

DISPOSAL OF SURPLUS SCHOOL PROPERTY

Certain school-owned equipment, furniture, and other personal property may be declared surplus by the Marietta Board of Education and disposed of by public sale or discarded if determined to be of no value.

Computers declared as surplus property may contain such information as social security numbers, staff/student identification numbers, credit card numbers, bank account numbers, passwords, medical records, photographs, addresses, telephone numbers, student records, and other information that should not be released to the public. The district has an obligation to ensure that all school information has been deleted from surplus computers' files **and** hardware. Specialized software will be used to ensure the complete deletion of information from surplus computers prior to their sale or disposal.

Surplus personal property that has a saleable value shall be sold by Marietta Public School. As the Oklahoma Constitution clearly prohibits gifts with public funds, the school district must receive reasonable compensation in exchange for any surplus personal property. School board members and relatives of school board members within the second degree are prohibited from purchasing property from the school.

If the decision is made to dispose of real or personal property that is leased at the time the decision is made, the lessee shall have a right of first refusal to purchase the property on the following terms and conditions:

1. If the board of education receives a bid or offer in a public sale, private bid, or private sale for any real or personal property that it desires to accept, notice shall be provided to the lessee. The notice shall include the identity of the prospective purchaser, the terms and conditions of the proposed sale, and the purchase price to be paid by the prospective purchaser.
2. The lessee shall have thirty (30) days after receipt of the notice to inform the board of education that it elects to purchase the property on the same terms and conditions set forth in the notice. The board of education will then convey the property to the lessee on all the same terms and conditions. If any portion of the consideration included in the purchase price set forth in the notice is not in cash, then the lessee shall be entitled to pay the fair market value in cash of such noncash consideration.

**REFERENCE: 70 O.S. §5-117(A)(11)
Oklahoma Constitution, Article 10, Section 15**