

## EDMONTON PUBLIC SCHOOLS

October 10, 2006

TO: Board of Trustees

FROM: Planning and Policy Committee

SUBJECT: School Closure Policy Review

ORIGINATOR: C. McCabe, Executive Director

RESOURCE

STAFF: Jenise Bidulock, Michael Ediger, Cindy Skolski

### RECOMMENDATION

1. That the revision of Board Policy FL.BP – School Closure (Appendix I) be introduced.
2. That the revised Board Policy FL.BP – School Closure (Appendix I) be considered for the first time.
3. That the revised Board Policy FL.BP – School Closure (Appendix I) be considered for the second time.

\* \* \* \* \*

School closure policy FL.BP was last reviewed in September 2001. The goals of the proposed revised policy are: to ensure the policy is clear and understandable, to ensure close compliance with the School Act and associated regulations, and to ensure consistency with new aspects of the district's Ten-Year Facilities Plan which addresses excess space in the district.

The district's Ten-Year Facilities Plan 2007-2016 included a new component aimed specifically at ensuring the sustainability of schools over the long-term. It formed the basis for an Annual Implementation Plan, which will identify planning strategies to be undertaken at selected district schools to ensure the long-term viability of the school or adjacent schools.

The Annual Implementation Plan will ensure that prior to any recommendation going to board to initiate the school closure process, a sustainability or program fit review would have taken place within the context of the Annual Implementation Plan.

The Ten-Year Facilities Plan and the revised School Closure Policy are the result of input and advice from communities, who through the review of the 2004 school closure process requested three key enhancements to the district's facility planning process:

- advance notice regarding schools where long-term viability may be in question,
- a transparent process for identifying schools where viability may be in question,
- opportunity for meaningful input with regard to strategies going forward to ensure the viability of schools.

The school closure policy review web-survey was conducted in accordance with board policy review procedures and was open for input during the period May 24 to June 29, 2006. In addition to the web-survey a public meeting was held on September 13, 2006. Fifty-eight respondents participated in the web survey and forty participants attended the public meetings. The administration has incorporated the advice and input received from parents, staff, and community members in the proposed school closure policy (Appendix I). A flow chart of the school closure process as identified in section C of the proposed policy is attached (Appendix II). The School Closure Regulation is attached for reference (Appendix III). For the convenience of the board, a copy showing the revisions to the current school closure policy is included (Appendix IV).

The following summarizes input received under the three sections of the current policy: Scope and Authority, Criteria for School Closure, and Process for School Closure.

Under section A - Scope and Authority participants requested that the policy clearly state:

- who has the authority to close a school
- what constitutes a school closure
- what does not constitute a school closure
- what consultation will take place when school closure is not required (example: closing less than three consecutive grades - A.2, A.3)

Under section B - Criteria for Recommending for School Closure participants requested that the policy clearly state:

- that the criteria was not listed in any particular priority or weighting
- the connection between the Ten-Year Facilities Plan, school viability benchmarks, and school profiles
- that the last criteria would take into account the impact of closing a school on the community and existing or proposed development plans

Under section C – Process for School Closure participants wanted the policy to clearly state:

- that the district's policy follows the School Act and accompanying *School Closure Regulation* and that access to the detailed process would be available
- that a simplified description of the process would also be available

Additionally, input was received that said there should be translations of district documents into other languages, especially when it comes to school closure. While this is not recommended to be part of the school closure policy in instances where a school community has a significant population of non-english speaking families every attempt will be made to translate school closure documentation into the language(s) that parents understand.

CS:gm

Appendix I	Proposed School Closure Policy
Appendix II	Proposed Flow Chart of School Closure Process
Appendix III	Closure of Schools Regulation
Appendix IV	Copy of School Closure Policy Showing Revisions

## Proposed School Closure Policy

**Edmonton Public Schools  
Board Policies and Regulations**

CODE: FL.BP  
TOPIC: School Closure

EFFECTIVE DATE:  
ISSUE DATE:  
REVIEW DATE: 09-2006

The board believes that the closure of schools is an important consideration in ensuring the responsible use of the resources placed in its trust; making efficient use of the district's school space; and safeguarding the health and safety of students, staff, and the public.

#### A. SCOPE AND AUTHORITY

1. The authority of the Board is derived from the School Act and the *Closure of Schools Regulation*, which say that the Board of Trustees may:
  - a. close a school permanently or for a specified period of time, or
  - b. close entirely three or more consecutive grades in a school, or
  - c. transfer all students from one school building to one or more other school buildings on a permanent basis.

The process for closure of schools under this authority is explained in section C, Process for School Closure.

2. The board authorizes the administration, under the direction of the superintendent of schools and with consultation as determined by the *Closure of School Regulation* to:
  - a. close or permanently relocate fewer than three consecutive grades in a school, or
  - b. temporarily relocate any number of grades from one school to another.

The process for this shall be in accordance with the *Closure of Schools Regulation*, which says that, the board will convene an information meeting with parents of the students affected by the transfer and the alternative arrangements for continuing the education program at another school.

3. Discontinuance or relocation of a regular program or an alternative program or a special needs program, is not a school closure. The process for discontinuance or relocation of an alternative program is addressed in HA.BP Student Programs.

#### B. CRITERIA FOR RECOMMENDING SCHOOL CLOSURE

Before recommending the closure of a school to the Board of Trustees, the administration will develop viability benchmarks and school profiles through the Ten-Year Facilities Plan and will consider all of the following criteria:

- the educational impact on students in the school;
- the enrolment of the school and programs within the school;
- the population and demographic data;
- the amount and cost of excess space in the school;
- the cost to staff and operate the educational program at the school;
- the cost to maintain the facility in operable condition or to restore the facility to operable condition;
- the location and accessibility of the school and the proximity of other schools;
- the necessity to safeguard the health and safety of students, staff, and public;
- the need to consolidate or relocate existing programs;
- the impact of closing the school on the community taking into account existing or proposed development plans.

### C. PROCESS FOR SCHOOL CLOSURE

The process for closure will be in accordance with the School Act and *Alberta Closure of Schools Regulation*.

For convenience only, a flow chart of the school closure process is attached. In case of conflict between this policy and the flow chart, the policy shall prevail.

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#### Reference(s):

HA.BP - Student Programs

School Act Section 58

Alberta **Education** Closure of Schools Regulation

**Ten-Year Facilities Plan 2007-2016**

<http://www.epsb.ca/datafiles/TenYearFacilitiesPlanboard.pdf>

Process for School Closure Flow Chart

Alberta Infrastructure and Transportation <http://www.infratrans.gov.ab.ca/> - see School Infrastructure Manual

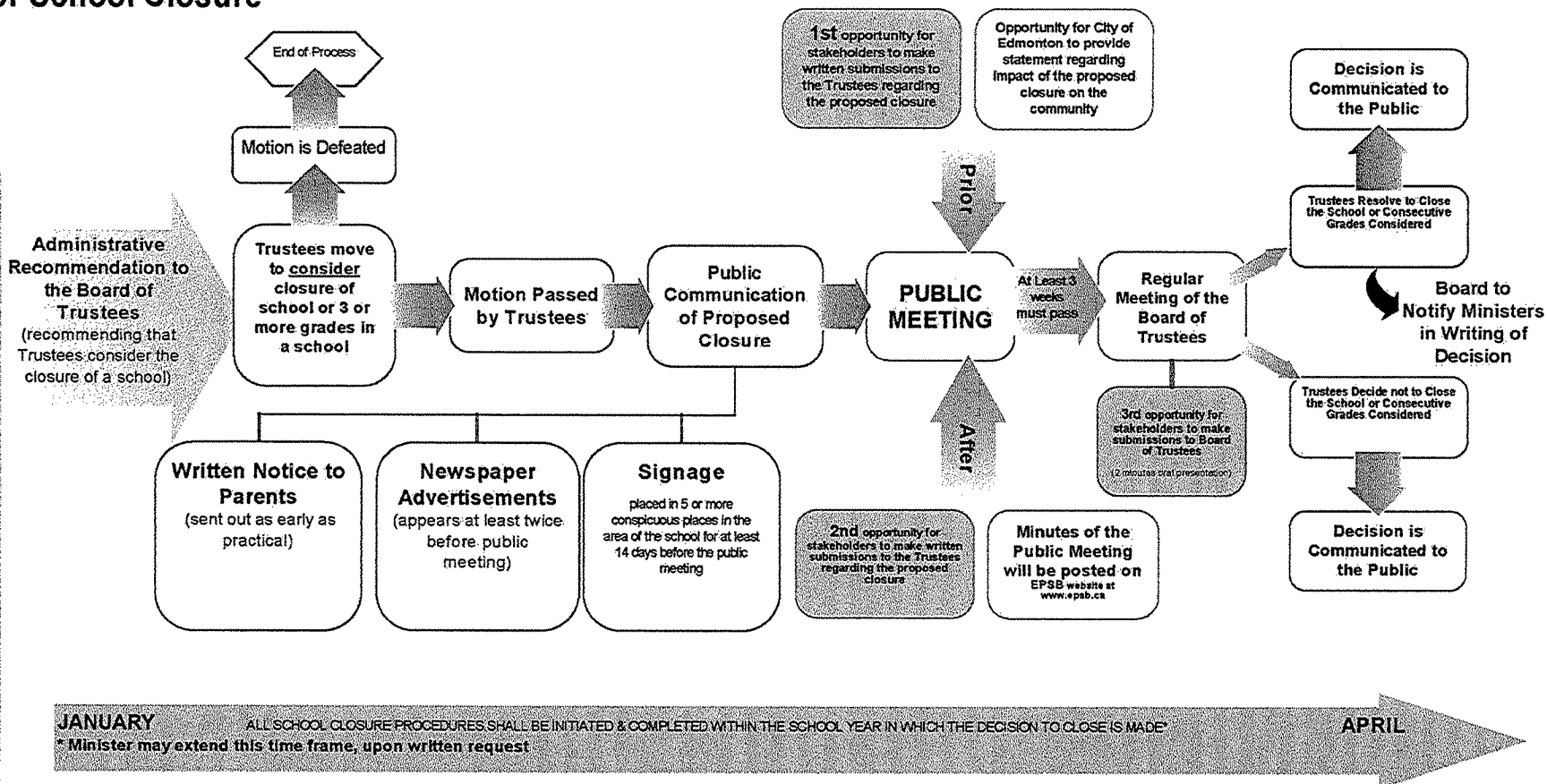
[http://www.infratrans.gov.ab.ca/INFTRA\\_Content/docType206/Production/sccamannual.htm](http://www.infratrans.gov.ab.ca/INFTRA_Content/docType206/Production/sccamannual.htm)

# Process for School Closure

## PROVINCIAL CLOSURE OF SCHOOLS REGULATORY PROCESS

(Closure of  
Schools  
Regulation,  
Alberta Regulation  
238/1997)

5



### Written Notice to Parents shall set out:

- how the closure would affect the attendance area
- how the closure would affect attendance at other schools/programs
- information on the board's long range capital plan
- number of students who would need to be relocated as a result of a closure
- need for, and extent of bussing
- program implications for other schools and for the students when they are attending other schools/programs
- educational and financial impact of closing the school/program
- educational and financial impact if the school/program were to remain open
- time & location of the public meeting

### Written Notice to Parents may set out:

- capital needs of the schools/programs that may have increased enrolment as a result of closure
- possible uses of the school building or space in the school building if the entire school is being closed or 3 or more consecutive grades in the school building are being closed entirely



EDMONTON PUBLIC SCHOOLS

Adapted from the Calgary Board of Education

October 2006

(Consolidated up to 170/2004)

ALBERTA REGULATION 238/97

School Act

## CLOSURE OF SCHOOLS REGULATION

### Table of Contents

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- 1.1** Non-application of sections
- 1.2** Exemption from requirements
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- 3** Policies and procedures for closure of schools
- 4** Notification of proposed closure
- 5** Public meetings
- 6** Decision on closure
- 7** Closure within school year
- 8** Expiry

## Definitions

### 1 In this Regulation,

(a) "closure" means any action referred to in section 2;

(a.1) "Ministers" means, for the purposes of sections 6 and 7, the Ministers determined under section 16 of the *Government Organization Act* as the Ministers responsible for Part 7 of the *School Act*;

(b) "school year" means the 12-month period beginning on September 1 and ending on the following August 31.

AR 238/97 s1;223/2002;257/2003

## Non-application of sections

### 1.1(1) Sections 4 to 7 do not apply to a closure that occurs

(a) in connection with the transfer by one board to another board or to the operator of a charter school of the ownership of real property on which a school building is located and the school building will continue to be used for the instruction or accommodation of students,

(b) as a result of the Minister's having directed the board to dispose of the school building pursuant to section 200(3) of the Act, or

(c) pursuant to section 2(b) if

(i) the school has more than one education program,

(ii) the students in the grades being closed are all in the same education program, and

(iii) the education program referred to in subclause (ii) is to be transferred to another school.

**(2)** Where a board plans to transfer an education program pursuant to subsection (1)(c)(iii), the board shall organize and convene an information meeting for the purpose of informing the parents of the students affected by the transfer of the transfer and the alternative arrangements for continuing the education program at another school.

AR 135/2003 s2;257/2003;170/2004

## Exemption from requirements

**1.2(1)** The Minister may, on the written request of a board or on the Minister's initiative, exempt a board from the requirements of sections 4 to 7 in respect of a closure that occurs

(a) as a result of the board's inability to comply with section 57(2) of the Act, or

(b) for health or safety reasons.

**(2)** The Minister may, on the written request of a board, exempt the board from the requirements of sections 4 to 7 in respect of a closure if the Minister is satisfied that the board has consulted with the community regarding any change in grades and programs in one or more of the schools operated by the board.

AR 257/2003 s4;170/2004

Closure of schools, etc.

2 A board may

(a) close a school permanently or for a specified period of time,

(b) close entirely 3 or more consecutive grades in a school, or

(c) repealed AR 257/2003 s5,

(d) transfer all students from one school building to one or more other school buildings on a permanent basis.

AR 238/97 s2;257/2003

Policies and procedures for closure of schools

3 A board may develop and implement policies and procedures with respect to closure of schools that are not inconsistent with this Regulation.

AR 238/97 s3;257/2003

Notification of proposed closure

**4(1)** Where a board is considering the closure of a school, the board shall

(a) raise the matter by way of a motion at a regular meeting of the board, and

(b) in writing notify the parents of every child and student enrolled in the school who, in the opinion of the board, will be significantly affected by the closure of the school.

**(2)** A notice referred to in subsection (1)(b) shall set out the following:



- (a) how the closure would affect the attendance area defined for that school;
- (b) how the closure would affect the attendance at other schools;
- (b.1) information on the board's long-range capital plan;
- (c) the number of students who would need to be relocated as a result of the closure;
- (d) the need for, and extent of, busing;
- (e) program implications for other schools and for the students when they are attending other schools;
- (f) the educational and financial impact of closing the school, including the effect on operational costs and capital implications;
- (g) the educational and financial impact if the school were to remain open;
- (h) and (i) repealed AR 257/2003 s7;
- (j) the time and location of the public meeting referred to in section 5(1)(a).

**(3)** A notice referred to in subsection (1)(b) may set out the following:

- (a) the capital needs of the schools that may have increased enrolment as a result of the closure, and
- (b) the possible uses of the school building or space in the school building if
  - (i) the entire school is being closed, or
  - (ii) 3 or more consecutive grades in the school are being closed entirely.

AR 238/97 s4;257/2003;170/2004

#### Public meetings

**5(1)** Where a board has given notice of motion at a regular meeting of the board that it is considering the closure of a school, the board

- (a) shall organize and convene a public meeting for the purpose of discussing the information provided to the parents under section 4,
- (b) shall provide an opportunity for the council of the municipality in which the school is located to provide a statement to the board of the impact the closure may have on the community, and

(c) may hold other meetings with respect to the closure at times and places as the board may determine.

**(2)** The date and place of the public meeting referred to in subsection (1)(a) shall be

(a) posted in 5 or more conspicuous places in the area or areas of the school or schools affected by the closure, for a period of at least 14 days before the date of the public meeting, and

(b) advertised in a newspaper circulating within the area or areas of the school or schools affected by the proposed closure, on at least 2 occasions as close as is practicable to the date of the meeting.

**(3)** At least 2 trustees of the board shall attend the public meeting referred to in subsection (1)(a).

**(4)** A board shall ensure that minutes of all public meetings held under this section are prepared.

AR 238/97 s5;257/2003

#### Decision on closure

**6(1)** A board shall not make a final decision on the proposed closure until at least 3 weeks have passed since the date of the public meeting referred to in section 5(1)(a).

**(2)** A board shall give due consideration to any written submissions on the proposed closure that it receives after the public meeting referred to in section 5(1)(a).

**(3)** A board

(a) shall by resolution decide whether to close the school, and

(b) if the decision is to close the school, shall forthwith notify the Ministers in writing of the decision.

AR 238/97 s6;223/2002;257/2003

#### Closure within school year

**7(1)** All school closure procedures shall be initiated and completed within the school year in which the decision to close the school is made.

**(2)** Notwithstanding subsection (1), on the written request of the board, the Ministers may extend the school closure procedures beyond one school year.

AR 238/97 s7;257/2003

## Expiry

8 For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be re-passed in its present or an amended form following a review, this Regulation expires on November 1, 2008.

AR 238/97 s8;223/2002;257/2003

9 Repealed AR 223/2002 s5.

May 2006

**Copy of School Closure Policy Showing Revisions**  
Policies -> Table of Contents -> Facilities

**Edmonton Public Schools  
Board Policies and Regulations**

CODE: FL.BP  
TOPIC: School Closure

EFFECTIVE DATE: 11-09-2001  
ISSUE DATE: 25-09-2001  
REVIEW DATE: 09-2006

The board believes that the closure of schools is an important consideration in ensuring the responsible use of the resources placed in its trust; making efficient use of the district's school space; and safeguarding the health and safety of students, staff, and the public.

**A. SCOPE AND AUTHORITY**

1. ~~The board reserves to itself the authority to close an entire school or three or more consecutive grades in a school. The authority of the Board is derived from the School Act and the Closure of Schools Regulation, which say that the Board of Trustees may:~~
  - a. *close a school permanently or for a specified period of time, or*
  - b. *close entirely three or more consecutive grades in a school, or*
  - c. *transfer all students from one school building to one or more other school buildings on a permanent basis.*

*The process for closure of schools under this authority is explained in section C, Process for School Closure.*

2. The board authorizes the administration, under the direction of the superintendent of schools and ~~with appropriate consultation~~, *with consultation as determined by the Closure of School Regulation* to:
  - a. close or permanently relocate fewer than three consecutive grades in a school, or
  - b. temporarily relocate any number of grades from one school to another.

*The process for this shall be in accordance with the Closure of Schools Regulation, which says that, the board will convene an information meeting with parents of the students affected by the transfer and the alternative arrangements for continuing the education program at another school.*

3. ~~Discontinuance or relocation of a regular program or a special needs program or an alternative program is not considered a school closure. and is addressed in HA.BP Student Programs. The process for discontinuance or relocation of an alternative program is addressed in HA.BP Student Programs.~~

## B. CRITERIA FOR *RECOMMENDING* SCHOOL CLOSURE

An entire school or three or more consecutive grades in a school may be considered for closure if one or more of the following criteria are met:

1. ~~Total enrolment as of September 30 in the current school year is below the following levels:~~
  - a. ~~elementary (K to 6) an average of 15 students per grade, or~~
  - b. ~~junior high (7 to 9) an average of 30 students per grade, or~~
  - c. ~~senior high (10 to 12) an average of 120 students per grade.~~
2. ~~The space utilization rate as defined by the provincial government as of September 30 in the current school year is less than 40 per cent.~~
3. ~~The cost of keeping the school in operable condition or restoring it to operable condition is deemed by the board to be unreasonably high.~~
4. ~~Closing the school is deemed by the board to be necessary to safeguard the health and safety of students, staff, or the public.~~
5. ~~Parents and guardians of a majority of students enrolled in the school on September 30 in the current school year agree that closure should be considered.~~

*Before recommending the closure of a school to the Board of Trustees, the administration will develop viability benchmarks and school profiles through the Ten-Year Facilities Plan and will consider all of the following criteria:*

- *the educational impact on students in the school;*
- *the enrolment of the school and programs within the school;*
- *the population and demographic data;*
- *the amount and cost of excess space in the school;*
- *the cost to staff and operate the educational program at the school;*
- *the cost to maintain the facility in operable condition or to restore the facility to operable condition;*
- *the location and accessibility of the school and the proximity of other schools;*
- *the necessity to safeguard the health and safety of students, staff, and public;*
- *the need to consolidate or relocate existing programs;*
- *the impact of closing the school on the community taking into account existing or proposed development plans.*

## C. PROCESS FOR SCHOOL CLOSURE

1. ~~Where the board is considering school closure, it shall raise the matter through notice of motion at a regular board meeting, and ensure that the following are carried out:~~
  - a. ~~A written communication, the contents of which are consistent with policies established by Alberta Learning, is sent to the parents of every student enrolled in the school who, in the opinion of the board, would be significantly affected by the closure of the school.~~
  - b. ~~A public meeting is held, with at least a simple majority of trustees~~

- present.
- e. ~~The time, date, and place of this meeting are publicized in accordance with policies established by Alberta Learning.~~
  - d. ~~The City of Edmonton is provided an opportunity to provide to the board a statement of the impact the closure may have on the community.~~
2. ~~Following the public meeting attended by trustees, there shall be a period of at least three weeks for parents and community members to present to the board further responses to the proposed closure.~~
  3. ~~The administration may hold additional public meetings, consult with parents at other schools, or provide other opportunities for public involvement as appropriate, at any time.~~

*The process for closure will be in accordance with the School Act and Alberta Closure of Schools Regulation.*

*For convenience only, a flow chart of the school closure process is attached. In case of conflict between this policy and the flow chart, the policy shall prevail.*

Reference(s):

HA.BP - Student Programs

School Act Section 58

Alberta Education Closure of Schools Regulation

Ten-Year Facilities Plan 2007-2016

<http://www.epsb.ca/datafiles/TenYearFacilitiesPlanboard.pdf>

Process for School Closure Flow Chart

Alberta Infrastructure and Transportation <http://www.infratrans.gov.ab.ca/> - see School Infrastructure Manual

[http://www.infratrans.gov.ab.ca/INFTRA\\_Content/docType206/Production/sccamanual.htm](http://www.infratrans.gov.ab.ca/INFTRA_Content/docType206/Production/sccamanual.htm)