Administrative Procedure
Chapter 6 – Business & Fiscal Affairs

AP 6550   DISPOSAL OF PROPERTY

References:
> Education Code Sections 70902 subdivision (b)(6), 81360 et seq., and 81450 et seq.

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 by publication for at least once a week for a period of not less than two weeks in a newspaper published in the district and having a general circulation. If there is no such newspaper, then notice can be published in a newspaper having a general circulation in the District; or if there is no such newspaper, then in a newspaper having a general circulation in the county in which the District or any part thereof is situated.

The Vice President, Business Services 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 and after payment has been received by the District.

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:

> (a) 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.
> (b) 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.
> (c) 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.

If the Board of Trustees, by a unanimous vote of those members present, finds that the property, whether one or more items, does not exceed in value the sum of $5,000, the property may be sold by Vice President, Business Services at private sale without advertising.

Any item or items of property having previously been offered for sale as provided in Education Code Section 81450, but for which no qualified bid was received, may be sold by Vice President, Business Services at private sale without advertising.

In addition, the Board of Trustees 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 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 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.

Also see BP 6550 Disposal of Property.

Approved: July 20, 2022

(This is a new procedure)