

Sale and Disposal of Equipment, Supplies, and Instructional Materials

1. Authorization

The County Superintendent (Superintendent) recognizes that the Solano County Office of Education (SCOE) may own personal property which is unusable, obsolete, or no longer needed. The Superintendent or designee shall arrange for the sale or disposal of SCOE personal property in accordance with SCOE policy and state law requirements.

- A. Title to all personal property purchased by the Superintendent from the County School Service Fund is in the name of the Superintendent.
- B. All property declared surplus shall be so declared by approval of the Superintendent.

To dispose of any item of personal property worth over \$25,000, the Superintendent must:

- A. Obtain an independent valuation of the property;
- B. Advertise the property for sale in a newspaper of general circulation within the county, or in any newspaper of general circulation that is regularly circulated in the county;
- C. Bring the matter to the attention of the County Board (Board) for discussion at a regularly scheduled public meeting; and
- D. Obtain the approval of the Board.

To dispose of any item of personal property worth less than \$25,000, the Superintendent must certify the value of the property in a quarterly report that is submitted to the Board for review.

Instructional materials may be considered obsolete or unusable when they:

- A. Contain information rendered inaccurate or incomplete by new discoveries or technologies.
- B. Have been replaced by more recent versions or editions of the same material and they are of no foreseeable value in other instructional areas.
- C. Are not aligned with SCOE's academic standards or course of study.
- D. Contain demeaning, stereotyping, or patronizing references to any group of persons protected against discrimination by law or policy.
- E. Have been inspected and discovered to be damaged beyond use or repair.

Any organization, agency, or institution receiving obsolete instructional materials donated by the district shall certify that it agrees to make no charge to any persons to whom it gives or lends these materials.

2. Definitions

Instructional materials means all materials that are designed for use by pupils and their teachers as a learning resource and help pupils to acquire facts, skills, or opinions or to develop cognitive processes. Instructional materials may be printed or nonprinted and may include textbooks, technology-based materials, other educational materials, and tests.

3. Methods of Disposal

The Superintendent or designee may dispose of personal property belonging to SCOE by using the following methods. Equipment that will be used for trade-in purposes will be processed using the same form.

To begin the process, the department head shall complete the Equipment Disposal Form (posted on SCOE's website) for equipment that is found to be obsolete, broken, or unrepairable.

The completed form must be forwarded to the SCOE business department for processing. The business department will be responsible for the proper disposal of the items.

- A. Sale or disposal of personal property items valued over \$25,000: The Superintendent or designee shall meet the following procedures for disposal of any item of personal property worth over twenty-five thousand dollars (\$25,000) that belongs to SCOE.
 - (1) Obtain an independent valuation of the property.
 - (2) During a regularly scheduled public board meeting, obtain the Board's approval to dispose of the item(s).
 - (3) Advertising for the sale must be made in a newspaper of general circulation within the county. The advertisement shall be published once a week for two weeks before moving forward with one of the following methods of disposal:
 - (a) A public auction conducted by contract with a private auction firm. Private auction firms may include county or regional auction firms or internet-based auction systems.
 - (b) A public auction conducted by SCOE employees or employees of other public agencies.
 - (c) If no parties are interested in purchasing the property via sections A.(3)(a) and (b), dispose of property by using appropriate and required disposal methods, making an effort to recycle any parts possible prior to disposal. *Appropriate and required disposal methods* means delivering to an official dump site, e-waste site, recycling center, or other method of permanent destruction.
- B. Sale or disposal of personal property items valued less than \$25,000: The Superintendent or designee may dispose of any personal property that belongs to SCOE and is worth less than twenty-five thousand dollars (\$25,000) if s/he certifies the value of the property in a quarterly report and submits that report to the Board for review. The Superintendent or designee will abide by the following procedures for the sale or disposal.
 - (1) Offer to sell the items to the federal government or its agencies, to the state, to any county, city and county, city or special district, or to any other school district.
 - (a) The sale may be made without advertisement for or receipt of bids, or compliance with any other provisions of Education Code 17542.
 - (b) If sold to a school district, the selling price and the terms of sale shall be fixed and approved by the governing board of the school district purchasing the items and the same price and terms shall be approved by the Superintendent.
 - (2) A public auction conducted by contract with a private auction firm. Private auction firms may include county or regional auction firms or internet-based auction systems.
 - (3) A public auction conducted by SCOE employees or employees of other public agencies.

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- (a) Notice for bids shall be posted for at least two weeks on a well-known website that lists sale items or published at least once a week for at least two weeks in a newspaper having a general circulation in the county. Property for which no parties are interested in purchasing, or
- (b) Property for which no qualified bid has been received, or
- (c) Property for which no bid was accepted may be:
 - (i) Sold, without further advertising, by the Superintendent or designee, or
 - (ii) Disposed of by using appropriate and required disposal methods, making an effort to recycle any parts possible prior to disposal.
- (4) If the Superintendent or designee finds that the value of property is insufficient to defray the costs of arranging a sale, the property may be disposed of in any of the following ways, preferably the method resulting in the least amount of cost of disposition:
 - (a) Donate to a charitable organization deemed appropriate.
 - (b) Dispose of property by using appropriate and required disposal methods, making an effort to recycle any parts possible prior to disposal.
- C. Sale or disposal of usable surplus or undistributed instructional materials: The Superintendent or designee shall meet the following procedures for disposal of surplus or undistributed obsolete instructional materials that are still usable for educational purposes in any of the following ways. Surplus or undistributed obsolete instructional materials are to be disposed of following 3.B. (Education Code section 60510-60511)
 - (1) Donate to a governing board, county free library, or other state institution.
 - (2) Donate to a public agency or institution or any territory or possession of the United States, or the government of a country that formerly was a territory or possession of the United States.
 - (3) Donate to a nonprofit charitable organization.
 - (4) Donate to children or adults in the State of California, or foreign countries for the purpose of increasing the general literacy of the people.
 - (5) Sell the materials.
 - (6) If there are no parties interested in taking/purchasing the instructional materials, they may be disposed of following 3.B.

Any organization, agency, or institution receiving obsolete instructional materials donated by SCOE certify that it agrees to make no charge to any persons to whom it gives or lends these materials.

4. Sales Proceeds

Money received from the sale of surplus property shall be deposited in SCOE's School Services fund or credited to the fund from which the original purchase was made.

5. Removal from Fixed Assets Inventory

Any personal property of the Superintendent declared obsolete or unusable shall, when donated, sold, or destroyed, be properly deleted from the fixed assets inventory. Equipment purchased with federal or state funds and no longer needed for project purposes may be taken off the consolidated application inventory list according to Code of Regulations, Title 5, section 3946.

Legal Reference:

EDUCATION CODE

- 1279 Duties of county superintendent
- 1605 Title to, and jurisdiction over, fund and property
- 17542 Sale or Lease of Used Property
- 35168 Inventory, including record of time and mode of disposal
- 60010 Definitions
- 60510-60511 Donation or sale of instructional materials

CODE OF REGULATIONS, TITLE 5

- 3946 Disposal of equipment purchased with state and federal consolidated application funds

UNITED STATES CODE, TITLE 40

- 484(j)(3) Disposal of surplus property

Policy Cross-Reference:

- 0410 Nondiscrimination in Programs and Activities
- 1312.4 Williams Uniform Complaint Procedures
- 3440 Inventories
- 3511.1 Integrated Waste Management
- 3540 Transportation
- 6161 Equipment, Books, and Materials
- 6161.11 Supplementary Instructional Materials