

Report to Community and Protective Services Committee

To: Chair and Members
Community and Protective Services Committee

From: Cheryl Smith, Deputy City Manager, Neighbourhood and Community-Wide Service

Kevin Dickins, Deputy City Manager, Social and Health Development

Kelly Scherr, Deputy City Manager, Environment and Infrastructure

Scott Mathers, Deputy City Manager, Planning and Economic Development

Subject: Roles and Responsibilities of Local School Boards and Collaboration with the City of London

Date: March 29, 2022

Recommendation

That, on the recommendations of the Deputy City Managers of Neighbourhood and Community-Wide Services, Social and Health Development, Environment and Infrastructure, and Planning and Economic Development, the following report on Roles and Responsibilities of Local School Boards and Collaboration with the City of London **BE RECEIVED** for information.

Executive Summary

This report provides an overview of provincial, local school board, and municipal roles and responsibilities related to school planning and collaboration.

Linkage to the Corporate Strategic Plan

The policies, procedures, and relationships with local school boards are aligned with the following strategic areas of focus in the City of London Strategic Plan 2019-2023:

- Building a Sustainable City, under the outcome London's growth and development is well planned and sustainable over the long term; and,
- Strengthening Our Community, under the outcome Londoners have access to the supports they need to be successful.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

- [Closed Schools Sites: Evaluations and Approach 18 Elm Street and 1958 Duluth Crescent\) \(May 27, 2019\)](#)
- [London-Middlesex Child Care and Early Years Service System Plan: 2019-2023 \(May 28, 2019\)](#)
- [Neighbourhood School Strategy – Evaluation and Acquisition of Surplus School Sites \(October 9, 2018\)](#)

- [Neighbourhood School Strategy – Evaluation and Acquisition of Surplus School Sites \(April 3, 2018\)](#)
- [Thames Valley District School Board and City of London Joint Use of Facilities Agreement \(July 21, 2014, August 25, 2014 and November 17, 2014\)](#)

2.0 Discussion and Considerations

2.1 Background and purpose

At its meeting on July 6, 2021 Municipal Council resolved:

That the Civic Administration BE DIRECTED to provide an information report at a future meeting of the Community and Protective Services Committee with respect to the roles and responsibilities of the local school boards and how the City of London interacts with the boards related to items listed in the communication, as appended to the Agenda.

Please find the communication and resolution attached as [Appendix A](#).

A review of provincial, local school board, and City of London policies and procedures that relate to school planning and collaboration has been completed. The purpose of this report is to:

- provide an overview of provincial, local school board, and municipal roles and responsibilities related to school planning; and,
- outline how the City of London interacts and collaborates with local school boards.

2.2 General Roles and Responsibilities

Province

Education is the responsibility of provincial governments in Canada. In Ontario, education and publicly funded school boards are governed by the [Education Act, R.S.O. 1990, c. E.2 \(ontario.ca\)](#) (*Education Act*).

The *Education Act* and its regulations provide the statutory basis for how education is delivered to students who are enrolled in the publicly funded school system in Ontario. The regulation includes sections on powers of the boards in regard to schools and attendance areas, surplus schools, school capacity, capital planning, accommodation planning, and agreements for share use of spaces.

School Boards

Ontario's school boards operate the province's publicly funded schools. The boards administer the funding they receive from the province for their schools.

School boards have a number of responsibilities related to school planning including: determining the number, size and location of schools; building, equipping and furnishing schools; prudent management of funds allocated by the province to support all board activities, including the building and maintaining of schools; and ensuring schools abide by the *Education Act* and its regulations.

Municipalities

Municipalities support and interact with school boards in a variety of ways such as providing technical information to support planning, developing policies to guide collaboration, supporting building permit and inspection processes, and partnering on shared use of spaces and capital projects to name a few.

In addition, municipalities have some legislative obligations through the *Planning Act* Regulations (O.Reg 545/ O.Reg 545/06 for ZBAs and 543/06 for OPs/OPAs) including a requirement to circulate all planning applications to school boards so they are able to track development activity across the district.

Subsection 51(24) of the *Planning Act* identifies the criteria to be considered in reviewing draft plan of subdivisions which includes “the adequacy of school sites”. While the Act doesn’t provide explicit powers with respect to the identification and protection of school blocks, conditions to the approval of a plan of subdivision may be imposed which in the opinion of the Approval Authority are reasonable, having regard to the nature of the development proposed for the subdivision. This would include the power to identify and reserve blocks for future school sites.

2.3 School Planning and Collaboration

This section provides background on London’s local school boards and details their roles and responsibilities related to long-term accommodation planning and facility collaboration. It also includes ways the City of London interacts and collaborates with school boards on these items. Please note that partnerships and interactions with local school boards span across a number of priorities and community plans and are not limited to what is included in this report.

There are four (4) publicly funded school boards within the City of London:

- Thames Valley District School Board (TVDSB);
- London District Catholic School Board (LDCSB);
- Conseil scolaire catholique Providence; and,
- Conseil scolaire Viamonde.

All local school boards have similar policies, procedures, and reporting in place related to school planning and collaboration. This section pulls from the Thames Valley District School Board (TVDSB) policies and procedures as an example. For more details about TVDSB long-term accommodation planning and links to policies and procedures please see [Appendix B](#).

Pupil Accommodation

School Board Roles and Responsibilities

- Provide students with accommodation which supports students’ achievement, safety and well-being.
- Ensure long-term sustainability of school system.
- Identify opportunities for collaborative facility arrangements with community organizations.
- Manage resources effectively.

There are a number of [procedures](#) that support this work. Long-term accommodation planning information is available through the [Annual Accommodation Plan](#), and this information is shared with community partners at annual Community Planning and Facility Collaboration Opportunities meetings.

City of London Interaction and Collaboration

- Attend and participate in annual community planning and facility collaboration opportunity meetings for all four school boards.
- Provide local planning documents as well as knowledge and insight regarding timing and anticipated phasing of new developments.
- Sign-off on local school boards capital submissions to the Province that include a child care component indicating anticipated demand for child care in the area.

School Retention, Consolidation, and Closure

School boards have specific responsibilities regarding the management of assets. In some circumstances, it may be necessary to consider school consolidations and/or closures. In these cases, a Pupil Accommodation Review (PAR) process is initiated. A PAR is a community consultation process required by the Ministry of Education where a school closure and/or consolidation is being considered to address changing demographics, enrolment, programming and facility condition challenges. Please note that the Province is currently developing guidelines to assist with Pupil Accommodation Reviews and until these are developed the Province has indicated that there are to be no new PARS. Please see the Ministry of Education's [website](#) for more information.

School Board Roles and Responsibilities

- Initiate and conduct Pupil Accommodation Reviews in accordance with Ministry timelines and following school board approved [procedures](#).
- Provide notification to municipalities through the City Clerks office when pupil accommodation reviews have been initiated.

City of London Interaction and Collaboration

- Attend and participate in annual community planning and facility collaboration opportunity meetings for all four school boards.
- Provide local planning documents as well as knowledge and insight regarding timing and anticipated phasing of new developments.
- Attend public meetings related to accommodation reviews.

Surplus School Sites

Should a school property be declared surplus, school boards are required to follow the Ontario Regulation 444/98 – Disposition of Surplus Real Property, which prescribes how these properties can be sold or leased.

School Board Roles and Responsibilities

- Offer surplus school property to a prioritized list of school boards and public entities, including municipalities, for purchase or lease before the property can be disposed of on the open market.
- Provide notification to municipalities through a formal notification letter.

City of London Interaction and Collaboration

- In accordance with Council's [Surplus School Site Evaluation and Acquisition Policy](#), complete an administrative review to evaluate each property for potential use as affordable housing, parkland, or community facility.
- Several service areas participate in this review team including Social and Health Development, Neighbourhood and Community-Wide Services, Environmental and Infrastructure, Planning and Economic Development, and Finance Supports.

Shared Use of School and City Facilities

School Board Roles and Responsibilities

- Provide designated community organizations (including municipalities) with information on long-term accommodation planning.
- Explore facility collaboration opportunities when: building new schools; undertaking renovations or additions to facilities; considering the use of unused space in operating and sustaining schools; considering schools that may close; and, considering properties for possible disposition.

City of London Interaction and Collaboration

- The City of London and the TVDSB have a long-standing relationship for the use of their respective facilities for recreational purposes.

- The TVDSB allows the City use of gymnasiums, school yards, classrooms, and some specialty facilities for the purpose of conducting recreational programs, camps, and activities for Londoners of all ages.
- The City of London provides access to pools, community centres, arenas, and sport fields for student activities.
- Access to space in other schools across the city is done through agreements specific to programs with local school boards.
- City staff are in regular contact with the school boards in relation to snow clearing on park pathways leading to schools.
- A licence agreement with the TVDSB allows staff from Sir Arthur Currie to use the parking lot at Foxfield Park for overflow parking.
- School access is also complemented by Transportation & Mobility programs such as the adult school crossing guard program, automated speed enforcement, and proactive traffic calming in school zones and participation in Active and Safe Routes to School programs.

The London Plan includes a number of policies that guide how the City can work with local school boards, including shared use of public facilities. See [Appendix C](#) for details.

Community Planning

- The City of London is the Service System Manager for child care and early years in London and Middlesex County. The *Child Care and Early Years Act* requires school boards and service system managers to cooperate to implement a Council-approved Child Care and Early Years Service System Plan. City staff jointly plan with all school boards on a number of child care and early years programs and strategies.
- School boards are invited to participate in various community planning processes (Community Safety and Wellbeing Plan, Child and Youth Agenda, London Strengthening Neighbourhoods Strategy, Parks and Recreation Master Plan Update, Mobility Master Plan, etc.) led by the City.
- One such process where the school boards are invited to participate is the annual Growth Management Implementation Strategy (GMIS) Update, which coordinates growth infrastructure with development approvals, to ensure that investments in infrastructure correspond with the pace of growth across the city. Through their involvement in the GMIS process, school boards receive detailed information on the short, medium, and long-term projections for the locations of population growth. The objective in providing this advanced notice on future growth locations is to ensure that school boards can be ready to acquire sites through planning application processes as they become available.
- Furthermore, Planning and Development staff also organize a meeting twice a year specifically with the school boards to provide a forum to discuss growth trends, development application activity and opportunities for process improvements. These meetings provide an important opportunity for the City and school boards to collectively share information and emerging facility needs to help align school board planning with development trends.

Planning Applications

All draft plans of subdivision and vacant land condominium pre-consultations and applications received by the City are circulated to the four publicly funded boards. The key steps in the identification and disposition of school blocks through the subdivision approval process are summarized as follows:

- School Board identifies the need for a school block as part of application pre-consultation, or in response to notice of a proposed plan of subdivision.
- Proposed school block location, size and configuration are confirmed in consultation with the School Board and landowner.
- Proposed site is zoned and identified as a school block on the draft approved plan.
- Plan of subdivision is registered and development proceeds.

- Upon seventy percent (70%) of the Lots in the subdivision having building permits issued or when the servicing of the site is completed (whichever is later), the school boards are advised that they have three years to acquire the school block:
 - if interest is expressed by any of the boards, two years is provided (from the date notice is issued by the Board) to complete the transaction.
 - If no interest is expressed and/or all four boards waive their right to purchase, the City has a further two-year period within which to determine whether to purchase the site for municipal purposes.
- After departments are liaised, if no municipal interest is expressed, a report is prepared for the Planning and Environment Committee to confirm that the Owner is free to sell and/or develop the block.
- If a municipal interest is expressed, a report is prepared and presented at a public participation meeting to consider the staff recommendation for acquisition.
- The final decision is made by City Council on whether to purchase or not purchase the site for municipal purposes.

3.0 Financial Impact/Considerations

There are no financial impacts or considerations associated with this report.

4.0 Key Issues and Considerations

4.1. Next Steps

This report provides an overview of the roles and responsibilities of local school boards and how the City of London interacts and collaborates on a regular basis with them. The communication included in [Appendix A](#), includes a number of items on which Council may wish to provide Civic Administration further direction.

Conclusion

The City of London and all four publicly funded school boards have strong and close working relationships. There are multiple points of contact throughout the year for facility planning and student accommodation, capital projects, surplus school sites, shared use of spaces, management of shared park and school-yard spaces, and connection through other community and program planning opportunities. Interactions between the City of London and local school boards occur on a regular basis spanning widely across the Corporation and are not limited to what is included in this report. These relationships are mutually beneficial and vital to supporting families in London.

Prepared by: Donna Baxter, Manager, Policy and Planning Support

Submitted by: Kristen Pawelec, Director, Community Development and Grants

Recommended by: Cheryl Smith, Deputy City Manager, Neighbourhood and Community-Wide Services

Kevin Dickins, Deputy City Manager, Social and Health Development

Kelly Scherr, Deputy City Manager, Environment and Infrastructure

Scott Mathers, Deputy City Manager, Planning and Economic Development

Appendix A: Council Resolution and Communication

Resolution

I hereby certify that the Municipal Council, at its meeting held on July 6, 2021 resolved that the Civic Administration BE DIRECTED to provide an information report at a future meeting of the Community and Protective Services Committee with respect to the roles and responsibilities of the local school boards and how the City of London interacts with the boards related to the items listed in the communication, as appended to the Agenda, from Councillors S. Lewis and P. Squire; it being noted that the above-noted communication, with respect to this matter, was received. (2021-S13) (4.2/10/CPSC)

Communication from Councillors S. Lewis and P. Squire

That Council in principle resolves the following actions be taken;

1. Include in the City's Strategic plan a school retention, shared use partnerships, and land repurposing policy and advocate accordingly;
2. Maintain ongoing membership in the Community Schools Alliance (CSA);
3. Support, through resolution, the CSA's endorsement of the Rural and Northern Education Fund (RNEF) as an appropriate differentiator and funding model for rural and northern schools, recognizing the importance of this for our regional partner municipalities;
4. Recommend that the TVDSB and LCDSB review their policies for capacity planning and pupil accommodation reviews to formally recognize the importance and value to our neighbouring communities of rural and single school community schools;
5. Request communication and notification on an ongoing basis of all relevant School Boards of any areas of study considering possible consolidation, closure, additions, or new builds within the City of London;
6. Request annual planning reports from all relevant School Boards for all City of London schools and compare municipal growth forecasts and school board(s) growth forecasts identifying discrepancies, particularly in relation to municipal infill and neighbourhood revitalization targets.

Appendix B: TVDSB Policies and Procedures

The summary of policies and procedures related to school planning and collaboration in this Appendix was provided by the Planning Services Department at the Thames Valley District School Board (TVDSB). This Department is responsible for long-term accommodation planning. Their role is to identify Board-wide student accommodation requirements to respond to student needs by undertaking the following in accordance with their policies:

1. Enrolment Projections. The analysis and planning process hinges upon planning staff's short- and long-term enrolment projections for long-term accommodation planning. Projecting enrolment for each school is done by tracking students, analyzing demographic trends, monitoring residential development, and consulting with municipalities and developers. This approach to projections ensures that enrolments from both established and new neighbourhoods are accounted for independently. The following is considered when these enrolment projections are prepared:
 - Historical and current enrolment
 - Board share of school-aged children
 - Junior Kindergarten registrations
 - Year to Year Retention Rates (captures migration and immigration trends)
 - International students
 - Historical population and housing trends
 - Residential building permit activity by structure type and geographic area
 - Development activity across the entire district through the statutory circulations provided to the Board by municipal partners. Consultation of local planning documents and Municipal planning colleagues provide local knowledge and insight regarding the timing and anticipated phasing of new developments.
 - Pupil yields from new developments
 - Birth data
2. Setting and maintaining school capacities;
3. Management of attendance areas, creating Holding Zones, designating Holding Schools;
4. Conducting Pupil Accommodation Reviews and Attendance Area Reviews when needed – note that Pupil Accommodation Reviews to facilitate school consolidations or school closures are not currently available for use as part of the planning toolkit. The focus is therefore on enrolment pressure and balancing utilization across the district, where possible;
5. Consulting with municipalities and other community partners;
6. Requests for new capital investment for renovations or new school builds to the Ministry of Education (this process can take several years and multiple submissions);
7. Acquiring property for new schools and disposing of property when schools are closed;
8. Renewal needs and facility condition; and,
9. Ministry initiatives pertaining to facilities and accommodation.

TVDSB produces an [Annual Accommodation Plan](#) which is reviewed with municipal and community partners at an annual Community Planning and Facility Collaboration Opportunities meeting. This Plan provides detailed information on school enrolments, projections, conditions, and identifies potential facility collaboration and co-build opportunities for capital construction projects.

This planning work and collaboration opportunities are guided by the following TVDSB policies and procedures:

- [Pupil Accommodation Policy – Policy No. 4015](#) references Ministry of Education 2015 B09: New Pupil Accommodation Review Guideline and Community Planning and Partnerships Guideline (2015 March 26). Ontario Regulation 444/98. The following procedures ensure the above Policy is implemented:
 - [Pupil Accommodation and Facility Organization Procedure - Procedure No. 4015b](#) (March 29, 2016)
 - [Community Planning and Facility Collaboration Opportunities – Procedure No. 4015b](#) (October 13, 2020)
 - [Attendance Area Review Procedure – Procedure No. 4015c](#) (February 16, 2021)
 - [Holding Zones and Holding Schools Procedure – Procedure No. 4015d](#) (March 29, 2016)
- [Attendance Areas for Students Policy – Policy No. 4012](#) (December 15, 2015)
- [Collaboration Opportunities Policy – Policy No. 2029](#) (December 15, 2015)
- [Community Use of Buildings, Facilities and Equipment \(Rental Permits\) Policy – Policy No. 4007](#) (October 18, 2018)
- [Community Use of Buildings, Facilities and Equipment \(Rental Permits\) Procedure](#) (October 23, 2018)
- [Notification on Items Requiring Public Consultation – Procedure No. 9006](#) (June 27, 2017)

[Program Access Agreements During the Instructional Day Procedure – Procedure No. 2029c](#) (December 15, 2015)

Appendix C: The London Plan

[The London Plan](#) includes policies that guide how the City can work with local school boards. It identifies how the City can “Build strong, healthy and attractive neighbourhoods for everyone” (Direction #7) by distributing “educational, health, social, cultural, and recreational facilities and services throughout the city so that all neighbourhoods are well-served.”

Parks and Recreation

410_8. Where appropriate, opportunities will be sought to create shared park/school complexes and campuses with local school boards and other institutions to maximize the use of these facilities and to coordinate the design for mutual benefit.

410_9. Where a school site is declared surplus by a school board the City may undertake an analysis to determine neighbourhood need and explore opportunities for acquiring the site for park and/or community facility purposes if required.

Public Facilities and Services

425_ “...schools are not just places where children go to learn, but they are also where residents go to vote, participate in recreational programs, or use fields and playgrounds.”

437_ The co-location of public facilities will be encouraged, to create community hubs that offer neighbourhood residents a variety of services. Facilities such as day care centres, community services, and meeting rooms may be clustered with recreational facilities such as arenas, gyms, and fitness facilities. These co-located facilities will be designed to be hubs for municipal services that are well integrated with the schools, neighbourhoods, parks, and public spaces that they are adjacent to.

Homelessness Prevention and Housing

502_ The City will seek out opportunities to acquire surplus lands from school boards, the provincial and federal government, and other institutional entities and stakeholders for housing purposes.