

GOVERNANCE POLICIES OF THE MILWAUKEE BOARD OF SCHOOL DIRECTORS

BG 4.08 LEASE AGREEMENTS

- (1) The Superintendent shall:
 - (a) refrain from engaging in any activities involving the rental of facilities until all available space in the District's existing facilities has been examined and a determination has been made that current operations require an expansion of facilities;
 - (b) bring to the Board, for approval, any lease agreement that has an annual rental cost in excess of \$50,000 or a term exceeding three years; and
 - (c) enter into lease agreements in conformance with the District's Code of Ethics policy.
- (2) Information reported to the Board for consideration of leases shall include the:
 - (a) rationale for entering into the lease when the rent exceeds comparable facilities rents by 5% or more. Comparable rents shall be determined by the average rental cost for at least five comparable rental properties in the same area;
 - (b) lessor's name and rationale for any transaction in which the appearance of an arm's-length transaction or a transaction free of influence or biases, conflict of interest, or outside pressures may be questionable; and
 - (c) cost and rationale for any building modification(s) that the lease agreement requires the District to pay.

History: Adopted 4-25-96; Revised 10-29-15; Reaffirmed 11-18-21
Legal Ref.: W.S.19.46 (1)(a); 119.04(1); 119.16(3), (3m), (4), (10); 119.60, 119.66; 120.13(3); 120.25
Cross Ref.: Admin. Policy 3.09 Purchasing and Bidding Requirements
5.01 Facilities
6.04 Employee Code of Ethics
6.05 Code of Ethics
Admin. Proc. 5.01(3) Rentals and Services (Leases)

Monitoring: An informational report to the Board that reports all leasing activities of the prior year. In addition to the information specified above, the report shall list the owner(s) of the property, the space footage leased, the cost to MPS to operate and improve the building and site, and the date on which the Board approved the lease agreement, where applicable.

Frequency: Annually in July

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