

LODI UNIFIED SCHOOL DISTRICT

Rule 3270

Business and Non-Instructional Operations

Sale and Disposal Of Books, Equipment and Supplies

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.

Property for which no qualified bid has been received may be sold, without further advertising, by the Superintendent or designee.

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.

The district may sell the property without advertising for bids under any of the following conditions:

- a. The Board members attending a meeting unanimously agree that the property, whether one or more items, does not exceed \$2,500 in value.
- 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.
- 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.

If the Board members attending a meeting unanimously find that the value of the property is insufficient to defray the costs of arranging a sale, the property may be donated to a

charitable organization deemed appropriate by the Board or may be disposed of by dumping.

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.

Instructional Materials

Surplus or undistributed obsolete instructional materials that are usable for educational purposes may be sold by the district, in which case all of the proceeds of the sale shall be available to acquire basic instructional materials, supplemental instructional materials, or technology-based materials.

Such materials also may be donated to another district, county free library, or other state institution; a United States public agency or institution; a nonprofit charitable organization; or children or adults in California or foreign countries for the purpose of increasing the general literacy of the people. Any organization, agency, or institution receiving obsolete instructional materials donated by the district shall certify to the Board that it agrees to make no charge to any persons to whom it gives or lends these materials.

At least 60 days before selling or donating surplus or obsolete 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.

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:

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

Replacement of School Buses

Upon receiving a state apportionment for the replacement of a school bus, the Board may sell the bus that is being replaced to another California school district if the following conditions are met:

1. The other district is replacing a bus that is in service and has not been designated a temporary school bus pursuant to Education Code 42291.5.

2. The bus being replaced by the other district is older than the bus that is being sold by this district.
3. The bus being replaced by the other district is not sold to a third school district.
4. The other district, by Board resolution, holds the state and this district harmless for any liability that may result from the bus that this district is selling.
5. The proceeds from the sale of the bus shall be used by this district for home-to-school transportation purposes.
6. Before the sale is finalized, the bus being sold is in compliance with all relevant provisions of the Vehicle Code and Title 13 of the California Code of Regulations.

Rule

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