



## Pupil Accommodation Review Process

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**Memo To:** All Stakeholders

**From:** Director of Education

### ACCESSIBILITY:

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### PURPOSE:

The purpose of this administrative procedure is to outline the process to be followed when conducting a Pupil Accommodation Review (i.e., school consolidation or closure review).

School boards are responsible for managing their school capital assets in an effective manner. They must respond to changing demographics and program needs while ensuring continued student achievement and well-being, and the financial viability/sustainability of the school board.

A Pupil Accommodation Review is conducted when the school board is proposing the relocation (in any school year or over a number of school years) of students or grades, in which the number of students or enrolment of the grades is equal to or more than 50% of the school's enrolment. This calculation is based on the enrolment at the time of the relocation, or the first phase of relocation carried over a number of school years.

When the school board is proposing the relocation (in any school year or over a number of school years) of students or grades, in which the number of students or enrolment of the grades is less than 50% of the school's enrolment, APF017 – Boundary Review Process is used to direct the conduct of a Boundary Review.

### REFERENCES:

- [Education Act](#)
- [Ontario Regulation 444/98 Disposal of Surplus Real Property](#)
- [Ministry of Education Pupil Accommodation Review Guideline \(2015\)](#)
- [Ministry of Education Pupil Accommodation Review Guideline \(2018\)](#)
- [Ministry of Education Administrative Review of Pupil Accommodation Review Process \(2015\)](#)
- [General Board Operational and Procedural By-law](#)
- [APF012 – Community Planning and Facility Partnership](#)
- APF017 – Boundary Review Process
- APF018 – Holding Zones and Holding School Designations

### FORMS:

- N/A



## REPORTS:

- N/A

## APPENDICES:

- Appendix A: Generic Terms of Reference Template
- Appendix B: Generic School Information Profile
- Appendix C: Transition Planning Framework for School Communities

## COMMENTS AND GUIDELINES:

### RATIONALE FOR AN ACCOMMODATION REVIEW

There are many reasons Pupil Accommodation Review may be initiated. Examples include but are not limited to:

- Enrolment exceeds capacity
- Enrolment is below capacity causing an inefficient use of board resources
- Building condition
- Excessive transportation costs
- Site and building limitations
- Accommodation of special programs

### MINISTRY GUIDELINE

In October 2006, the Ministry of Education released the Pupil Accommodation Review Guideline (the Guideline). The Guideline was revised in June 2009, March 2015 and April 2018. The Ministry of Education has not issued additional materials in support of the April 2018 guideline, as such, this Administrative Procedure is a reflection of the complete March 2015 Guideline.

[The Guideline](#) provides a framework of minimum standards for school boards to undertake pupil accommodation reviews (school closure reviews) in order to determine the future of a school or group of schools. The Guideline ensures that a decision is made with the involvement of an informed local community and is based on a broad range of criteria regarding the quality of the learning experience for students.

The Ministry of Education recommends that, wherever possible, schools should only be subject to a school closure review once in a 5-year period, unless there are circumstances determined by the school board that deem it necessary (e.g., significant change in enrolment, changes to funding, building deterioration, etc.).

### GUIDING PRINCIPLES

A Pupil Accommodation Review shall align with the following guiding principles.

- Catholic presence in each community
- Student well-being
- Academic achievement
- School Board financial viability/sustainability

### INITIATING A PUPIL ACCOMMODATION REVIEW

A Pupil Accommodation Review shall be initiated via an Initial Staff Report and subsequent decision by the Board of Trustees whether to proceed.

The Initial Staff Report must include the following:

- Summary of accommodation issues for the school(s) under review
- One or more options to address the issues, including supporting rationale
  - Where students would be accommodated
  - If proposed changes to existing facilities are required

- Identify any program changes
- How student transportation would be affected
- If new capital investment is required including how the board intends to fund the project and an alternative solution should funding not become available
- A recommended option (if more than one option is presented)
  - A timeline for implementation
- Any relevant information obtained from municipalities or community partners, including any confirmed interest in using underutilized space.

Following a decision by the Board of Trustees to proceed with a Pupil Accommodation Review, the Initial Staff Report will be made available to the public and posted on the board's website and communicated to affected school communities in accordance with the Communication Plan.

## **ACCOMMODATION REVIEW COMMITTEE**

An Accommodation Review Committee (ARC) will be formed following the Board of Trustee's decision to proceed with a Pupil Accommodation Review, and prior to the first public meeting.

### **Membership**

The ARC membership will include:

- Executive Superintendent of Corporate Services
- Superintendent(s) of Learning of the schools under review
- Administrator of each school under review
- Two (2) parent / guardian representatives from each school under review (1 selected by Catholic School Advisory Council, 1 selected by the Administrator)
- Two (2) Trustees (selected by the Chair of the Board)
- One (1) parish representative, where possible
- One (1) student from each school under review (secondary reviews only)

Parents / guardians of each school community will be invited to apply to become a parent representative on the ARC. One of the parent / guardian representatives will be selected by the Administrator at each school and one will be the Catholic School Advisory Council chair or designate. No substitute parent / guardian representatives will be allowed to attend ARC meetings in the absence of the designated parent / guardian representatives.

The parish representative must not be personally affiliated in any way with the schools under review.

### **Role**

The role of the ARC is as follows:

- To act as the official conduit for information shared between the school board and the school communities
- Act as a consultation body, providing advice to staff
- Comment on the Initial Staff Report
- Seek clarification on the Initial Staff Report
- Request clarification about information in the School Information Profiles
- Suggest other accommodation options, including supporting rationale
- Review materials provided by board staff
- Consider the needs of the entire school system and resist advocating for any particular school or neighbourhood
- Attend public meetings and review public comments

If, for any reason, the ARC refuses to complete or unnecessarily delays the review process, then board administration may continue the Pupil Accommodation Review on behalf of the ARC.

Staff will compile feedback from the ARC and present this information in the Final Staff Report to the Board of Trustees.

## Meetings

Meetings of the ARC will be open to the public. Members of the public attending ARC meetings are expected to act with decorum and in a manner that respects the work of the ARC. Individuals or groups that disrupt the ARC meetings may be asked to leave.

The first meeting of the ARC will describe the mandate, roles, responsibilities, and the procedures of the ARC.

## Terms of Reference

Board staff will provide the ARC with a Terms of Reference based on the generic Terms of Reference found in Appendix A. The Terms of Reference will include the following:

- The board's education and accommodation objectives for the ARC
- Reflect the board's strategy for supporting student achievement and well-being
- The roles and responsibilities of the ARC
- The procedures of the ARC
- Minimum number of working meetings

## SCHOOL INFORMATION PROFILES

The purpose of the School Information Profile (SIP) is to provide an understanding of and familiarity with each school under review. The SIPs will be shared with the ARC and the community as an orientation document.

Prior to the commencement of the review, Board staff will prepare SIPs that are complete and accurate to the best of the board's ability.

The Generic School Information Profile (APF008-BX: Appendix B) may be customized to reflect the specific circumstances of the review. The SIP must consider the value of each school to the student and to the board. For comparison purposes, the SIP must examine the same criteria for each school under review.

## PUBLIC CONSULTATION

All data, reports, submissions, parent / ratepayer comments received during the school closure review process are subject to Freedom of Information/Protection of Privacy legislation. All written public comments received by staff will be distributed to the Board of Trustees in their entirety. Public comments received throughout the process may be shared with the public and may become part of the public record.

### Consultation with Governments & Community Partners

Following the Board of Trustee's decision to proceed with a review, staff will invite the affected municipalities (upper and lower tier via the Clerk's Departments) and community partners (who have requested to be notified) to a meeting to comment on the recommended option in the Initial Staff Report.

Staff will document its efforts to meet with municipal and community partners and provide any relevant information as part of the Final Staff Report to the Board of Trustees.

In addition, the parish of the school(s) proposed to close will be notified as will the Diocese of Hamilton.

Feedback must be received within ten (10) business days following the final public meeting in order to be considered in the Final Staff Report.

### Public Meetings

A Public Meeting is an open meeting with the purpose of sharing relevant information with members of the public and soliciting feedback. A public meeting may take on a variety of formats including, but not limited to, a presentation, question/answer period, open house, workshop, or small group discussions.

A minimum of two (2) Public Meetings are required.

Public meetings will be advertised in advance using a variety of methods (e.g. posted on the board and affected schools' websites, notice via board and affected schools' NewsWire, board and affected schools' social media channels)

Board staff will facilitate public meetings. The first public meeting must include the following:

- The Initial Staff Report with recommended option(s)
- An overview of the ARC orientation session (First Meeting)
- A presentation of the SIPs

Trustees are encouraged to attend all public meetings.

## **RECOMMENDATIONS AND APPROVALS**

### **Final Staff Report**

Following the public consultation process, staff will submit a Final Staff Report to the Board of Trustees, which will include the following information:

- Community Consultation
  - feedback from the ARC
  - summary of comments and questions received from the public, relevant information obtained from affected upper and lower tier municipalities/community partners prior to and during the Pupil Accommodation Review
- A recommended option including: a proposed accommodation plan and a timeline for implementation. The recommended option does not have to be the same as the recommended option provided in the Initial Staff Report.
- Communication Plan

The Final Staff Report will be made available to the public and posted on the board's website.

### **Delegations to the Board of Trustees**

Once the Final Staff Report is submitted to the Board of Trustees, members of the public will be invited to register as a delegation to provide their comments directly to the Trustees. Delegations must adhere to the [General Board Operational and Procedural By-law](#).

The community will be made aware of the dates and times of meetings of the Board of Trustees in a similar manner to the notification provided for other public consultation opportunities.

Comments from delegations will be recorded in the minutes of the Board of Trustee meetings.

There must be a minimum of ten (10) business days between the meeting when the Board of Trustees received the last delegation(s) and the meeting when the Board of Trustees makes a decision. As a result, delegations will not be permitted at the same meeting where the Board of Trustees are scheduled to make their final decision. Likewise, delegations may not be permitted at the Committee of the Whole meeting prior to the final decision if that meeting date falls within ten (10) business days of the final decision.

### **Decision of the Board of Trustees**

At a board meeting where the Board of Trustees considers the Final Staff Report and recommendation(s):

- recommendation(s) may be accepted by the Board of Trustees by resolution and the boundary change(s) implemented as set out in the Final Staff Report, or
- recommendation(s) may be referred back to Board Staff for additional action as directed by the Board of Trustees, or
- a decision may be deferred for additional consideration by the Board of Trustees.

Where a proposed decision varies from the recommendations of the Final Staff Report, sufficient time should be provided to staff to evaluate the merits and feasibility of the alternative proposal. The public should also be given the opportunity to comment prior to the decision being finalized.

## **TRANSITION PLANNING**

A transition plan will be put in place following the Board of Trustees decision which may be informed by Appendix C.

A Transition Planning Committee will be formed in the year prior to the change(s) taking effect. The Transition Planning Committee will include the Superintendent of Learning acting as the Chair, and Administrator(s) of the affected schools, and may also include students and parents / guardians. The Transition Planning Committee may solicit input from Board Staff who support equity initiatives, as required.

## **TIMELINES**

A Pupil Accommodation Review must comply with the following minimum timelines:

- Within five (5) business days of the Board of Trustees' decision to proceed with the review, staff will provide written notice to:
  - The affected single and upper-tier municipalities as well as community partners that expressed an interest prior to the review. The notice will include an invitation for a meeting to discuss and comment on the recommended option(s) in the initial staff report.
  - The Directors of Education at the coterminous boards
  - The Ministry of Education through the Assistant Deputy Minister of the Financial Policy and Business Division
- The affected single and upper-tier municipalities and the notified community partners must provide their comments prior to the final public meeting.
- There must be no fewer than thirty (30) business days between the decision to proceed with the review and the first public meeting.
- There must be a minimum of forty (40) business days between the first and final public meeting.
- The Final Staff Report must be posted publicly no fewer than ten (10) business days after the final public meeting.
- From the posting of the Final Staff Report, there must be no fewer than ten (10) business days before public delegations.
- There must be no fewer than ten (10) business days between public delegations and the final decision of the Board of Trustees.

## **COMMUNICATIONS PLAN**

A Communications Plan will form an appendix to the Initial Staff Report and Final Staff Report.

Initial Staff Report and Final Staff Reports will be posted on the board's website after presentation to the Board of Trustees and information shared via board and school social media and other means advising affected school communities of the review and directing how to access Pupil Accommodation Review information.

Information presented at the Public Meetings will be posted on the board's website.

Agendas and minutes of ARC meetings will be posted on the board's website.

Comments received at the Public Meetings will be posted on the board's website.

All reports, information and comments posted on the board's website will be available in accessible formats on request.

## **MODIFIED PROCESS**

The Guideline allows for an optional modified process for reviews that are less complex. Specifically, a modified process would include only one (1) public meeting. The Board of Trustees must approve a defined set of criteria that would allow a review to qualify for the modified process.

Community consultation would be required to adopt the modified process as part of this Administrative Procedure. Additional consultation with affected school communities would be required prior to the initiation of a modified accommodation review.

A modified process has not been included in this procedure.

## EXEMPTIONS

The Guideline identifies specific circumstances where there is no requirement to undertake a school closure review.

- 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;
- Where a replacement school is to be built by the school board on the existing site, or built or acquired within the existing school attendance boundary and the school community must be temporarily relocated to ensure the safety of students and staff during the reconstruction;
- When a lease for a school is terminated;
- When the board is planning the relocation in any school year or over a number of school years of grades, or programs, in which the enrolment constitutes less than 50% of the enrolment of the school's enrolment. 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 the 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; or
- Where there are no students enrolled at the school at any time throughout the school year.

Boundary Review Process (APF017) is used to direct the conduct of a boundary review where the school board is proposing the relocation (in any school year or over a number of school years) of students or grades, in which the number of students or enrolment of the grades is less than 50% of the school's enrolment,

Where a Holding Zone is designated in accordance with Holding Zones and Holding School Designations (APF018) to address interim pupil accommodation arrangements for an area of future residential development, this process is exempt from the Accommodation or Boundary Review processes.

For all circumstances where the board would be exempt from undertaking a Pupil Accommodation Review, the board will consult with affected school communities, in accordance with the respective Administrative Procedure about the proposed accommodation options for students.

At least 5 days following a decision to proceed with an exemption resulting in the consolidation, closure, or move of a school or students, the board will provide written notification to the following:

- The Ministry of Education (Assistant Deputy Minister of the Financial Policy and Business Division)
- Single and upper-tier municipalities (Clerks Department or equivalent)
- Community partners who have previously expressed an interest prior to the exemption.
- Coterminous school boards (Director of Education)

A transition plan will be put in place following the Board of Trustees' decision to consolidate, close, or move a school or students in accordance with this section.

## ADMINISTRATIVE REVIEW

The Guideline describes a process by which the public may apply for Administrative Review of a Board of Trustees' Pupil Accommodation Review decision.

An Administrative Review cannot overturn a decision by the Board of Trustees and can only examine the Board's process.

The Ministry of Education's Administrative Review of Accommodation Review Process can be found [online](#).