



PO Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

9.

Halifax Regional Council
12 October 2004

TO: Mayor Kelly and Members of Halifax Regional Council

A handwritten signature in black ink, appearing to read "Mike Labrecque".

SUBMITTED BY: _____
Mike Labrecque, Director Real Property and Asset Management

DATE: 5 October 2004

SUBJECT: School Rental Fees for Non-Profit Community Groups

INFORMATION REPORT

ORIGIN

Item 10.4.3 raised by Councillor Johns - School Board Rental Fees for Non-Profit Community Groups at the September 28, 2004 Regional Council meeting.

BACKGROUND

On June 22, 2004, HRM entered into a Service Exchange Agreement (SEA) with the Halifax Regional School Board (HRSB). The overall intent of the agreement is to provide each organization with free access to the other party's facilities and to benefit the overall community through the provision of community access at affordable rates.

The SEA is a principle-based document established within a cooperative and consultative approach. During discussion, both parties identified an opportunity to streamline resources for facility scheduling while providing the public with a single service window opportunity. Through the agreement, HRM assumes the administrative responsibility for facility scheduling of HRSB schools. HRSB maintains the sole responsibility for the facility rate structure, providing HRM with the appropriate information to administer those fees on behalf of HRSB. Both parties collaborate regarding scheduling policies and procedures, ensuring they reflect the requirements of each organization while keeping the customer in mind.

With the agreement signed, staff had less than two months to set up the scheduling system to accommodate the HRSB complexes, facilities, school use programs, community recreation programs and community users. This was an onerous task made even more difficult with the loss of critical information within the scheduling system of HRSB. Staffs of both parties have faced numerous challenges with the operational implementation of the scheduling component. However, these issues are a result of the tight time frame.

HRM is HRSB's broker responsible for the complete administration of facility scheduling functions. The first order of scheduling responsibility is to meet the needs of each school for times outside of the educational hours. Once school use has been accommodated, HRM Recreation program requests are met while taking historical community users into consideration. Community usage requests are reviewed on the basis of historical use with all remaining time available on a first come first serve basis. HRM ensures all groups have the appropriate insurance coverage requested by HRSB and provides each group with a signed contract outlining the times, dates, facilities booked and conditions of use. HRM is responsible for the timely collection of all fees and for transferring those collected fees to HRSB on a quarterly basis. All of these services are provided within the HRM framework for providing quality customer service.

HRSB is responsible for the provision of all pertinent school and administration information in order for HRM to effectively provide facility scheduling services on their behalf. This includes ensuring school usage requests are provided within the time lines outlined in the agreement, communicating to its Principals the appropriate scheduling process, providing all available historical data, maintaining and paying its door monitor staff complement, and addressing all issues of restricted access within schools. HRSB is responsible for setting its fees and determining how, when and to whom those fees are to be charged. HRSB has the responsibility of dealing with escalated issues with its users that HRM is unable to resolve, particularly regarding the setting and charging of fees.

DISCUSSION

Uniformity of Rates

Are fees being charged uniformly and without discrepancy?

The application of facility rental rates falls under the responsibility of HRM and is based on the procedural information provided by HRSB. HRM scheduling staff has and continues to follow the procedures for the application of facility rental and usage rates, applying the rates uniformly to groups within the appropriate categories as outlined in Appendix 1. HRSB has the authority to override and adjust the fees charged to individual groups. Should HRSB make any such adjustments they are to provide HRM with the appropriate information to administer the changes. In all procedural discussions held between the two parties, importance was placed on ensuring the process for application of rental and usage rates were uniform in nature and applied equally to all users based on the appropriate category. There have been instances, though infrequent, where HRSB has altered its application of usage rates (mainly door monitoring fees) to individual groups.

The rental and usage rates, as established by HRSB, are being uniformly applied to all groups within their appropriate categories. After conducting the appropriate research with all relevant parties, staff was unable to find any evidence where user groups were being charged rates lower and/or different from those stated in Appendix 1. No group has been “grand fathered” at reduced rates.

Provincial Legislation

What is the potential impact of the new Provincial Legislation?

HRSB has established its rates based on the proposed and anticipated changes. The proposed Provincial amendments to the Nova Scotia Education Act are in place to promote community use of HRSB schools when schools are not in use for educational purposes. The section of the legislation that indicates rental fee exemptions clearly relates to Youth Not-for-profit. Youth organizations are defined as those providing services primarily to youth under 21 years of age. These groups are then exempt from paying actual facility rental rates.

HRSB has established guidelines whereby user groups who wish to qualify for a fee exemption or reduced fee (during non-regular custodial hours) must provide clear evidence of their not-for-profit status and clear evidence that the primary purpose of the organization is to provide services to youth under 21. Further, HRSB has defined Not-For-Profit to mean activities or groups for which profit is not the primary purpose and for greater clarity, includes activities or groups conducted for the purpose of raising funds for educational or community purposes. In the event that clear evidence is not provided, HRM will defer the decision of status to HRSB.

Door Monitors

Explain and clarify the charging of door monitoring fees.

There are 55 schools (see Appendix 2 for a complete listing) within the boundaries of HRSB that currently require a door monitor at any time there is at least one group scheduled to be in the school. HRSB makes the determination as to which schools require door monitors. The rate for a door monitor is \$9.00/hour. Currently, this rate is charged to all groups who are in a school where a door monitor is required. The rationale behind this decision was based on the fact that 97% of the time slots booked in these schools only has one user at any given time which made the application of the fee simplistic and without error. If the fee had been reduced at any time there was more than one booking, there was no clear cut way of determining the rate. Complications increase when a scheduled group cancels their rental causing the other group(s) to be charged an additional amount after the fact. Additionally, administratively this was going to be difficult, time-consuming and cumbersome to manage.

The issues surrounding door monitoring fees have essentially been raised recently due to inconsistent past practices within HRSB. The charging of the door monitor fee is a policy that has been in place within HRSB for the last couple of years. Although this fee was supposed to be levied on all users within the above-mentioned schools in the past, those groups were only charged the facility rental

charges. Youth organizations in 2003/04 were charged \$8.63/hour including HST for a gymnasium, and adults were charged \$34.50/hour. They should have been charged \$17.63/hour and \$43.50 respectively (hourly rental rate plus \$9.00 door monitor). It wasn't until well into this year's scheduling that it became obvious that there were significant inconsistencies in the administration of the door monitoring fee in the past.

Realizing that this begs question why not continue with the past practice, HRSB is no longer able to subsidize the users as in a majority of cases there is no additional revenue stream to offset these costs. In the past, the facility rental fees collected to offset a portion of the cost of operating the facility were actually used to cover a majority of the fees for the door monitors. HRSB has recognized that there have been unanticipated issues raised with respect to the door monitors. Currently, HRSB has this item under operational review. No specific decisions have been made at the time that this report was prepared. Should there be any change in the administration of these rates notification will be provided to all appropriate groups including Council and affected community groups.

Additionally, within the first two weeks of the school year there were a minimal number of occurrences when a group had paid for a door monitor but when they arrived there was no door monitor in evidence. These groups will be reimbursed the charges. The processes have been reviewed and appropriately revised to ensure minimal recurrence throughout the year.

Access

Clarify if scheduled groups are still being refused entry into schools.

Concerns were raised that community groups and community recreation programs who had booked specific hours were refused the use of the facility. As a result of the agreement being finalized at the end of the school year, there were instances within a small number of schools where traditional programs and/or community users were no longer able to access their originally requested times due to school usage. This is an item that has been encountered each and every year as a result of the changes in principals. The agreement provides for the appropriate time frames to ensure that these issues are no longer encountered in the future.

Additionally, there were occurrences in the first two weeks of school facility availability where groups were not permitted access to a school as they were unable to produce the appropriate paperwork to the custodian to demonstrate they in fact had been given permission to use the school. Communication from HRSB did go out to the custodians requesting that groups be given access even if they were unable to show their contract. Since this went against all past practices there were instances where the custodial staff did what they knew to be the regular way to deal with the group and did not permit them entry. This issue has since been resolved. All approved groups are able to show proof of their contract. The only times that a group may encounter denied access will be on days when the school has been closed for issues of safety (including inclement weather, lack of heat, structural issues, etc.). The rule of thumb is that if the school is closed to students and teachers during the educational time, the school will be unavailable to users in the evening.

Payment

What is the policy regarding the timing of payment of fees? Why has it changed?

HRM is responsible for the collection of fees. It is HRM's policy to collect all appropriate fees in advance of use. Not only is this a consistent process for doing business across the organization it is a standard means of doing business in the area of facility scheduling in both the private and other public sectors. This is a change in the way fees are collected from the previous practice of HRSB. The actual impact on the user is minimal as the groups have completed their registrations and collected the fees from the individuals. Almost all groups have been able to comply. Appropriate accommodations can be made for exceptional circumstances.

BUDGET IMPLICATIONS

There are no budget implications for HRM as the responsibility, accountability and authority for facility rental and usage rates fall to HRSB.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

ALTERNATIVES

There are no alternatives to be presented at this time.

ATTACHMENTS

Appendix 1 - 2004/05 HRSB Facility Rental and Usage Rates Table

Appendix 2 - Listing of HRSB Schools Requiring Door Monitors

Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by:

Erin Flaim, Coordinator Performance Measures and Service Delivery

490-5713

Appendix 1

FACILITY RENTAL RATES - DURING REGULAR CUSTODIAN HOURS OF OPERATION (HOURLY PLUS HST)

FACILITY	YOUTH NOT-FOR-PROFIT	YOUTH CORPORATE	ADULT NOT-FOR-PROFIT	ADULT CORPORATE
Classroom	No charge	\$3.75	\$15.00	\$20.00
Specialty Rooms (library, cafeteria, etc.)	No charge	\$7.50	\$20.00	\$30.00
Gymnasium	No charge	\$30.00	\$30.00	\$50.00
Auditorium	No charge	\$100.00	\$100.00	\$150.00

When additional staffing (extra Custodian, Security, Door Monitor) is required, the organization will be charged. Fees for additional staffing apply to ALL rentals, including not-for-profit organizations serving youth.

FACILITY RENTAL RATES - DURING NON-REGULAR CUSTODIAN HOURS OF OPERATION (HOURLY PLUS HST)

Youth Not-for-Profit groups will not be charged a room rental fee, but will be required to pay a minimum of \$40.00 per hour plus HST for staffing costs. All other groups will be required to pay a rental fee based on the area(s) of the building being used (as per above schedule), with a minimum additional charge of \$40.00 per hour plus HST.

All Rentals will also be charged an additional 1.5 hours for opening, closing and cleaning the building. This fee applies to all user groups, including not-for-profit groups serving youth.

Rentals during non-regular custodian hours must be for a minimum of 4 hours. (This minimum will include the additional 1.5 hours)

When additional staffing (extra Custodian or Door Monitor) is required by HRSB, all user groups will be charged. This fee applies to all user groups, including not-for-profit groups serving youth.

Appendix 2

School	School	School
Admiral Westphal	Duncan MacMillan High	Lakeview Elementary
A.J. Smeltzer	Ellenvale Junior High	Leslie Thomas
Ash Lee Jefferson	Elizabeth Sutherland	Millwood Elementary
Astral Drive Elementary	Eric Graves Junior High	Michael Wallace
Beaverbank-Monarch	Gaetz Brook Junior High	Nelson Whynder
Bedford Junior	George Bisset Elementary	O'Connell Elementary
Bell Park Academic Centre	Gorsebrook Junior High	Prince Arthur Junior High
Bicentennial Junior High	George P. Vanier	Rockingham
Beechville Lakeside Timberlea P-2	Grosvenor Wentworth	Ross Road Elementary
Beechville Lakeside Timberlea 3-5	Harbourview	Sackville Heights Elementary
Brookside	Hammonds Plains	Shannon Park Elementary
Burton Ettinger	Hawthorne Elementary	Shatford Memorial
Caldwell Road Elementary	Holland Road	Sir Charles Tupper
Caledonia Junior High	Ian Forsyth Elementary	Sir Robert Borden
Chebucto Heights	Inglis Street	Springvale
Cavalier	John Martin Junior High	St. Agnes Junior High
Colonel John Stewart	John W. MacLeod	St. Stephen's
Cunard Junior High	Joseph Giles Elementary	Tantallon
Tantallon Junior		