



Creating Joint Use and Planning Agreements with Your Local School Board

September 29, 2022



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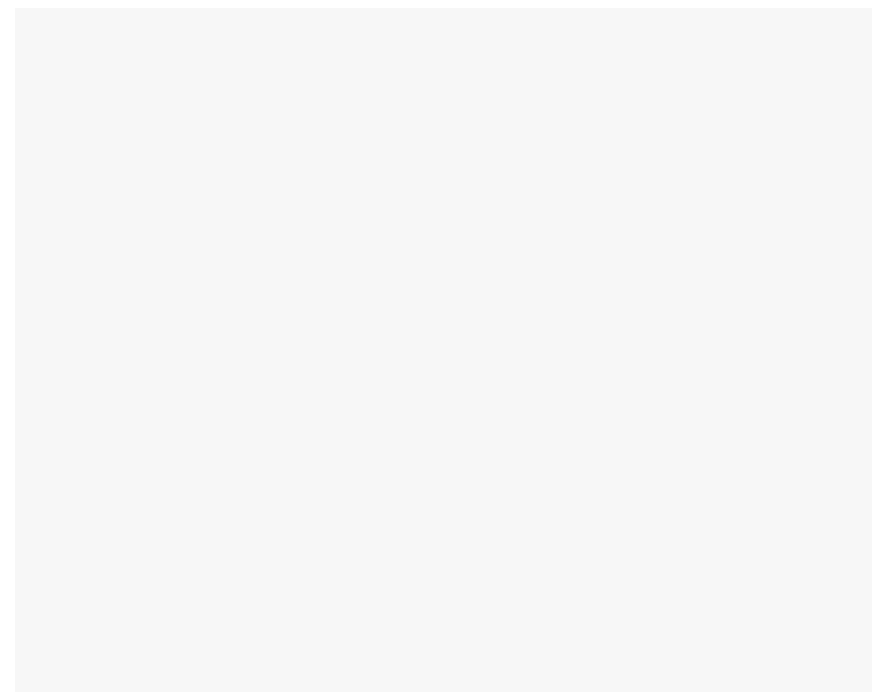
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OUR SPEAKER

Craig Teal, RPP MCIP
Director, Parkland Community Planning Services



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Creating Joint Use and Planning Agreements

Host: Local Government Administration Association

Presenter: Craig Teal, RPP MCIP
Parkland Community Planning Services

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Background – What is JUPA?

- Joint Use and Planning Agreements (JUPA) is a new requirement that came out of the Municipal Government Act Review in 2017
- JUPA is mandatory for each municipality and the school boards that serve/operate within the municipality
- Has to be in place by June 2023
- Becomes a long standing agreement that will be operating for many years to come



Background – What is JUPA?

- Agreement between one or more municipalities and one or more school boards on:
 - shared use and access to facilities,
 - funding of shared facilities and services, and
 - the planning and acquisition of new or expanded school sites
- Intent is to make sure new school sites are available when needed and make good use of public facilities



Background – What is JUPA?

Municipal Government Act (and the Education Act) requires a JUPA to address:

- a process for the planning, development and use of school sites on reserve lands;
- transfers of reserve lands;
- disposal of surplus school sites;
- servicing of school sites; and
- use, maintenance, operating of facilities and fields



Background – What is JUPA?

JUPA must address:

- how municipality(ies) and school board(s) will work collaboratively;
- process for resolving disputes;
- timeframe for regular review;
- anything required under regulations passed in relation to JUPA; and
- anything the parties consider necessary



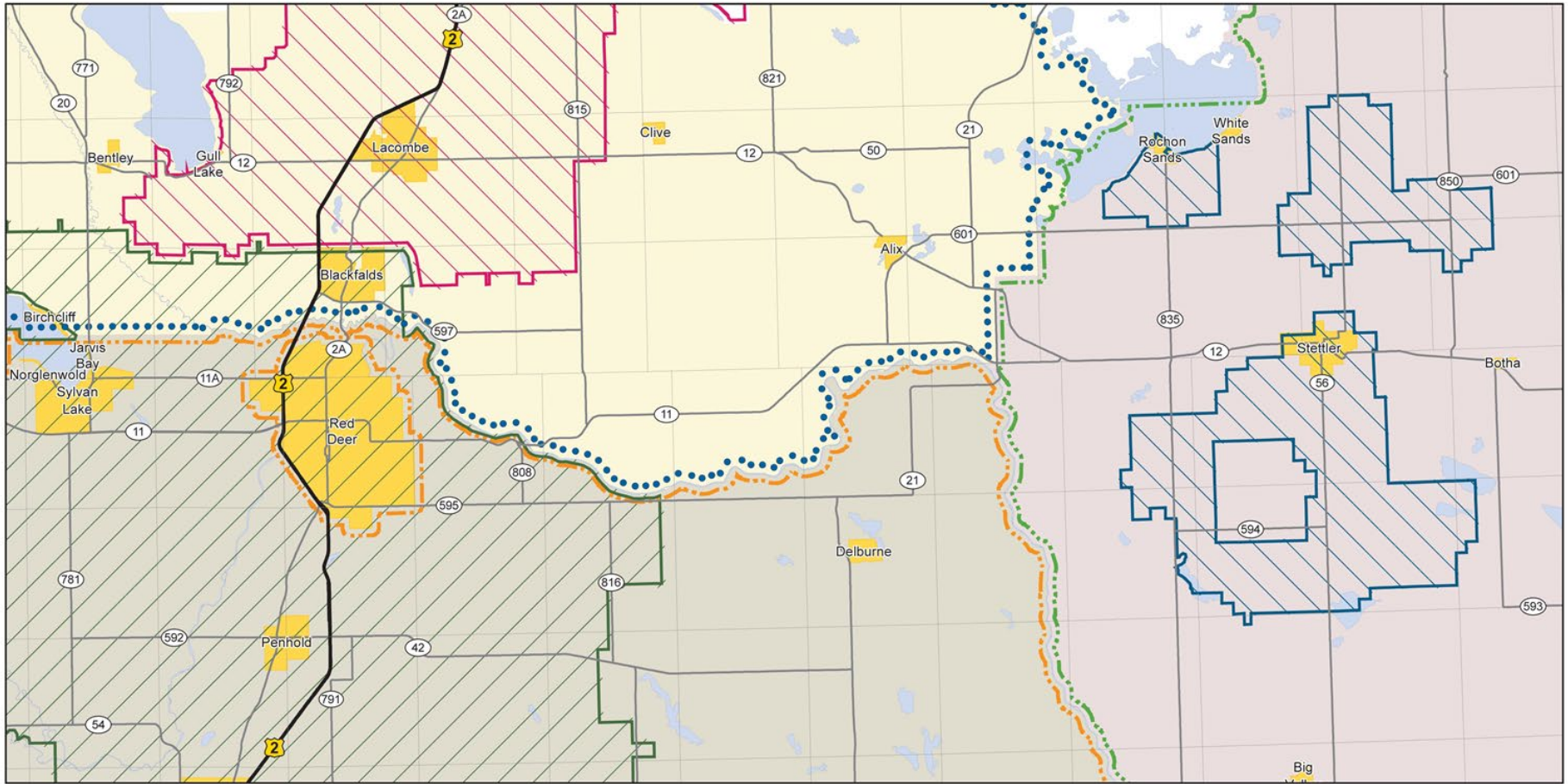
What Sites and Facilities?

- Legislation specifically addresses “reserve land”
- “Reserve land” is the land given up by a land developer when they subdivide their property (usually up to 10%)
- It can be used for municipal parks and recreation areas and school sites
- Note: not all existing school sites are on “reserve land” but new school sites are expected to be provided from “reserve land”



Governance – Who to Involve?

- Agreement(s) must be in place with all school boards operating in a municipality; all municipalities served by a school board
- Third Parties – owner of a P3 building, Ag Society running the arena, regional college – are not required to be part of the agreement
- Opportunities to focus on one municipality, an entire County or a portion of a County



County of Stettler No. 6	Chinook's Edge School Division	Red Deer Catholic Regional Division No. 39	Major Highway
Lacombe County	Clearview School Division	East Central Alberta Catholic Separate Schools Regional Division No. 16	Secondary Highway
Red Deer County	Wolf Creek School Division	St. Thomas Aquinas Roman Catholic Separate Regional Division No. 38	
Urban Municipality			





Governance – Who to Involve?

- **Regional Approach** – all municipalities and school boards in one County
- **Local Municipality Approach** – all school boards within one municipality
- **Sub-Regional Approach** – all municipalities and school boards in one part of a County
- **Hybrid-Regional Approach** – regional for Francophone Board and local for other school boards



Governance – Who to Involve?

- Defining the roles of elected officials and Municipal and School Board staff
- Agreement is about overall relationship and broad parameters – has elements of policy
- Some decisions – like approving a school site in the Municipal Development Plan – cannot be delegated
- Can be a sizeable amount of day-to-day operational items that should be delegated to Administration



Governance – Council Roles?

- Approve the agreement and the general parameters of the relationship with School Boards
- May have occasional Council and Board joint meetings
- May have Council members on a Committee
- Make all decisions on statutory plans that show future school sites
- Make any financial/budgetary decisions



Facility Use and Access

- Clearly identifying buildings, spaces and facilities that are covered in agreement (must include if on reserve land)
- Identifying times available for use by the parties (not during prime user hours or during school hours)
- Defining eligible users and activities
- Setting expectations for users
- Booking procedures – shared or left to each facility/party



Facility Use and Access

- Fees for using shared facilities (joint use does not mean free)
- Insurance requirements
- Custodial and maintenance responsibilities
- Access to equipment in the space/facility
- Responsibility for damages
- Maintenance of playing fields and grounds



School Site Characteristics





School Board Planning for Schools

- Needs and priorities established locally through a 3 year capital plan and then must be approved by the Province
- Funding decisions are made by the Province
- Capital planning approval process is “competitive” across the Province
- Emphasis is on well defined needs, suitable sites and readiness to move to construction



School Board Planning for Schools

- Need for school space is determined by enrolment projections and trends experienced in the school system – not just land use plans of a municipality
- Catchment areas – area served by a particular school – can be adjusted from time to time to make good use of existing facilities
- Grade configurations (K-8 or K-6) and school building preferences vary from school board to school board



School Board Planning for Schools

- Design process for new school building projects based on the detailed expectations laid out by Alberta Education and Alberta Infrastructure
- Site Evaluation Checklist – critical tool to secure funding for a project
- Checklist influences the location of the future school (e.g. not next to an industrial park)
- Checklist identifies mandatory characteristics of the site (e.g. not on contaminated land, not in flood plain)



School Board Planning for Schools

- Alberta Education also identifies eligible items that will be funded as part of a school building – does not include funding of any municipal infrastructure
- Timing to release funds for a project are linked to the school board having a parcel that is under the school board's ownership
- Process does allow for partnerships (e.g. shared library)



Municipal Planning for Schools

- Statutory and non-statutory plans can be used to show school sites – includes Municipal Development Plan and area structure plans and outline/concept plans
- Plans are used differently by each municipality – for example, maps in an urban municipal development plan tend to be more detailed than maps in a rural municipal development plan (if there is a map)
- Not all municipalities use area structure plans, outline plans or concept plans



Municipal Planning for Schools

- Determining how many school sites are needed is typically calculated in relation to planned population in the municipality
- For example, if 500 school age population in the plan area then a school for 500 is needed



Municipal Planning for Schools

- Reserve land dedication is limited to 10 percent of a parcel being subdivided; landowners control the timing
- Reserve land also has to meet the open space and park needs of the community
- Same 10 percent has to cover local parks, playgrounds, trail corridors, lands for future municipal recreation areas



Municipal Planning for Schools

- Money in place of reserve – available as a tool to obtain land where needed but has limitations
- Value paid by landowner who owes the reserve is likely to be less than what is needed to buy the land in the desired location
- Land developers and economics of creating new neighbourhoods influences the location and timing of new school sites



Model Agreements

- Three models created and available for use as Word documents
- Designed to meet legislative requirements
- Draw on the experience of other municipalities and existing samples
- Written for smaller urban and rural municipalities
- Customizable – basic legal review for structure only



Model Agreements – Model A

- Based on one municipality and school boards operating in that municipality
- Regional interactions addressed by commitment to involve others as situation requires
- Structured for municipalities that have facilities to share with the school boards



Model Agreements – Model B

- Based on one municipality and school boards operating in that municipality
- Regional interactions addressed by commitment to involve others as situation requires
- Reduced content compared to Model A
- Structured for municipalities that have no facilities to share with the school boards



Model Agreements – Model C

- Based on one Francophone Board and all municipalities within a County
- Reduced content compared to Model A and Model B
- Structured for no sharing of facilities and limited annual interaction between school board and municipalities
- Where there is a school, Model A should be used by the Francophone Board and that municipality



Some Thoughts on Getting Started

- Initial contact with potential partners about who to include and set up of a steering/negotiating committee
- Collect information to share/exchange (e.g. schools and municipal facilities, existing agreements and arrangements, current plans, student enrolment numbers)
- Meet as a committee to discuss a process, timelines, available information, responsibilities
- Start with broad principles and move into details



Thank you for listening
We'll take questions now



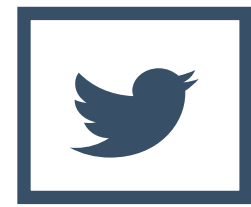
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UPCOMING EVENTS

- Oct 6** Communications Essentials Series
- Oct 13** Navigating the Grey: The Political Administrative Interface
- Oct/Nov** Regional zone meetings
- Nov 16** Introduction to Equity, Diversity, and Inclusion for Municipal Leaders
- Dec 7** Unconscious Bias for Decision Makers
- TBA** Bylaw drafting
- TBA** Contract Design and Negotiations for CAOs



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