

Business and Noninstructional Operations

**SALE, LEASE, RENTAL OF DISTRICT-OWNED REAL PROPERTY**

Because a closed school or unused facility is a district resource, the Governing Board shall dispose of any such property when it is apparent the district will have no further use for it. If the property will not be needed until some future time, the Board may lease the property to a governmental or private agency or individual.

(Education Codes 39333, 39360 et seq.)

Any lease or sale made by the Board will conform in all particulars to the provisions of law.

Before selling, leasing or renting any excess real property or deciding to close a school, the Board shall appoint a district advisory committee to secure community involvement and to assist in making the best possible judgment regarding every situation involving surplus space or property. (Education Code 39296)

The committee shall:

1. Review projected school enrollment and other data to determine the amount of surplus space and real property.
2. Establish and circulate throughout the attendance area a priority list for use of surplus space and real property that will be acceptable to the community.
3. Hold hearings, with community input, on acceptable uses of space and real property, including the sale or lease of surplus real property for child care development purposes.
4. Make a final determination of limits of tolerance of use of space and real property.
5. Send the Board its recommendations regarding uses of surplus space and real property. (Education Code 39298)

*(cf. 1330 - Use of School Facilities)*

Legal Reference: (See next page)

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**SALE, LEASE, RENTAL OF DISTRICT-OWNED REAL PROPERTY (continued)**

Legal Reference:

EDUCATION CODE

- 8469.5 Use of school facilities or grounds for school age child care
- 17722 Approval of new facilities
- 39290 Conveyances to and from school districts
- 39295-39299 Advisory committees for use of excess school facilities
- 39305 Right of district to lease property under lease providing for construction of building
- 39333 Lease of surplus district property
- 39360-39383 Sale or lease of real property
- 39470-39478 Joint use of district facilities
- 40043 Groups which may use school facilities without charge; charges for use by other groups