

**FINANCE AND ADMINISTRATIVE SERVICES**

**AP 6550 DISPOSAL OF DISTRICT PROPERTY**

**References:**

Education Code Section 70902(b) (6), 81360 et seq., and 81450 et seq.

**Definitions**

District personal property is any asset other than land or buildings that belongs to the District. Personal property includes both tangible assets (e.g., vehicles, office and classroom furniture and equipment, etc.) and intangible assets (e.g., securities, copyrights, etc.). District real property is land or buildings owned by the District.

**District Personal Property**

The Superintendent/President shall delegate the authority and the supervision of disposal of District personal property to the Vice President for Finance and Administrative Services.

The District may sell for cash any District personal property if the property is not required for District purposes, or if it should be disposed of for the purpose of replacement, or if it is unsatisfactory or not suitable for use.

Property cannot be sold until notice has been given. Notice must be posted in at least three public places in the district for not less than two weeks; notice can also be accomplished by a widely utilized digital or print ad for at least once a week for a period of not less than two weeks.

The Vice President for Finance and Administrative Services or designee shall sell the property to the highest responsible bidder, or shall reject all bids.

Personal property authorized for sale as surplus may also be disposed of by means of a public auction conducted by employees of the District, or by other public agencies, or by contract with a private auction firm. The personal property shall be sold or transferred to the highest responsible bidder upon completion of the auction.

The District can also exchange for value, sell for cash, or donate any personal property belonging to the District without complying with the preceding procedures if all of the following criteria are met:

The District determines that the property is not required for District purposes, that it should be disposed of for the purpose of replacement, or that it is unsatisfactory or not suitable for school use

- The property is exchanged with, or sold or donated to, a school district, community college district, or other public entity that has had an opportunity to examine the property proposed to be exchanged, sold, or donated
- The receipt of the property by a school district or community college district will not be inconsistent with any applicable district wide or school site technology plan of the recipient district

**District Real Property**

The Governing Board may sell or lease real property belonging to the District under the following conditions:

- If the District has received only one sealed proposal from a responsible bidder that conforms with the standard rate or rates for the lease of its real property established by a majority vote of the Governing Board. The Board may by majority vote delegate to an officer or employee the power to enter into leases, for and in behalf of the District, of any real property of the District.
- Generally, the funds derived from the sale or from a lease with an option to purchase shall be used for capital outlay or deferred maintenance. However, the proceeds of property sold or leased that was first offered for park or recreational purposes where applicable and then offered for sale or lease with an option to purchase at fair market value may be deposited in the general fund of the District if, prior to the sale or lease, the Governing Board has determined that the district has no anticipated need for additional sites or building construction for the five-year period following the sale or lease.

Office of Primary Responsibility: Finance and Administrative Services