

**HEBER ELEMENTARY SCHOOL DISTRICT**

**Board Policy No. 3000: DISPOSAL OF INSTRUCTIONAL MATERIALS AND PERSONAL PROPERTY**

- A. Disposal of Obsolete Instructional Materials
1. If the Board determines pursuant to the standards set forth in Board Policy 6016 that specific instructional material is obsolete and unusable for educational purposes, the Superintendent may dispose of such material in accordance with the procedures in subparagraph 2 and paragraphs C through F below.
  2. With the approval of the County Superintendent of Schools, the Superintendent may dispose of surplus instructional materials or undistributed obsolete instructional materials that are usable for educational purposes in either of the following ways:
    - a. By donation to any governing board, county free library, or other state institution;
    - b. By donation to any public agency or institution of any territory or possession of the United States or the government of any county that formerly was a territory or possession of the United States;
    - c. By donation to any nonprofit charitable organization;
    - d. By donation to children or adults in the State of California or foreign countries for the purpose of increasing the general literacy of the people;
    - e. By sale to any organization.
- C. Prior to the disposition of any instructional materials, the Governing Board may do both of the following;
1. No later than sixty (60) days prior to the disposition, notify the public of its intention to dispose of those materials through a public service announcement on a television station in Imperial County, a public notice in a newspaper of general circulation published in the County, or any other means that the Board determines to reach most effectively the entities described in paragraph A above;
  2. Permit representatives of the entities described in paragraph A above and members of the public to address the Board regarding the disposition.
- D. Any organization, agency, or institution receiving obsolete instructional materials must

certify to the Board that it agrees to make no charge of any kind to the persons to whom the organization gives or lends such materials.

- E. The Superintendent, with the approval of the County Superintendent of Schools, may dispose of unusable surplus or undistributed obsolete instructional materials or materials which are usable but cannot be distributed pursuant to paragraph A because the materials are mutilated so as not to be salable as instructional materials in any of the following ways:
1. Sell the instructional materials and for scrap or for use in the manufacture of paper pulp or other substances at the highest price that can be obtained;
  2. Destroy the materials by any economical means provided that no instructional material shall be destroyed until thirty (30) days after the Board has given notice to all persons who have filed a request for such notice.
- F. Sale Of Other Personal Property Or School Supplies
1. The Governing Board may sell any District school property or school supplies to the federal government or its agencies, to the state, any county, city and county, city or special district, or to any other school district or to any agency eligible under the federal surplus property law (40 U.S.C. section 484(j)(3)). The governing board of another school district may purchase the property for an amount equal to the cost plus the estimated costs of storing and handling the property without advertisement for or receipt of bids. The Governing Board may also purchase any personal property or school supplies for the purpose of selling them pursuant to this paragraph, except that it may not purchase standard school supplies and equipment for the purpose of resale.
  2. The Governing Board may sell or lease used personal property to the federal government or its agencies, to the state, to any county, city and county, city or special district, or to any other school district on terms fixed by the governing boards of the districts and approved by the County Superintendent of Schools without advertisement for or receipt of bids.
  3. The Governing Board may sell for cash any personal property if the property is not required for school purposes, or if it should be disposed of for the purpose of replacement, or if it is unsatisfactory or not suitable for school use. There shall be no sale until notice has been given by posting in three public places in the District for not less than two weeks, or by publication for at least once a week for a period of not less than two weeks in a newspaper of general circulation in the District or, if none, then in a newspaper having a general circulation in the County. The Board shall sell the property to the highest bidder, or shall reject all bids. The board may also choose to conduct the sale by means of a public auction conducted by District employees or other public agencies, or by contract with a private auction firm. The Board delegates to the Superintendent the authority to transfer

the personal property to the highest responsible bidder upon completion of the auction after payment is received by the District.

4. If the Board, by a unanimous vote of those members present, finds that the property, whether one or more items, does not exceed in value the sum of two thousand five hundred dollars (\$2,500), it may be sold at private sale without advertising by the Superintendent. Any item having previously been offered for sale pursuant to paragraph F.3 above, but for which no qualified bid was received, may also be sold at private sale without advertising by the Superintendent. If the Board finds that the property is of insufficient value to defray the costs of arranging a sale, the property may be donated to a charitable organization deemed appropriate by the Board, or it may be disposed of in the local public dump by the Superintendent.
5. Money received from the sale of personal property shall be placed to the credit of the fund from which the original expenditure for the purchase of the property was made or in the general or reserve fund of the District.
6. The Board may also dispose of personal property belonging to the District for the purpose of replacement by providing in the notice calling for bids for furnishing new materials, articles or supplies that each bidder shall agree in his or her bid to purchase the property being replaced and to remove it from the school grounds. The bidder shall state in the bid the amount which he or she will deduct from the price bid for furnishing new materials, articles or supplies as the purchase price for the personal property being purchased from the District. The Board shall let the contract to any responsible bidder whose net bid is the lowest, or shall reject all bids.
7. The Board may enter into contracts with manufacturers or suppliers for the exchange of household appliances and equipment belonging to the District and used for instructional purposes for new property of like class and kind for a similar use without advertising for or taking bids. The cost to the District for the exchange shall not exceed the cost to the District of the property being disposed of by the District plus any applicable tax.
8. The Board also authorizes the Superintendent to sell to any pupil personal property of the District which has been fabricated by the pupil, at the cost to the District of the materials furnished by the District and used therein.
9. Notwithstanding any other provision of this paragraph, the Board may sell or lease any personal property belonging to the District to any private educational institution for use in any summer school which the institution offers in a facility of the District used under a lease or agreement entered into by the Board.

Legal Reference:

Education Code sections 17540, 17542, 17545, 17546, 17547, 17548, 17549, 17551, 17555, 60500, 60501, 60510, 60510.5 and 60511

Date Policy Adopted By The Board: October 9, 2003

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