

## **Indian and Inuit Affairs**

### **Chapter 6**

#### **Capital Facilities and Community Services**

##### **PD 6.14**

##### **Rental of Facilities for Federal and Band Operated Schools**

###### **Purpose**

1. This directive states the department's policy regarding rental of facilities for educational purposes.
2. It identifies the objectives of the policy, the purposes for which facilities may be rented, and the circumstances under which funding may be made available for the rental of such facilities.
3. Policy Objectives 3.1 The department's objective is to improve the educational opportunities of Indian students currently attending on-reserve schools, by renting, if required, facilities for the following purposes:
  - (a) classroom instruction; and
  - (b) instructional activities which require special purpose areas.

###### 4. Program Objectives

- 4.1 The objective of the program for the rental of facilities for educational purposes is to provide proper authorities with suitable facilities to meet classroom accommodation and special purpose area requirements in situations where:
  - (a) existing facilities are destroyed, unsafe or hazardous to health;
  - (b) existing facilities are insufficient in number or type and the required facilities are critical to the education of the recognized student population; and

(c) funding for the construction of required facilities is not immediately available through the department's capital programs.

### **Authorities and References**

5. Section 4(3) and 114 to 122 of the Indian Act as amended.
6. Treasury Board's approval for extension of education services to certain categories of non-Indians. Treasury Board Decision 547716, dated March 1960; Treasury Board Decision 547716-1, dated September 1961; and Treasury Board Minute 712957, dated May 1972.
7. Government Contract Regulations, Chapter 310, Appendix F, Part IV, Leases; Sections 25 to 27 and relevant part of Treasury Board Circular No. 1989-11, Consolidated Contracting Policy Guidelines.
8. Treasury Board Decision dated July 26, 1989, for Flexible Transfer Payments.
9. Applicable sections of the National Building and Labour Codes and the requirements of the applicable sections of the Engineering and Architecture Manual, 10-7, which provide guidance and instruction and establish requirements, policies, standards and procedures to be followed in the execution of the projects.
10. School Space Accommodation Standards Application Guidelines, dated July 1988 and included in 10-7.

### **Issuing Authority**

11. This directive is issued under the authority of the Deputy Minister.

### **Definitions**

12. Classroom: - A room which is used as the centre of educational activity for approximately 25 students. It is of a size and design approximating the department's recommended design standards.
13. Facility: - A building or a portion of a building and its associated infrastructure which is of a size and design that approximates the department's design standards.
14. Facility Rental: - Refers to a leasing arrangement, rental agreement, contribution arrangement or other transfer payment arrangements intended to secure the use of a facility.

Rental costs may include costs related to the licensing, transporting, set up, operation, maintenance and insurance of the facility.

15. Recognized Student Population: -The student population recognized by the department and currently in the instructional grades which the facilities are designed to accommodate.

16. Special Purpose Area: - A school facility required to permit the instruction of children in specialized curricular programs and identified in the school space accommodation standards as the following: multi-purpose room, library/resource centre, auditorium/gymnasium, science, home economics, industrial arts, and commerce/computing classrooms. The number, type, and size of special purpose areas vary with the type of school and projected school enrolment.

17. Student: - A person for whom the department is authorized to contribute towards the cost of elementary/secondary education.

### **Management Policy**

18. Where rental is the most practical or cost-effective means of providing the facilities, classroom and special purpose area facilities may be rented, for provision of instruction to students currently attending band operated and federal schools, in one or more of the following circumstances:

(a) facilities have been burnt out or destroyed by fire, by flood or other natural disaster, or are recognized by the department to be unsafe or hazardous to the health of students;

(b) classrooms are insufficient according to the school space accommodation standards for the student population;

(c) special purpose areas are insufficient according to the school space accommodation standards for the recognized student population and rental of such facilities is:

(1) available within reasonable proximity; and

(2) of a design and size that approximate the department's recommended standards.

N.B. It should be noted that the rental of special purpose area facilities is approved at the discretion of the Regional Director General.

### **Results Statement**

19. The policy supports the department's objective that all Indian and Inuit students have access to a quality and range of elementary and secondary education services that is relevant to the social, economic, and cultural needs and conditions of the individuals, bands and communities being served. The policy also supports the department's objective of assisting bands, communities, and individuals to establish and maintain a suitable level and quality of community and capital facilities.

### **Scope**

20. This directive applies to departmental staff involved in facility rental for educational purposes.

### **Responsibilities**

21. The Band Support and Capital Management Branch, at headquarters, is responsible for the implementation of this policy and for recommending to the Assistant Deputy Minister, Indian Services, the management regime and resource allocation for implementation of this policy.

22. The Regional Director of Capital and Band Support, in collaboration with the Regional Director of Education, Finance and Technical Services programs, is responsible for recommending rental of facilities.

23. The Regional Director General is responsible for the approval of agreements for rental of facilities for educational purposes.

### **Enquiries**

24. Matters related to interpretation and application of this policy directive are to be referred to the Director, Capital Management Branch, Department of Indian Affairs and Northern Development, Ottawa, Ontario K1A 0H4.

25. All requests for additional copies of this directive shall be addressed to the Directives Management and Translation Coordination Unit, Support Services Directorate at headquarters.