

DISPOSITION OF SCHOOL PROPERTY

Date Approved: 11/17/2004

Policy Number: 8775

Rescinds Policy Number: DO-R, DO

Issued: 6/10/1985

I. Disposition of Real Property

When the Board finds that any building, site, or other real property owned or held by the Board is no longer suitable or necessary for public school purposes, the Board will offer the Board of County Commissioners the first option to obtain the property at a fair market price. If the Board of County Commissioners does not choose to obtain the property, the Board may dispose of the property as provided by law. Sales or exchanges of real property must be made by the Board of Education.

II. Disposition of Personal Property

Personal property may be disposed of by the school system in accordance with state law and regulation. The Superintendent shall develop procedures to provide for disposition of personal property in compliance with state law.

Each year in conjunction with the annual inventory of fixed assets, if not on a more frequent basis, each school's principal and each department head shall determine what personal property, if any, is no longer needed by that school or that department for public school purposes. Surplus property thus identified shall be reported to the Central Office Purchasing Division. Under no circumstances shall any employee of Orange County Schools dispose of any personal property without first contacting the Purchasing Division for instructions on how to dispose of the item.

The Superintendent is authorized to dispose of any item or groups of items having a value of less than five hundred dollars (\$500) by declaring the items to be surplus, setting their fair market value, and disposing of these items either by public auction or private sale or by exchange. The Superintendent may, but need not, advertise a public notice of such items to be sold.

Under no circumstances shall any surplus property be sold to an employee or member of an employee's household at a private sale. Nothing shall prohibit an employee or member of an employee's family from purchasing surplus property at a public action. The Superintendent is also authorized to declare any surplus property as "*junk property*" if it meets all the following requirements:

- A. The property is unusable;
- B. Repairing the property would not make good business sense; and
- C. The property cannot be sold.

The Superintendent shall make a semi-annual written report of all "*junked*" property at the same time the other required reports on property disposition are made to the Board of Education.

III. Granting Easements

In addition to the above, the Board is authorized and empowered by law, in its sound discretion, to grant easements to any public utility, municipality or quasi-municipal corporations to furnish utility services, with or without compensation except the benefits accruing by virtue of the location of said public utility, and to dedicate portions of any lands owned by the Board as rights-of-way for public streets, roads, or sidewalks, with or without compensation except the benefits accruing by virtue of the location or improvement of such public streets, roads or sidewalks.

Legal Reference: G.S. 115C-518; G.S. 160A, Art. 12