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**Subject:** Multi-year School Infrastructure Planning  
**Effective:** September 1998  
**Revised:** May 2002, December 2009, March 2015

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## 1.0 PURPOSE

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This policy defines the process for multi-year school infrastructure planning to ensure a strategic and long-term approach to major capital projects, capital improvement projects, the study of a school's sustainability and proposed grade reconfigurations.

This policy is a revision of Policy 409 – *Closure of Schools*.

This policy replaces Policy 401- *Naming of Schools* (repealed).

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## 2.0 APPLICATION

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- 2.1** This policy applies to school districts, District Education Councils (DECs) and the Department of Education and Early Childhood Development (EECD).
- 2.2** This policy does not apply to instructional organization prescribed by the Minister under section 6(b)(i) of the *Act* (e.g. four-year high school program).
- 2.3** The public consultation requirements described in this policy do not apply when a facility has been destroyed or significantly damaged as a result of fire, structural failure or circumstances that present a significant or immediate health or safety threat or when affected persons agree to a proposed school closure or grade reconfiguration.

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## 3.0 DEFINITIONS

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**Affected persons** refers to individuals impacted by the potential outcome of a school sustainability study, including parents of students currently attending the school as well as parents of students transitioning into the school from feeder schools.

**Capital Improvement Project** refers to the replacement of existing building components or the addition of a building code improvement.

**Grade reconfiguration** refers to the addition or removal of an entire grade level or levels from a school.

**Major Capital Project** refers to the construction of a new school and the addition or major renovation to an existing school.

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**Parent(s)** includes guardian(s), as per the *Education Act*.

**Student(s)** refers to pupil(s), as defined in the *Education Act*.

**Procedural fairness** refers to the duty of administrative bodies to employ decision-making processes that provide real opportunity for persons whose interests and privileges may be affected to provide input. This includes certain requirements such as providing the opportunity to affected persons to be heard and for the school district to receive and consider the information before any recommendation is forwarded to the Minister.

**Trigger** refers to measurable and objective criteria consistently applied to all schools. When a school meets or falls below the established thresholds, a sustainability study must occur unless there is an exemption to this process.

The criteria to be used are:

Student enrolment trigger - refers to a specific threshold based on the current enrolment in the school. For the purpose of this policy, the enrolment threshold is 100 students or less.

Percentage occupation trigger - refers to the current student enrolment as compared to the school's physical capacity. For the purpose of this policy, the percentage occupation threshold is 30 percent or less.

#### **4.0 LEGAL AUTHORITY**

[Education Act](#) - section

6 The Minister...

(b.2) may establish provincial policies and guidelines related to public education within the scope of this Act, ...

#### **5.0 GOALS / PRINCIPLES**

- 5.1** Multi-year school infrastructure planning reflects EECD's commitment to providing New Brunswick students with equitable educational services.
- 5.2** Recognizing that the organization of schools has budgetary, programming and infrastructure impacts, this policy provides a transparent process for multi-year school infrastructure planning.
- 5.3** EECD recognizes schools are integral to the promotion and preservation of the local culture and community, especially in rural areas.

- 5.4 School sustainability studies and proposed grade reconfigurations occur in a manner which respects the principles of procedural fairness.
- 5.5 The naming of schools occurs in a consistent and transparent manner in consideration of the local community. This process is led by the DEC, in collaboration and in consultation with the local community, and the name is approved by the Minister.

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## 6.0 REQUIREMENTS / STANDARDS

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### 6.1 Development and submission of district multi-year school infrastructure proposal

- 6.1.1 Each school district must prepare a district multi-year school infrastructure proposal, approved by the DEC, for submission to the Minister. The proposal will comprise five years and must be updated annually by May 31st.
- 6.1.2 The district multi-year school infrastructure proposal must include the following, as a minimum:
- a) a Facility Status Review of each school in the district (see [Appendix A](#));
  - b) a list of schools that will be subject to a triggered sustainability study;
  - c) the major capital project priority list;
  - d) the capital improvement project priority list. The items on this list are included in the *School Physical Plant Review* database. The objective of the capital improvement budget is to maintain existing infrastructure with a focus on health and safety projects; and
  - e) an estimated timeframe for any projects included in the multi-year school infrastructure proposal.
- 6.1.3 EECD will use the school district multi-year school infrastructure proposals to create a provincial overview of infrastructure needs across the province and for capital budget planning and preparation.

## DISTRICT INFRASTRUCTURE PLANNING

### 6.2 New schools

- 6.2.1 Requests for the construction of new schools must be identified in the multi-year school infrastructure proposal as a major capital project priority.
- 6.2.2 All schools are assigned a unique, four-digit school number by the Corporate Data Management and Analysis Branch of the Policy and Planning Division at EECD.

### **6.3 Naming of public schools**

- 6.3.1** The following process applies to the naming of a new school and the renaming of an existing school, including schools housed in community centres and schools located on leased properties. This section does not apply to the naming of a school room (e.g. theatre, library, gymnasium or play area). This is the responsibility of the DEC.
- 6.3.2** Prior to the naming of a school, a naming committee will be initiated by the district. The school district will support the functions of this committee.
- 6.3.3** Requests from the public to the Minister to rename a school will be directed to the DEC, who will determine whether a naming committee should be established.
- 6.3.4** This committee will comprise a DEC member named by the DEC, a school district official named by the Superintendent and a representative from EECD named by the Minister. The DEC will also name a representative of the local community to sit on the committee to ensure local interests are reflected in the process.
- 6.3.5** During consultation, the naming committee may not exclude categories of names from consideration (e.g. political, religious, living persons).
- 6.3.6** If the naming committee decides to initiate a call for names in order to assist in the development of recommendations for the Minister, it must be made clear to participants that the names resulting from the call will be considered as part of the recommendations for the Minister and not the final choice for the name of the school. As such, a “winning” name must not be publicly announced by the naming committee.
- 6.3.7** The committee will consult the community regarding the new name and provide three recommendations to the DEC. The DEC will forward the recommendations to the Minister in writing, including a brief overview of the consultation undertaken and the rationale for each recommendation.
- 6.3.8** The Minister will select a name from among those submitted by the DEC. A public announcement of the new name will be made by the Minister, jointly with the DEC.
- 6.3.9** If the recommendations include the name of an individual, this person, or their representatives, will only be notified of the recommendation if the Minister actually selects their name for the school. This notification will occur prior to the public announcement to ensure the individual, or their representative, agrees with the use of the name.

**6.3.10** A school that has been officially designated a community school by the Minister does not need to follow the process mentioned above in order to add the word “community” to the school’s name. However, the school should note in its designation application to the Department its intention, the case being, to add “community” to its school name in the event its application for designation is successful.

#### **6.4 Determining a school’s sustainability**

**6.4.1** A sustainability study will be undertaken if a school falls below one of the triggers as defined in section 3 or if the DEC determines that a study is warranted.

**6.4.2** A DEC will advise the Minister in writing when it intends to study a school’s sustainability. This study can include one of several outcomes: maintaining the status quo, repairing the school or closing the school and placing students elsewhere.

**6.4.3** Upon the mutual consent of the DEC and the Minister, a school may be exempt from a triggered sustainability study if the DEC has determined that a compelling circumstance exists. A school that has been subject to a sustainability study completed within the past four years is exempt.

**6.4.4** A DEC must consider the following criteria when studying a school’s sustainability. This list does not preclude a DEC from considering other factors relevant to their local circumstances.

1. Low/Declining enrolments: impact of declining or low enrolments on the learning environment (Is enrolment reaching a critical threshold or will it be dropping substantially over the next few years?). Enrolment trends and projections must be considered.
2. Health and Safety: the structural integrity of buildings; indoor air quality and water quality; circumstances that present a significant health or safety threat; fire safety systems and the safety and security of school grounds and play areas.
3. Quality of Education Programs and Services: the appropriateness of facilities for curriculum delivery and student services. This would include availability of facilities and diversity of educational programs and increased educational opportunities as a result of a closure, enrolment per grade or multi-level class and pupil-teacher ratio at affected schools, as well as the ability to meet the needs of all students, including students with exceptionalities.
4. Transportation: time spent in transit and cost of travel.
5. Finances: the operating costs including staffing and utilities; the physical condition of buildings, considering short and long-term capital costs and modifications required to school(s) to accommodate transferred students.

6. Impact on the local community: parental involvement and feasibility of continued parental involvement (particularly for elementary pupils), community support, the school's relationship with the community, the effects on culture and language, consideration of whether the school is the sole school in the community, especially at the elementary level.
7. Impact on other schools: impact on feeder schools and receiving schools.
8. Economic development: consideration of planned and future economic development projects in the community or surrounding area.

## 6.5 Public consultation on a school's sustainability

6.5.1 Public consultation should not occur during July and August.

6.5.2 The DEC must ensure that affected persons are informed through public notice (e.g. an ad in the local newspaper, a note sent home to parents of students attending the school in question, PSSC meetings, DEC meetings) of the DEC's intention to study a school's sustainability. The notice will include the timeframe for consultation and contact information to obtain details of the process to be followed, as set out in DEC policy.

6.5.3 The DEC will ensure that affected persons:

- are provided with information relevant to the proposal;
- have adequate time to consider the information provided; and,
- have adequate time and opportunity to make a presentation to the DEC (i.e. let their views be known either in writing or orally) and are heard impartially at an open DEC meeting.

6.5.4 There will be a minimum of three public DEC meetings on the possible closure – one meeting to inform the school community of the DEC's intention and the steps to be followed, a second meeting to provide the opportunity to make a presentation (in writing or orally) and a final meeting to provide the public with the results of the consultation, including an account of the factors considered, as per section 6.4 of this policy, and resulting recommendation being submitted to the Minister.

## 6.6 Ministerial approval of a school closure

6.6.1 A DEC will inform the Minister in writing of a recommendation to close a school, following the public consultation process. The DEC must demonstrate how the requirements of this policy have been applied.

6.6.2 Any recommendation as a result of a triggered sustainability study must be submitted to the Minister no later than January 31<sup>st</sup> of the year following the DEC's notice to the Minister of its intent to initiate the study, as per section 6.1 and 6.4.2.

- 6.6.3** When notified of a recommended school closure, the Minister will review it in relation to the principles of procedural fairness, with consideration of the factors taken into account during the public consultation process. The Minister may approve the recommendation or withhold approval if, in the opinion of the Minister, procedural fairness has not been applied or relevant educational options have not been considered.
- 6.6.4** The Minister shall normally respond to a recommendation to close a school within a period of time no less than 30 days and not exceeding 60 days.
- 6.6.5** When the Minister has approved a school closure, the DEC shall inform parents of the relocation of students. Sufficient notice must be provided to permit relocated students and their families to participate fully in the programs and activities offered in the new school.
- 6.6.6** When a school is permanently closed, the unique, four-digit school number assigned by the Corporate Data Management and Analysis Branch of the Policy and Planning Division at EECD is not used again for another school.
- 6.6.7** When a school has been approved for closure by the Minister is unoccupied and is no longer needed by the school district, it shall be deemed surplus by motion of the DEC. The DEC shall contact the Department to arrange a mutually agreeable date for the transfer of responsibility for the asset.

## **6.7 Grade reconfiguration**

- 6.7.1** The duty to consult is less for grade reconfigurations than for school sustainability studies and so, the timeframe for consultation can be much shorter, based on the DEC's discretion. However, the DEC must still demonstrate that the process was consistent with the principles of procedural fairness when they inform the Minister of the proposed grade reconfiguration.
- 6.7.2** The DEC will advise the Minister in writing when the school district intends to reconfigure grades and will then consult parents on the proposal.
- 6.7.3** After consultation, the DEC will inform the Minister of the school district's final decision on the grade reconfiguration.
- 6.7.4** Once the Minister has been officially informed of a reconfiguration, the superintendent shall inform parents of the relocation of students. Sufficient notice must be provided to permit relocated students and their families to participate fully in the programs and activities offered in the new school.

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**7.0 GUIDELINES / RECOMMENDATIONS**

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- 7.1 During public consultation, DEC's should make every effort to engage the community at large, through a variety of means, to ensure local citizens are aware of the changes to the local school and are aware of the public consultation process.
- 7.2 It is recommended that DEC's involve Parent School Support Committees (PSSC) in the consultation regarding the naming of schools, the study of a school's sustainability and proposed grade reconfigurations, to the extent practicable.
- 7.3 [Appendix B](#) provides an overview of the process for major capital projects.
- 7.4 [Appendix C](#) provides an overview of the school sustainability study process and grade reconfiguration process.

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**8.0 DISTRICT EDUCATION COUNCIL POLICY-MAKING**

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- 8.1 A DEC will establish a district policy outlining the steps to be followed when studying a school's sustainability and grade reconfigurations not inconsistent with this policy and the principles of procedural fairness.
- 8.2 A DEC will establish a district policy that is not inconsistent with this provincial policy to address a call for a new school name and public requests to name local schools.
- 8.3 The naming of a school room (e.g. theatre, library, gymnasium or play area) is a decision of the DEC, in consultation with the PSSC.

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**9.0 REFERENCES**

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[Canadian Charter of Rights and Freedoms](#)  
Section 16.1 (1) and (2) - Official Languages of Canada  
Section 23 – Minority language educational rights  
[Financial Administration Act](#) - Section 5(1)

**Related Department of Education and Early Childhood Development policies:**

[Policy 101](#) – Financial Responsibilities of School Districts  
[Policy 403](#) – Disposal of School Buildings

**Related [Education Act](#) sections:**

2(1) A District Education Council may, with the approval of the Minister and for the purpose of providing public education, establish schools within the school district for which the District Education Council is established.



2(3) A school for which responsibility is transferred to a District Education Council under subsection 3(2) shall, for the purposes of this Act, be considered to be a school established by the District Education Council.

3.1 A District Education Council may, with the approval of the Minister, close a school established by the District Education Council under subsection 2(1) or any school for which responsibility is transferred to the District Education Council under subsection 3(2).

6 The Minister...

(a) shall establish educational goals and standards and service goals and standards for public education in each of the education sectors established under subsection 4(1),

(b) may prescribe or approve

(i) instructional organization, programs, services and courses, including special education programs and services, and evaluation procedures for such instructional organization, programs, services and courses, including special education programs and services,...

11(1) The superintendent concerned shall determine the placement of pupils in classes, grades, programs, services and schools according to the needs of the pupils and the resources of the school district.

...

11(4) A decision made by a superintendent under subsection (1) shall be made

(a) subject to any policies or directives of the District Education Council concerned, and

(b) only with respect to pupils who are enrolled in a school in the school district or who reside in the school district for which the superintendent is appointed or reappointed.

36.9(5) A District Education Council shall...

(h) prepare annually, for submission to the Minister, a report which identifies priorities respecting capital construction projects within the school district, ...

45(1) All school property is vested in the Minister.

45(2) A District Education Council shall, at all times, have management, care and control of all school property in the school district for which the District Education Council is established, until such time as the school property is declared surplus by the District Education Council.

45(3) A District Education Council shall determine the general location in which to locate a school established under section 2.

45(4) The Minister

- (a) shall determine the sites of schools, school district offices and other school buildings,
- (b) shall determine the physical plant standards for a safe and healthy school facility,
- (c) may purchase, lease or accept gifts of lands or buildings for school or school district office purposes,
- (d) in consultation with the District Education Council concerned, may construct and furnish schools, school district offices and other school buildings, and
- (e) with the approval of the Lieutenant-Governor in Council, may lease, sell or otherwise dispose of any lands or buildings acquired under this Act

48(2) The duties of a superintendent, with respect to the school district for which the superintendent is appointed or reappointed, include

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(b.2) ensuring that school district and provincial policies are followed by school personnel, ...

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#### **10.0 CONTACTS FOR ADDITIONAL INFORMATION**

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Department of Education and Early Childhood Development – Educational Facilities and Pupil Transportation Branch  
(506) 453-2242

Department of Education and Early Childhood Development – Policy and Planning Division  
(506) 453-3090

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