

MINISTRY OF EDUCATION
PUPIL ACCOMMODATION REVIEW GUIDELINE
(Revised June 2009)

PURPOSE

The purpose of the *Pupil Accommodation Review Guideline* (previously referred to as school closure guidelines) is to provide direction to school boards regarding public accommodation reviews undertaken to determine the future of a school or group of schools.

The *Guideline* ensures that where a decision is taken by a school board regarding the future of a school, that decision is made with the full involvement of an informed local community and it is based on a broad range of criteria regarding the quality of the learning experience for students.

In recognition of the important role schools play in strengthening rural and urban communities and the importance of healthy communities for student success, it is also expected that decisions consider the value of the school to the community, taking into account other government initiatives aimed at strengthening communities.

School boards in Ontario are responsible for providing schools and facilities for their students and for operating and maintaining their schools as effectively and efficiently as possible to support student achievement.

Under paragraph 26, subsection 8 (1) of the *Education Act*, the Minister of Education may issue guidelines with respect to school boards' school closure policies. The *Guideline* is effective upon release.

SCHOOL BOARD ACCOMMODATION REVIEW POLICIES

School boards are responsible for establishing and following their own accommodation review policies. At a minimum, boards' accommodation review policies are to reflect the requirements of the *Pupil Accommodation Review Guideline* set out below.

A copy of the school board's accommodation review policy, the government's *Pupil Accommodation Review Guideline* and the *Administrative Review of Accommodation Review Process* documents are to be available at the school board's office and posted on the school board's website.

School boards are expected to undertake long-term enrolment and capital planning that will provide the context for accommodation review processes and decisions. This planning should take into account opportunities for partnerships with other school boards and appropriate public organizations that are financially sustainable, safe for students, and protect the core values and objectives of the school board.

The *Guideline* recognizes that, wherever possible, accommodation reviews should focus on a group of schools within a school board's planning area rather than examine a single school. These schools would be reviewed together because they are located close enough to the other schools within a planning area to facilitate the development of viable and practical solutions for student accommodation.

ACCOMMODATION REVIEW TERMS OF REFERENCE

The review of a particular school or schools is to be led by an Accommodation Review Committee (ARC) appointed by the board. The ARC assumes an advisory role and will provide recommendations that will inform the final decision made by the Board of Trustees.

Each ARC must include membership drawn from the community. It is recommended that the committee include parents, educators, board officials, and community members. Trustees are not required to serve on ARCs.

School boards will provide the ARC with a Terms of Reference that describes the ARC's mandate. The mandate will refer to the board's educational and accommodation objectives in undertaking the ARC and reflect the board's strategy for supporting student achievement. The Terms of Reference will contain Reference Criteria that frame the parameters of ARC discussion. The Reference Criteria include the educational and accommodation criteria for examining schools under review and accommodation options. Examples may include grade configuration, school utilization, and program offerings.

The Terms of Reference will identify ARC membership and the role of voting and non-voting members, including board and school administration. The Terms of Reference will also describe the procedures for the ARC, including meetings; material, support, and analysis to be provided by board administration; and the material to be produced by the ARC.

School boards will inform the ARC at the beginning of the process about partnership opportunities, or lack thereof, as identified as part of boards' long-term planning process.

SCHOOL INFORMATION PROFILE

School boards are required to develop a School Information Profile to help the ARC and the community understand how well school(s) meet the objectives and the Reference Criteria outlined in the Terms of Reference. The School

Information Profile includes data for each of the following four considerations about the school(s):

- Value to the student
- Value to the school board
- Value to the community
- Value to the local economy

It is recognized that the school's value to the student takes priority over other considerations about the school. A School Information Profile will be completed by board administration for each of the schools under review. If multiple schools within the same planning area are being reviewed together, the same Profile must be used for each school. The completed School Information Profile(s) will be provided to the ARC to discuss, consult on, modify based on new or improved information, and finalize.

The following are examples of factors that may be considered under each of the four considerations. Boards and ARCs may introduce other factors that could be used to reflect local circumstances and priorities, which may help to further understand the school(s).

Value to the Student

- the learning environment at the school;
- student outcomes at the school;
- course and program offerings;
- extracurricular activities and extent of student participation;
- the ability of the school's physical space to support student learning;
- the ability of the school's grounds to support healthy physical activity and extracurricular activities;
- accessibility of the school for students with disabilities;
- safety of the school;
- proximity of the school to students/length of bus ride to school.

Value to the School Board

- student outcomes at the school;
- course and program offerings;
- availability of specialized teaching spaces;
- condition and location of school;
- value of the school if it is the only school within the community;
- fiscal and operational factors (e.g., enrolment vs. available space, cost to operate the school, cost of transportation, availability of surplus space in adjacent schools, cost to upgrade the facility so that it can meet student learning objectives).

Value to the Community

- facility for community use;

- program offerings at the school that serve both students and community members (e.g., adult ESL);
- school grounds as green space and/or available for recreational use;
- school as a partner in other government initiatives in the community;
- value of the school if it is the only school within the community.

Value to the Local Economy

- school as a local employer;
- availability of cooperative education;
- availability of training opportunities or partnerships with business;
- attracts or retains families in the community;
- value of the school if it is the only school within the community.

ACCOMMODATION REVIEW PROCESS

As indicated above, the public review of each school or group of schools is to be led by a local Accommodation Review Committee appointed by the board.

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

The Ministry recommends that, wherever possible, schools should only be subject to an accommodation review once in a five-year period, unless there are exceptional circumstances.

School Information Profile

The ARC will discuss and consult about the School Information Profile(s) prepared by board administration for the school(s) under review and modify the Profile(s) where appropriate. This discussion is intended to familiarize the ARC members and the community with the school(s) in light of the objectives and Reference Criteria outlined in the Terms of Reference. The final School Information Profile(s) and the Terms of Reference will provide the foundation for discussion and analysis of accommodation options.

Public Information and Access

School boards and ARCs are to ensure that all information relevant to the accommodation review, as defined by the ARC, is made public by posting it in a prominent location on the school board's website or making it available in print upon request. Where relevant information is technical in nature, it is to be explained in plain language.

Accommodation Options

The ARC may also create alternative accommodation options, which should be consistent with the objectives and Reference Criteria outlined in the Terms of Reference. Board administration will provide necessary data to enable the ARC to examine options. This analysis will assist the ARC in finalizing the Accommodation Report to the board.

ARCs may recommend accommodation options that include new capital investment. In such a case, board administration will advise on the availability of funding. Where no funding exists, the ARC with the support of board administration will propose how students would be accommodated if funding does not become available.

As the ARC considers the accommodation options, the needs of all students in schools of the ARC are to be considered objectively and fairly, based on the School Information Profile and the objectives and Reference Criteria outlined in the Terms of Reference.

Community Consultation and Public Meetings

Once an accommodation review has been initiated, the ARC must ensure that a wide range of school and community groups is invited to participate in the consultation. These groups may include the school(s)' councils, parents, guardians, students, school staff, the local community, and other interested parties.

As indicated above, the ARC will consult about the customized School Information Profile prepared by board administration and may make changes as a result of the consultation. The ARC will also seek input and feedback about the accommodation options and the ARC's Accommodation Report to the board. Discussions will be based on the School Information Profile(s) and the ARC's Terms of Reference.

Public meetings must be well publicized, in advance, through a range of methods and held at the school(s) under review, if possible, or in a nearby facility if physical accessibility cannot be provided at the school(s). Public meetings are to be structured to encourage an open and informed exchange of views. All relevant information developed to support the discussions at the consultation is to be made available in advance.

At a minimum, ARCs are required to hold four public meetings to consult about the School Information Profile, the accommodation options, and the ARC Accommodation Report.

Minutes reflecting the full range of opinions expressed at the meetings are to be kept, and made publicly available. ARCs and board administration are to respond to questions they consider relevant to the ARC and its analysis, at

meetings or in writing appended to the minutes of the meeting and made available on the board's website.

ARC Accommodation Report to the Board

The ARC will produce an Accommodation Report that will make accommodation recommendation(s) consistent with the objectives and Reference Criteria outlined in the Terms of Reference. It will deliver its Accommodation Report to the board's Director of Education, who will have the Accommodation Report posted on the board's website. The ARC will present its Accommodation Report to the Board of Trustees. Board administration will examine the ARC Accommodation Report and present the administration analysis and recommendations to the Board of Trustees. The Board of Trustees will make the final decision regarding the future of the school(s). If the Board of Trustees votes to close a school or schools, the board must outline clear timelines around when the school(s) will close.

TIMELINES FOR AN ACCOMMODATION REVIEW PROCESS

After the intention to conduct an accommodation review of a school or schools has been announced by the school board, there must be no less than 30 calendar days notice prior to the first of a minimum of four public meetings.

Beginning with the first public meeting, the public consultation period must be no less than 90 calendar days.

After the ARC completes its Accommodation Report it is to make the document publicly available and submit the document to the school board administration. After the submission of the Accommodation Report, there must be no less than 60 calendar days notice prior to the meeting where the Board of Trustees will vote on the recommendations.

Summer vacation, Christmas break and Spring break, including adjacent weekends, must not be considered part of the 30, 60 or 90 calendar day periods. For schools with a year-round calendar, any holiday that is nine calendar days or longer, including weekends, should not be considered part of the 30, 60 or 90 calendar day periods.

APPLICATION OF ACCOMMODATION REVIEW GUIDELINES

The *Guideline* applies to schools offering elementary or secondary regular day-school programs. The following outlines circumstances where school boards are not obligated to undertake an accommodation review in accordance with this *Pupil Accommodation Review Guideline*. In these circumstances, a board is expected to consult with local communities about proposed accommodation options for students in advance of any decision by the board.

- Where a replacement school is to be rebuilt by the board on the existing site, or rebuilt or acquired within the existing school attendance boundary as identified through the board's existing policies;

- When a lease is terminated;
- When a board is planning the relocation in any school year or over a number of school years of a grade or grades, or a program, where the enrolment constitutes less than 50% of the enrolment of the school; this calculation is based on the enrolment at the time of the relocation or the first phase of a relocation carried over a number of school years;
- When a board is repairing or renovating a school, and the school community must be temporarily relocated to ensure the safety of students during the renovations
- Where a facility has been serving as a holding school for a school community whose permanent school is over-capacity and/or is under construction or repair.

MINISTRY OF EDUCATION ADMINISTRATIVE REVIEW OF ACCOMMODATION REVIEW PROCESS

A review of a school board's accommodation review process may be sought if the following conditions are met.

An individual or individuals must:

- Submit a copy of the board's accommodation review policy highlighting how the accommodation review process was not compliant with the school board's accommodation review policy.
- Demonstrate the support of a portion of the school community through the completion of a petition signed by a number of supporters equal to at least 30% of the affected school's student headcount (e.g., if the headcount is 150, then 45 signatures would be required). Parents/guardians of students and/or other individuals that participated in the accommodation review process are eligible to sign the petition¹
 - The petition should clearly provide a space for individuals to print and sign their name; address (street name and postal code); and to indicate whether they are a parent/guardian of a student attending the school subject to the accommodation review, or an individual who has participated in the review process.
- Submit the petition and justification to the school board and the Minister of Education within thirty (30) days of the board's closure resolution.

The school board would be required to:

- Confirm to the Minister of Education that the names on the petition are parents/guardians of students enrolled at the affected school and/or individuals who participated in the review process.
- Prepare a response to the individual's or individuals' submission regarding the process and forward the board's response to the Minister of Education within thirty (30) days of receiving the petition.

If the conditions set out above have been met, the Ministry would be required to:

- Undertake a review by appointing a facilitator to determine whether the school board accommodation review process was undertaken in a manner consistent with the board's accommodation review policy within thirty (30) days of receiving the school board's response.

¹ Information contained in the petition is subject to the *Freedom of Information and Protection of Privacy Act, 1990*.