

By **September 30, 2012** the school board must prepare an Impact Assessment Report. It is being considered that this Impact Assessment Report will be written by an external consultant.

### **Section 17 - Impact Assessment Report**

1. On identifying a public school for review in accordance with Section 16, a school board must prepare an Impact Assessment Report in respect of the public school and table the Impact Assessment Report at a public meeting of its members no later than September 30.
2. An Impact Assessment Report must
  - a. be made in the form approved by the Minister;
  - b. contain the Identification Report prepared under Section 16; and
  - c. outline a comprehensive review of the potential impact of a school board decision to permanently close the public school that is subject to review, including data, statistics, and any additional information about all of the following:
    - i. the capability of the public school to deliver the public school program,
    - ii. any educational benefits to students of the public school that would arise from their attendance at another public school, including access to services and programs such as special services, particular courses and extra-curricular programs,
    - iii. the time and distance involved in transporting students of the public school to another public school,
    - iv. the ability of students of the public school to continue to access and participate in extra-curricular activities,
    - v. the impact on any public school that might receive the students of the public school,
    - vi. capital construction planning for the school region,
    - vii. any property services efficiencies that would be gained,
    - viii. the operational and capital requirements arising from maintaining the status quo,
    - ix. any efficiencies in educational staffing that would be gained,
    - x. the extent of community usage of the school over the last year,
    - xi. any alternatives available to the community with respect to facilities available for community or regional use,
    - xii. any other impact on the community.

**[Subclause 17(2)(c)(xiii) repealed: N.S. Reg. 164/2010.]**

3. An Impact Assessment Report must cite all sources of data and statistics and document the methodologies used in the creation of the report.

By **October 7, 2013** a Study Committee must be established for each public school to be reviewed. Study Committees consist of the school advisory council for the public school under review, with the exception of the student representatives of the school advisory council.

### **Section 18 - Study Committee**

1. A school board that has tabled an Impact Assessment Report in accordance with subsection 17(1) shall establish a Study Committee no later than October 7 for each public school to be reviewed.
2. A Study Committee shall consist of the school advisory council for the public school under review with the exception of the student representatives of the school advisory council.
3. In the absence of a school advisory council, or if the existing school advisory council does not meet the membership requirements prescribed by Section 21 of the Act except for the student representatives, a Study Committee shall consist of
  - a. 1 parent of a child attending the public school;
  - b. 1 teacher who is employed at the public school;
  - c. 1 person who is employed as support staff at the public school;
  - d. the principal of the public school; and
  - e. at least 1 and no more than 10 representatives of the community in which the public school is situated.
4. A Study Committee may appoint no more than 2 students of the public school under review, who may be current members of the school advisory council for the public school, to the Study Committee.
5. Other members of the community in which the public school under review is situated, including school board members, may participate in the Study Committee as observers.
6. A school board shall call the first meeting of a Study Committee no later than October 21.
7. A school board shall appoint a person who is not a member of the Study Committee to preside at the first meeting of the Study Committee.
8. At the first meeting of the Study Committee, the members of the Study Committee shall elect a chair from among the members.
9. If a majority of the members of the Study Committee do not agree on the choice of a chair,
  - a. the Minister shall appoint a chair from among the members; and
  - b. until a chair is appointed by the Minister, the person appointed by the school board under subsection(7) shall continue to preside over the meetings of the Study Committee.

10. If a vacancy occurs in the office of the chair, subsections(8) and(9) apply with the necessary changes in detail in respect of the first meeting after the vacancy occurs.
11. A chair shall have the same voting rights as other members of the Study Committee only if the chair is elected pursuant to subsection(8).
12. A Study Committee shall prepare a written response to the Impact Assessment Report and submit the response to the school board no later than February 1 of the year following the year in which the school review process was initiated.
13. Before preparing its written response to the Impact Assessment Report, a Study Committee shall conduct at least 1 public meeting.
14. The response of the Study Committee shall include a recommendation about a decision of the school board to permanently close the public school that is subject to review.

By **October 21, 2012** the first meeting of each Study Committee must take place.

By **February 1, 2013** each Study Committee must prepare and submit a written response to the Impact Assessment Report to the school board.

By **February 28, 2013** the school board must table a response to these written submissions at public board meeting.

By **March 24, 2013** the school board must conduct at least one public hearing to give the public an opportunity to make representations in respect of the Impact Assessment Report and the Study Committee's response.

### **Section 19 - Public hearing**

1. On receiving a written response from a Study Committee under subsection 18(12), the school board shall, in the year immediately following the year in which the school review process was initiated,
  - a. table the response at a public meeting of its members no later than February 28; and
  - b. provide copies for examination at the school board offices or other locations convenient for the public and provide a reasonable number of copies that can be obtained by residents of the school region either without charge or at a price no greater than the cost of printing the report.
2. After a school board releases a Study Committee's response to the public under subsection (1), and no later than March 24, the school board shall conduct at least 1 public hearing to give the public an opportunity to make representations in respect of the Impact Assessment Report and the Study Committee's response.
3. No later than 14 days before the date of the public hearing, a school board shall give notice of the public hearing and invite public comments by
  - a. advertising in a newspaper having general circulation in the school region at least 3 times; and
  - b. posting on the school board's website.

4. A notice of a public hearing shall include all of the following:
  - a. the date, time and location of the public hearing;
  - b. a description and the location of the public school under review;
  - c. an explanation of the purpose of the public hearing;
  - d. where and when a copy of the Impact Assessment Report and the Study Committee report will be available to the public for inspection;
  - e. a description of the powers of the school board under Section 89 of the Act.
5. Each person who attends a public hearing shall be given an opportunity to make representations in respect of the Impact Assessment Report and the Study Committee report.
6. Any person may make written submissions to a school board before the members of the school board make a decision with respect to the outcome of the school review process.
7. In conducting a public hearing to afford any person an opportunity to make representations in respect of an Impact Assessment Report and a Study Committee's response, a school board is deemed to be performing a legislative and not a judicial function.

By **March 31, 2013** members of a school board make a decision with respect to the outcome of the school review process at a public meeting.

#### **Section 20 - Decision by school board**

1. After a public hearing under Section 19, and no later than March 31, the members of a school board shall make a decision with respect to the outcome of the school review process at a public meeting.
2. No later than 15 days after the day the members of a school board make their decision, the school board shall give public notice of the decision by posting it on the school board website.
3. A decision of a school board made in accordance with these regulations is final and shall not be altered by the Minister.
4. If a school board decides to permanently close a public school, the school board must permanently close the public school no later than 5 years after the date the decision is made.
5. For greater certainty, a school board may decide to discontinue the school review process in respect of a public school at any time after identifying the public school for review under Section 16.