

Policy 9100: Acquisition, Use, and Disposal (Surplus) of School Property

Status: DRAFT - 2nd
Reading

Original Adopted Date: 06/10/2019 | Last Reviewed Date: 06/10/2019

The Caldwell School District Board of Trustees may designate and purchase any real property necessary for school purposes or in the operation of the district, or remove any building, or dispose of any real property. The board will have the value of such property determined by an appraisal conducted by a state of Idaho certified appraiser within one (1) year prior to any purchase or disposal, and will place the results of the appraisal in the board's records.

SECTION 1. ACQUISITION OF PROPERTY

1.1 Real Property: Within one (1) year prior to purchasing or disposing of real property, the Caldwell School District shall cause such property to be appraised by an appraiser certified in the State of Idaho, which appraisal shall be entered in the records of the Board of Trustees and shall be used to establish the fair market value of the property. The appraisal, however, is exempt from disclosure to the public. If the Board is purchasing a site for educational purposes, the Board must determine the size of the site necessary for school purposes. The site shall 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 the city limits, but within the boundaries of the District.

1.2 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 fifty thousand (\$50,000). When the purchase of personal property (with the exception of curricular materials) is reasonably expected to cost fifty thousand (\$50,000) or more, the District shall comply with the statutory bidding requirements found in Chapter 28, Title 67 of the Idaho Code.

SECTION 2. CONVEYANCE OF PROPERTY

2.1 Within one (1) year prior to conveyance of property, all real and personal property with an estimated value of one thousand dollars (\$1,000) or greater shall be appraised. ~~which~~ The appraisal shall be entered in the records of the Board.

2.2 Less than five hundred (\$500.00): 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 of the District ~~designated empowered for that purpose~~ by the Board. ~~provided however, such employee~~ The designee shall notify the Board prior to disposal of said property.

2.3 \$500 to Less than one thousand (\$1,000.00): The Board may sell personal property, with an estimated value of less than one thousand dollars (\$1,000), without appraisal, by sealed bid or at public auction, provided that there has been at least not less than one (1) published advertisement prior to the sale ~~of said property. When the appraised value of the property is less than one thousand dollars (\$1,000), one (1) single notice by publication shall be sufficient, and the property shall be sold by sealed bids or at public auction.~~ The Board may accept the highest bid, may reject any bid, or reject all bids.

2.4 One thousand (\$1,000.00) or Greater: For property with a value of one thousand dollars (\$1,000) or greater, the property may be sold at public auction or by sealed bids, as the Board shall determine, to the highest bidder. Such property may be sold for cash or ~~according to for such~~ terms and conditions ~~determined by as~~ the Board. The period of the sale shall not be more than determine for a period not exceeding ten (10) years, and with the annual rate of interest on all deferred payments must be at least not less than seven percent (7%) per annum. The title to all property sold on contract shall be retained in the name of the District until the purchaser makes full payment. ~~has been made by the purchaser, and~~ Title to all property sold under a note and mortgage or deed of trust shall be transferred to the purchaser at the point of sale under the terms and conditions of the mortgage or deed of trust as the Board shall determine. The District shall publish notice of the time and the conditions of such the sale shall be published twice., and proof thereof made, in accordance with subsections (2) and (3) of section 33-402, Idaho Code. The Board shall ensure proof of this publishing of notice is retained as described in IC 33-402(2) and (3). The Board may accept the highest bid, may reject any bid, or reject all bids. During the sealed bid or public auction process, no real property of the District can be sold for less than its appraised value. If, thereafter, no satisfactory bid is made and received, the Board may proceed under its own direction to sell and convey the property for the highest price the market will bear.

SECTION 3. DONATED PROPERTY

3.1 If real property was donated to the District, the Board may, within a period of one (1) year from the time of the appraisal, sell the property without additional advertising or bidding. Otherwise, the Board must have

new appraisals made and again publish a notice for bids, as with other property.

SECTION 4. EXCHANGE OF PROPERTY

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

4.1.1 Such property is appraised;

4.1.2 One half (1/2) plus one (1) of the members of the full Board determine such conveyance or exchange is in the best interest of the District; and

4.1.3 A resolution is passed authorizing such an exchange of real and/or personal property to any of the following:

- A. U.S. government;
- B. City;
- C. County;
- D. State of Idaho;
- E. Hospital district;
- F. School district;
- G. Public charter school;
- H. Idaho Housing and Finance Association;
- I. Library district;
- J. Cooperative service agency formed pursuant to IC § 33-317;
- K. Community College District;
- L. ~~Junior college district; or~~
- M. Recreation District.

~~4.2 Prior to any transfer or conveyance of any real or personal property as set forth above, Before such exchange,~~ the Board shall have the property appraised by an appraiser certified in the state of Idaho, ~~which appraisal shall be entered and shall enter the appraisal into the Board's records.~~ ~~of the Board and This appraisal shall be used to establish the value of the real or personal property. Provided, however,~~ If the Board finds it is in the District's best interests to trade personal property to a person or entity for like kind personal property, the Board may vote to elect to do so. The Board may ~~choose elect not to have the property appraised to abstain from an appraisal of the personal property if it's personal property with an the estimated value of such property is~~ less than five thousand dollars (\$5,000).

4.3 **Equipment Acquired Under a Federal Award:** When it is determined that original or replacement equipment, as defined in Policy 7270 - Property Records, 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 Chief Financial Officer will contact the awarding agency (or pass-through for a state-administered grant) for disposition instructions.

4.4 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 five thousand dollars (\$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 five thousand dollars (\$5,000), the federal awarding agency is entitled to the federal share of the current market value or sales proceeds.

4.5 If acquiring replacement equipment, the District may use the equipment to be replaced as a trade-in or sell the property and use the proceeds to offset the cost of the replacement property.

4.6 The District will use whatever means available to ensure the highest possible return on any items sold.

4.7 Capital expenditures for special purpose equipment are allowable as direct costs, provided that items with a unit cost of five thousand dollars (\$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 five thousand dollars (\$5,000) or more.

CFR - Code of Federal Regulations References	Description
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2 CFR § 200.313(e)	
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	Equipment - Disposal
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CFR - Code of Federal Regulations References

2 CFR § 200.439(b) (2)

Description

[Equipment and Other Capital Expenditures](#)

Idaho Code § References

33-402

Description

[Notice Requirements](#)

33-601

[Real and Personal Property - Acquisition, Use or Disposal of Same](#)

67-2801, et seq.

[Purchasing by Political Subdivisions - Legislative Intent](#)

74-107(3)

[Records Exempt from Disclosure - Appraisals](#)

Cross References

7270

Description

[Property Records](#)