

**SCHOOL FACILITIES**

**9100**

Acquisition, Use and Disposal of School Property

Acquisition of Property

Real Property - Within one (1) year prior to acquiring or disposing of real property, the District will cause such property to be appraised by an appraiser certified in the State of Idaho. The appraised value will be used to establish the fair market value of the property. The appraisal shall be exempt from disclosure to the public. If the Board is purchasing a site for educational purposes, such building site must be located within the boundaries of the city limits, unless, by resolution of the Board, it is determined that it would be in the best interest of the District to acquire a site outside city limits, but within the boundaries of the District.

Personal Property – The District may purchase personal property as deemed necessary for the effective operation of the District by any means deemed appropriate when the expenditure of funds will be less than twenty-five thousand dollars (\$25,000). When the purchase of personal property (with the exception of curricular materials) is reasonably expected to cost twenty-five thousand dollars (\$25,000) or more, the District shall comply with the statutory bidding requirements found in Chapter 28, Title 67 of the Idaho Code.

Conveyance of Property

Less than \$500 – For property that has an estimated value of less than five hundred dollars (\$500), the property may be disposed of in the most cost-effective and expedient manner by an employee empowered by the District to do so. However, the employee shall notify the Board in writing of the item(s) to be disposed of and the manner in which they will be disposed prior to disposal of the property.

Less than \$1,000 - For property that has an estimated value of less than one thousand dollars (\$1,000), the Board may dispose of such property by sealed bid or by public auction. However, prior to disposal of the same at least one (1) published advertisement is required.

\$1,000 or greater – For property with a value of one thousand dollars (\$1,000) or greater, such property will be appraised. The Board may dispose of such property by sealed bids or by public auction to the highest bidder. Notice of the time and method of sale shall be published twice in accordance with I.C. § 33-402(g). Proof of posting as required in I.C. 33-402(h) must be acquired before the sale. Such property may be sold for cash or upon such terms and conditions as the Board determines, however, the term of the contract may not to exceed ten (10) years and must bear an annual interest rate of not less than seven percent (7%) interest. Title to property sold on contract shall remain in the District until full payment is received.

**Equipment Acquired Under a Federal Award:** When it is determined that original or replacement equipment, as defined in Policy 7270, acquired under a federal award is no longer needed for the original project or program or for other activities currently or previously supported by a federal awarding agency, the Superintendent or Business Manager will contact the awarding agency (or pass-through for a state-administered grant) for disposition instructions.

Generally, disposition of equipment is dependent on its fair market value (FMV) at the time of disposition. If the item has a current FMV of \$5,000 or less, it may be retained, sold, or otherwise disposed of with no further obligation to the federal awarding agency. If the item has a current FMV of more than \$5,000, the federal awarding agency is entitled to the federal share of the current market value or sales proceeds.

If acquiring replacement equipment, the District may use the equipment to be replaced as a tradein or sell the property and use the proceeds to offset the cost of the replacement property. The District will use whatever means available to ensure the highest possible return on any items sold.

According to 2 CFR §200.439 (2), Capital expenditures for special purpose equipment are allowable as direct costs, provided that items with a unit cost of \$5,000 or more have the prior written approval of the Federal awarding agency or pass-through entity. Therefore, the District should request prior approval from the State Department of Education for the purchase or the disposition of equipment with value of \$5,000 or more.

#### Donated Property

If property is donated to the District, the Board may sell the property without advertising or bidding within one (1) year of the time the initial appraisal was conducted.

#### Exchange of Property

The Board may exchange real or personal property for other property provided that:

1. such property is appraised;
2. one-half (1/2) plus one (1) of the members of the **FULL** Board determine such conveyance/exchange is in the best interest of the District;
3. and a resolution is passed authorizing such exchange of real and/or personal property to any of the following:
  1. U.S. Government;
  2. City;
  3. County;
  4. State of Idaho;
  5. Hospital District;
  6. School District;
  7. Public Charter School;
  8. Idaho Housing and Finance Association;
  9. Library District;
  10. Community College District;

11. Junior College District; or
12. Recreation District.

Legal Reference: I.C. § 33-402 Notice Requirements  
I.C. § 33-601 Real and personal property – Acquisition, use or disposal of same.  
I.C. § 67-2801, et seq. Purchasing by Political Subdivisions – Legislative Intent

Policy History:

Adopted on: November 9, 2009

Revised on: December 10, 2018