Review: January 2022	Dates of Amendments: January 26, 2017
Cross References: <i>Real Property, R. 01</i>		

Purpose:

The purpose of this policy is to guide Senior Administration in the identification of partnerships that support Board priorities, within the specified requirements outlined in this policy.

Scope and Responsibility:

This policy applies to all school sites and other TCDSB property. The Director of Education is responsible for this property with the support of Planning and Development Services.

Alignment with MYSP:

Strengthening Public Confidence

Fostering Student Achievement and Well-Being

Providing Stewardship of Resources

Policy:

Legislative provisions encourage school boards to consider alternate arrangements for the accommodation of elementary and secondary school pupils to the usual arrangement under which a school site is acquired and a stand-alone school is built on it.



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Regulations

1. Ontario Regulation 20/98 provides that the education development charge background study contain:

6. A statement of the board's policy concerning possible arrangements with municipalities, school boards or other persons or bodies in the public or private sector, including arrangements of a long-term or co-operative nature, which would provide accommodation for the new elementary school pupils and new secondary school pupils estimated under paragraph 3 of section 7, without imposing education development charges, or with a reduction in such charges.

7. If a previous education development charge background study completed by the board included a statement under paragraph 6, a statement of how the policy referred to in the statement was implemented and, if it was not implemented, an explanation of why it was not implemented.

Paragraph referencing Regulation 446/98 (Reserve Funds) removed as it was revoked on September 15, 2010.

2. Section 210.1 of the *Municipal Act* authorizes municipalities and school boards to enter into arrangements under which they can provide for exemptions from taxation for municipal and school purposes of land or a portion of it that is "entirely occupied and used or intended for use for a service or function that may be provided by a "school board" or municipality". It also authorizes an exemption to be given from municipal and education development charges in certain circumstances.
3. The TCDSB recognizes that alternative arrangements can provide an opportunity to improve service delivery and peak enrolment capacity, reduce duplication of public facilities, maximize the effective use of available dollars, and reduce site size requirements. These include a variety of acquisition strategies such as



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forward buying, options, purchases, lease buy-back, sites exchanges and joint venture partnerships.

4. The TCDSB's record demonstrates this commitment:

	<u>AGENCIES INVOLVED</u>
· Humberwood Centre	<ul style="list-style-type: none"> - TCDSB(elementary school) - TDSB (elementary school) - City of Toronto (community centre) - Library Board (library branch)
· Mary Ward Catholic Secondary School	<ul style="list-style-type: none"> - TCDSB (secondary school) - City of Toronto (community centre)
· Lakeshore Grounds Campus (future school(s)/recreation centre/park campus)	<ul style="list-style-type: none"> - TCDSB (secondary & if necessary, elementary school) - Humber College (Lakeshore Campus) - City of Toronto (recreation centre and park)
· Railway Lands (future schools/park/ community centre campus)	<ul style="list-style-type: none"> - TCDSB (elementary school) - TDSB (elementary school) - City of Toronto (community centre and park)
· Port Union Village (future schools/park campus)	<ul style="list-style-type: none"> - TCDSB (elementary school) - TDSB (elementary school) - City of Toronto (park)

5. The TCDSB will consider possible arrangements with municipalities, school boards or other persons or bodies in the public or private sector, including arrangements of a long-term or cooperative nature, which would provide accommodation for the new elementary school pupils and new secondary school pupils who are resident pupils of the Board, subject to the procedures set out below.



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- a. The arrangement must be cost effective and advantageous for the TCDSB compared to other possible arrangements including an acquisition of a school site and the construction of a freestanding building.
- b. The arrangement shall comply with any guidelines issued by the **Ministry of Education**. The TCDSB may enter into lease arrangements respecting school facilities intended to be used to accommodate peak enrolment, but shall not enter into such arrangements respecting school facilities that are necessary to accommodate long-term enrolment unless the arrangements could result in ownership at the Board's discretion.
- c. The TCDSB shall retain sufficient governance authority over the facility to ensure that it is able to deliver the appropriate educational program to its pupils, and to ensure that its identity, ambience and integrity are preserved.
- d. The facility shall have a separate entrance with the school name on the exterior of the school easily visible from the street."

Evaluation and Metrics:

The effectiveness of the policy will be determined by measuring the following:

Development Services will continue to monitor and review the policy to ensure compliance with current Statutory and Regulatory requirements with respect to Real Property.