

Business and Noninstructional Operations

SALE AND DISPOSAL OF BOOKS, EQUIPMENT AND SUPPLIES (PERSONAL PROPERTY)

The Governing Board recognizes that the district may own personal property which is unusable, obsolete, or no longer needed by the district. The Superintendent or designee shall arrange for the sale or disposal of district personal property in accordance with Board policy and the requirements of state law.

The Superintendent or designee shall identify to the Board all items not needed by the district, together with their estimated value and a recommended disposition.

Instructional materials may be considered obsolete or unusable when they:

1. Contain information rendered inaccurate or incomplete by new discoveries or technologies.
2. Have been replaced by more recent versions or editions of the same material, and they are of no foreseeable value in other instructional areas.
3. Contain demeaning, stereotyping or patronizing references to either sex, to members of racial, ethnic, religious, vocational or cultural groups, or to persons with physical or mental handicaps.
4. Have been inspected and discovered to be damaged beyond use or repair.

The Board may dispose of district property by any of the following methods:

1. The Board may advertise for bids and either sell the property to the highest responsible bidder or reject all bids. Timely notice for bids shall be posted or published as specified in Education Code 39520. Property for which no qualified bid has been received may be sold, without further advertising, by the Superintendent or designee. (Education Code 39521)
2. The Board may authorize the sale of the property by public auction. (Education Code 39520)
3. Without advertisement for bids, the Board may sell or lease the property to agencies of federal, state or local government, to any other school district, or to any agency eligible under the federal surplus property law (40 U.S.C., Section 484(j)(3)). In such cases, the sale price shall equal the cost of the property plus estimated cost of purchasing, storing, and handling. (Education Code 39510)

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4. If Board members attending the meeting unanimously agree that the property is worth no more than \$2,500, the Board may designate any district employee to sell the property without advertising. (Education Code 39521(a))
5. If Board members attending the meeting unanimously find that the value of the property is insufficient to defray the costs of arranging a sale, the property may be donated to a charitable organization deemed appropriate by the Board or may be disposed of by dumping. (Education Code 39521)
6. Surplus or undistributed obsolete instructional materials may be donated or sold at a nominal price to organizations or individuals who will use them for educational purposes, as specified in Education Code 60510.
7. Surplus or undistributed obsolete instructional materials which are unusable or which cannot be distributed as specified in item 6 above may be:
 - a. Mutilated so as not to be salable and sold for scrap at the highest obtainable price, or
 - b. Destroyed by any economical means at least 30 days after the Board has given notice to all persons who have requested such notice. (Education Code 60530)

(cf. 9323.2 - Actions by Board)

Money received from the sale of personal property shall be, at the Board's discretion, either deposited in the district reserve or general fund or credited to the fund from which the original purchase was made. (Education Code 39522)

(cf. 6161 - Equipment, Books, Materials)

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Legal Reference:

EDUCATION CODE

39510-39512 Sale or lease of personal property by one district to another (or certain other agencies)

39520-39529 Sale of personal property

60413 Sales to pupils; disposition of proceeds

60420 Disposal of old textbooks

60500 Determination of obsolescence

60510-60513 Donation or sale

60520-60521 Disposition of sale proceeds

60530 (Methods of) destruction

GOVERNMENT CODE

25505 District property; disposition; proceeds