

3000: BUSINESS AND NON-INSTRUCTIONAL OPERATIONS

3200: INCOME

3216.3: **DISPOSAL OF SURPLUS PERSONAL PROPERTY**

A. Property worth less than \$25,000

The Superintendent or designee may dispose of any single item of surplus property worth less than \$25,000 at any time by whatever means deemed reasonable by the Superintendent, subject to the following conditions:

1. The Superintendent or designee shall verify in writing that the property is worth less than \$25,000;
2. The Superintendent or designee shall verify in writing that the property is of no continuing use or value to the Marin County Office of Education;
3. The property has been made available on an equitable basis for use by public school or community college districts in Marin County.
4. Prior to disposal the Superintendent shall submit to the Board for its review on at least a quarterly basis a public session report certifying compliance with the terms of Education Code section 1279(b) and this policy.

B. Property worth \$25,000 or more

The Superintendent shall not in any manner dispose of any item of personal property worth twenty-five thousand dollars (\$25,000) or more that belongs to the Marin County Office of Education without meeting the following conditions:

1. Obtaining an independent valuation of the property.
2. Advertising the property for sale in a newspaper of general circulation within the County. The advertisement shall be published at least once and shall provide for a period of at least 20 days during which the property may be purchased at prices established by the Superintendent or designee or through a bidding process.
3. The Superintendent shall first bring the matter to the attention of the county Board of Education for its discussion and approval at a regularly scheduled public meeting.

(continued)

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C. Administrative Regulations

The Superintendent shall adopt administrative regulations to implement the policies set forth above.

References: Education Code section 1279 (b)

Approved as to form:

Deputy County Counsel

Approved by Marin County Board of Education:

MARIN COUNTY OFFICE OF EDUCATION
ADMINISTRATIVE REGULATIONS AND PROCEDURES

DISPOSAL OF SURPLUS PERSONAL PROPERTY

(Board Policy 3216.3)

The Superintendent will authorize disposal of personal property belonging to the County Office of Education by any of the following methods:

1. If the Superintendent or designee determines that the property is no longer of use to the Marin County Office of Education and is worth less than \$25,000, the Superintendent may designate any administrative employee to sell the property without advertising.

The sale of personal property under this provision shall comply with Board Policy 3216.3A. Prior to any public disposition of the property each district in Marin County shall be provided with a list of the items and be given an opportunity on a "first come, first served" basis to acquire one or more items of property to be disposed.

2. If the Superintendent or designee determines that the property is worth \$25,000 or more the Superintendent or designee may advertise for bids and either sell the property to the highest responsible bidder or reject all bids.
 - a. Notice for bids shall be posted in at least three public places in the County for at least two weeks or published at least once a week for at least two weeks in a newspaper having a general circulation in the County and, if possible, published within the County.
 - b. Property for which no qualified bid has been received may be sold without further advertising, by the Superintendent or designee.
 - c. The Superintendent or designee may authorize the sale of the property by means of a public auction conducted by 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 # 2 above.
 - d. The Superintendent or designee may sell or lease or loan 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 (40USC, Section 484 (j) (3)). In such cases, the sale price shall equal the cost of the property plus estimated cost of purchasing, storing, and handling.
3. If the Superintendent or designee determines 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 Superintendent or designee or may be disposed of by dumping.

Unless the terms of federal or other categorically funded programs require otherwise money received from the sale of surplus property shall be either deposited in the reserve or general fund or credited to the fund from which the original purchase was made.