

## School Properties Disposition - Regulation

Disposition of District personal property (not including real property or waste materials) which is obsolete, surplus and/or of no further value to the District shall not require board approval.

The superintendent or designee shall determine whether District personal property (not including real property or waste materials) is obsolete, surplus and/or of no further value to the District. The re-use, re-purposing, relocation and/or reassignment of personal property within the District is encouraged and shall be attempted wherever practical.

District personal property (not including real property or waste materials) which is obsolete, surplus and/or of no further value to the district may be disposed of upon the approval of the superintendent or designee in any of the following manners deemed most advantageous to the District in the sole discretion of the superintendent or designee:

1. Re-use, re-purposing, relocation and/or reassignment within the District;
2. Sale which strives to maximize return to the District (including sealed bid, quotes, auction, or fair market value offer);
3. Rental or lease which strives to maximize return to the District;
4. Trade as part of the acquisition of similar personal property;
5. Donation to a charitable or governmental organization;
6. Destruction by burning, burial, throwing away or by similar means in accordance with applicable laws and regulations; or
7. Any other manner deemed most advantageous to the District in the sole discretion of the superintendent or designee.

District personnel and officials are prohibited from purchasing/acquiring/leasing such surplus personal property except in accordance with applicable conflict of interest policies, laws and regulations.

The superintendent's designee shall update the District's current fixed assets inventory in the event any District personal property which is obsolete, surplus and/or of no further value to the District is disposed, relocated or reassigned in accordance with this Policy.

Personal property which was purchased with grant funds should be retained in the program that it was originally intended for during its useful life or in another grant program if needed prior to offering to other District programs or disposing of the same.

### **Real Property including vacant land, buildings, mineral interests, water rights**

Disposition of District Real Property including vacant land, buildings, mineral interests, water rights shall require board approval.

In order to dispose of/sell District Real Property including vacant land, buildings, mineral interests, water rights, the board shall: (1) make a determination that the real property to be disposed of/sold is not needed within the foreseeable future for any purpose authorized by law, and (2) approve the terms and conditions of sale/disposal.

The determination that real property is surplus shall be made by the board in the form of a duly-approved motion or resolution that the real property to be disposed of/sold is not needed within the foreseeable future for any purpose authorized by law. After the board has made the required determination, such

surplus real property may be sold or conveyed by the board upon such terms and conditions as it may approve.

No finding that the property may not be needed within the foreseeable future shall be necessary if the property is sold or conveyed by the Board of Education to a state agency, political subdivision, municipality or quasi- municipal corporation.

The board will make the final determination on offers for purchase of real property.

The district's attorney will prepare all legal documentation and review the legal aspects of the sale of the surplus real property.

If lands, buildings, or lands and buildings are sold by the District, the proceeds, less the costs, of such sale shall be deposited in and expended from either the bond redemption fund or the capital reserve fund, or both such funds of the school district, as determined by the board of education in accordance with applicable law.

District personnel and officials are prohibited from purchasing/acquiring/leasing such surplus real property except in accordance with applicable conflict of interest policies, laws and regulations.

Adopted: November 9, 2022

POLICY REFERENCE:  
DN School Properties Disposal

GBEA Staff Conflict of Interest

Legal  
Colorado Revised Statutes 22-32-110(l)(e) Colorado Revised Statutes 24-18-202 Colorado Revised Statutes 22-45-112

Garfield School District No. Re-2