

## **SALE AND DISPOSAL OF BOOKS, EQUIPMENT AND SUPPLIES**

### **Instructional Materials**

The District may sell surplus or undistributed obsolete instructional materials that are usable for educational purposes. Alternatively, such materials may be donated to: (Education Code 60510)

1. Another District, county free library, or other state institution
2. A United States public agency or institution
3. A nonprofit charitable organization
4. Children or adults in California or foreign countries for the purpose of increasing the general literacy of the people

(cf. 0440 - District Technology Plan)

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

(cf. 6161.11 - Supplementary Instructional Materials)

(cf. 6163.1 - Library Media Centers)

Any organization, agency, or institution receiving obsolete instructional materials donated by the District shall certify to the Governing Board that it agrees to make no charge to any persons to whom it gives or lends these materials. (Education Code 60511)

At least 60 days before selling or donating surplus or obsolete instructional materials, the Superintendent or designee shall notify the public of the District's intention to do so through a public service announcement on a local television station, in a local newspaper, or by another means he/she believes will most effectively reach the entities described above. The Board shall also permit representatives of these entities and members of the public to address the Board regarding the distribution of these materials.

(cf. [9323](#) - Meeting Conduct)

Surplus or undistributed obsolete instructional materials which are unusable or which cannot be distributed as specified above may be disposed of by either of the following: (Education Code [60530](#))

1. Mutilated so as not to be salable and sold for scrap at the highest obtainable price
2. Destroyed by any economical means, provided that the materials are not destroyed until at least 30 days after the District has given notice to all persons who have filed a request for such notice

(cf. [3510](#) - Green School Operations)

(cf. [3511.1](#) - Integrated Waste Management)

## **SALE AND DISPOSAL OF BOOKS, EQUIPMENT AND SUPPLIES**

### **Equipment/Supplies Acquired with Federal Funds**

When the District has a need to replace equipment originally purchased with funds from a federal grant or subgrant, it may, subject to the approval of the agency that awarded the grant, trade in the original equipment or sell the property and use the proceeds to offset the cost of the replacement property. (34 CFR 80.32)

When any original or replacement equipment or supplies acquired under a federal grant or subgrant are no longer needed for the original project or program or for other federally supported activities, the District may retain or sell such items or, if the item has a current fair market value of less than \$5,000, may otherwise dispose of the item in a manner approved by the Board. Whenever the District sells equipment or supplies that have a current fair market value of \$5,000 or more, it shall provide an amount to the federal agency equal to the agency's share of the current market value of the equipment or the proceeds from the sale of the equipment or supplies. (34 CFR 80.32-80.33)

In the event that the District is provided equipment that is federally owned, the District shall request disposition instructions from the federal agency when it no longer needs the equipment. (34 CFR 80.32)

### **Other Personal Property**

The District may sell surplus or obsolete District-owned personal property through any of the following methods:

1. The Superintendent or designee may advertise for bids by posting a notice in at least three public places in the District for at least two weeks, or by publishing a notice at least once a week for at least two weeks in a newspaper having a general circulation in the District and, if possible, publishing within the District. The District shall sell the property to the highest responsible bidder or shall reject all bids. (Education Code [17545](#))

The Superintendent or designee may sell property for which no qualified bid has been received, without further advertising. (Education Code [17546](#))

(cf. [3311](#) - Bids)

2. The property may be sold by means of a public auction conducted by District employees, employees of other public agencies, or by contract with a private auction firm. Notice related to the auction shall be posted or published as described in item #1 above. (Education Code [17545](#))

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3. The District may sell the property without advertising for bids under any of the following conditions:
  - a. The Board of Trustees members attending a meeting unanimously agree that the property, whether one or more items, does not exceed \$2,500 in value. (Education Code [17546](#))  
  
(cf. [9323.2](#) - Actions by the Board)
  - b. The District sells 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 renumbered 40 USC 549) and the sale price equals the cost of the property plus the estimated cost of purchasing, storing, and handling. (Education Code [17540](#))
  - c. The District sells or leases the property to agencies of the federal, state, or local government or to any other school District and the price and terms of the sale or lease are fixed by the Board and approved by the County Superintendent of Schools. (Education Code [17542](#))

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](#))

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