

7320.01 - DISPOSAL, SALE, OR EXCHANGE OF TANGIBLE PROPERTY

The Superintendent shall be responsible for the development and administration of procedures for the disposal of property declared surplus by the School Board. Such procedures shall be consistent with Florida statutes and State Board of Education Rules.

The Superintendent shall establish a Surplus Property Committee whose purpose shall be to designate property as surplus and dispose of surplus property in a manner which best serves the interests of the School Board. The Committee shall consist of the Budget Specialist, the Supervisor of Property Records, the Warehouse Manager and two maintenance and operations staff members designated by the responsible Associate Superintendent, three teachers and one principal assigned by the Area Superintendents, and one representative of our local business community.

The Committee shall make a determination as to whether the items are usable by another school or department. If declared usable, the items may be redistributed on a first-come-first-served basis by completing the property asset transfer form.

Surplus items that are made available to schools in the District shall be provided for a charter school's use on the same basis. A charter school receiving property from the school district may not sell or dispose of such property without written permission of the School District.

The Committee shall seek Board approval before sale of taggable items identified as surplus. The Committee may dispose or arrange for the disposal of non-taggable items identified as surplus. All disposition of surplus property shall be in the best interest of the School Board, and consistent with Sec. 274.06, F.S., which is paraphrased for School Board purposes as follows:

Having consideration for the best interests of the School Board, School Board property that is obsolete or the continued use of which is uneconomical or inefficient, or which serves no useful function, which property is not otherwise lawfully disposed of, may be disposed of for value to any legal entity, or may be disposed of for value without bids to the state, to any governmental unit, or to any political subdivision as defined in Sec. 1.01, F.S., or if the property is without commercial value it may be donated, destroyed, or abandoned. Property, the value of which the District estimates to be under \$5,000, may be disposed of in the most efficient and cost-effective means as determined by the District. Any sale of property the value of which the District estimates to be \$5,000 or more shall be sold only to the highest responsible bidder, or by public auction, after publication of notice not less than 1 week nor more than 2 weeks prior to sale in a newspaper having a general circulation in the county or district in which is located the official office of the School Board, and in additional newspapers if in the judgment of the District the best interests of the School Board will better be served by the additional notices; provided that nothing herein contained shall be construed to require the sheriff of a county to advertise the sale of miscellaneous contraband of an estimated value of less than \$5,000.

Any taggable inventoried item purchased with Federal grant monies, which has been determined to be surplus property having commercial value, shall be disposed of according to the "Uniform Federal Assistance Regulations" (7 C.F.R. Part 3015) and in the following manner:

- A. Equipment with a current market value of less than \$5,000 shall be disposed of in the same manner as surplus taggable inventoried items having commercial value.
- B. If Federal grant equipment with a current market value of \$5,000 or more is sold, then \$500 or ten percent (10%) of the total sales proceeds, whichever is greater, shall be deducted and retained from the amount otherwise due for selling and handling expenses. If the recipient's project or program, for which or under which the equipment was acquired, is still receiving grant support from the same Federal program, and if the awarding agency approves, the net amount due may be used for allowable costs of that project or program. Otherwise, the net amount shall be returned to the awarding agency by check or money order.

F.S. 274.05, 274.06, 274.07, 1001.32(2), 1001.42, 1001.43, 1002.33(18)(e), 1013.28(2), F.A.C. 69I-73.005