

Sale and Disposal of Books, Equipment and Supplies**A. Purpose and Scope**

The purpose of the regulation is to identify the means by which the district can dispose of property that is obsolete, salvage, scrap, rubbish, damaged beyond economic repair, equipment about to be replaced, defective, surplus or technologically inadequate.

B. General

This will help the district maintain a safe, uncluttered work environment while increasing satisfaction of all who use our facilities.

A primary concern for our district is the ability to liquidate said items without further exposure to liability from parties who receive these items. As such, the district will look to sources that assume responsibility and provide warranties for these items as they pass through their possession.

In the event that an item is deemed useful and/or in good condition, but is no longer useful to the district, when district is unable to ensure that it is safe to be used, the district shall declare it scrap and process the item through the surplus procedure.

C. Forms Used and Additional References

1. Board Agenda Item as necessary.

D. Procedure

The Governing Board may dispose of personal property belonging to the district by any of the following methods:

1. If the Board members attending a 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 17546)
2. The Board may advertise for bids and either sells the property to the highest responsible bidder or reject all bids. (Education Code 17545)

Notice for bids shall be posted in at least three public places in the district for at least two weeks or published at least once a week for at least two weeks in a newspaper having a general circulation in the district and, if possible, published within the district. (Education Code 17545)

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Property for which no qualified bid has been received may be sold, without further advertising, by the Superintendent or designee. (Education Code 17546)

3. While authorized by the education code to authorize the sale of the property by means of a public auction conducted by district employees, employees of other public agencies, or by contract with a private auction firm, the district has been advised to limit liability by selling property only to purchasers qualified to certify the equipment or material safe for use. Notice related to the auction shall be posted or published as described in item #2 above. (Education Code 17545)
4. Without advertising for bids, the Board may sell 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 USC 484(j)(3)) qualified to certify the equipment or material is safe for use. In such cases, the sale price shall equal the cost of the property plus estimated cost of purchasing, storing and handling. (Education Code 17540)
5. Without advertising for bids, the Board may sell or lease the property to agencies of federal, state or local government or to any other school district qualified to certify the equipment or material is safe for use. In such cases, the price and terms of the sale or lease shall be fixed by the Board and approved by the County Superintendent of Schools. (Education Code 17542)
6. If the Board members attending a 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 and qualified to certify the equipment or material is safe for use or may be disposed of by dumping. (Education Code 17546)

Money received from the sale of surplus property shall be either deposited in the district reserve or general fund or credited to the fund from which the original purchase was made. (Education Code 17547)

Instructional Materials

Disposal of obsolete instructional materials shall be conducted in accordance with Board Policy 6161.

- E. Reports Required**
None.

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- F. Record Retention**
All receipts are retained in the Financial Services Department

- G. Responsible Administrative Unit**
Business Services

- H. Approved By**
Assistant Superintendent for Business Services

Regulation Adopted: 6/13/06

Revised: May 22, 2018