

POLICY

SUBJECT: Sale and Disposal of School District Property

Sale of School Property

School personal property that is no longer needed for District purposes may be sold upon recommendation of the Superintendent and the approval of the Board. Such sale should be on a bid basis or at public auction when practical, but may also be sold without competitive bidding at a public sale provided that the price received is adequate consideration in light of the item's fair market value. Any surplus items that cannot be sold may be discarded, destroyed or donated to a not-for-profit corporation. Before the disposal of District surplus items, principals will be asked if they have use for the item.

Surplus personal property may not be given away to private individuals and no Board member, or District officer may purchase District equipment.

Sale of Real Property

The Board may, by resolution, sell real property that is not needed by the District. No referendum shall be required unless a petition containing the signatures of at least ten percent of the qualified voters of the District is filed with the Clerk of the Board within thirty days of the resolution requiring that the question as to the sale of the real property be submitted to the qualified voters. In that event, a vote shall be conducted at an Annual or Special District meeting and the resolution to sell real property shall become effective if approved by the vote of a majority of the qualified voters voting at said District meeting.

Disposition of Obsolete Textbooks

Textbooks may lose their value to the educational program because of changes in the curriculum or because they contain outdated material and/or are in poor condition. The District is authorized to dispose of outdated and obsolete textbooks, and textbooks that have been badly damaged or in other ways made unusable. The alternative procedures for disposal of such textbooks shall be in the following order of preference:

- a) Sale of textbooks. If reasonable attempts to dispose of surplus textbooks fail to produce monetary return to the School District; then
- b) Donation to charitable organizations; or
- c) Disposal as trash.

POLICY

2014

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Non-Instructional/Business Operations

SUBJECT: Sale and Disposal of School District Property (Cont'd)

Proceeds of the Sale

Proceeds of such sales are to be deposited in the appropriate general fund account, and will not be considered as belonging to any particular school. Proceeds of school lunch equipment, purchase with school lunch funds, are to be deposited in the school lunch fund. In the Board's discretion, net proceeds from the sale of District real property may be used to reduce real property taxes in accordance with the provisions of Education Law §1709(37).

Record Keeping Requirements

All District records relative to the property disposal are to be retained in accordance with State Department of Education records retention schedule.

Education Law Sections 1604(4) and (30) and (36), 1709(9) and (11)
General Municipal Law Sections 51 and 800 et seq.
Comptrollers Opinions 58-120, 60-662 and 82-232
Commissioner's decision: Matter of Baker, 14 Ed. Dept.
Rep. 5 (1975)

Adopted: 08/07/95

Revised: 01/05/15