

## Lakeland Joint School District

### SCHOOL FACILITIES

9100

#### Acquisition, Use and Disposal of School Property

##### Acquisition of Property

Real Property - Within one (1) year, prior to acquiring or disposing of real property, the District will have the real property appraised by a certified appraiser in the State of Idaho. The appraised value will be used to establish the fair market value of the property and shall be exempt from disclosure to the public. If the Board is purchasing a site for educational purposes, the site must be located within the District's boundaries.

Personal Property – The District may purchase personal property—when the expenditure of funds will be less than twenty-five thousand dollars (\$25,000). When the purchase of personal property (with the exception of curricular materials) is expected to cost over twenty-five thousand dollars (\$25,000), the District shall comply with the statutory bidding requirements found in Chapter 28, Title 67 of the Idaho Code.

Exception - In the event a purchase must be made prior to Board approval, the Superintendent shall have the authority to make acquisition purchases without advance approval when the purchase exceeds twenty-five thousand dollars (\$25,000) and is necessary to protect the interests of the District or the health and safety of staff and students. The Superintendent shall notify the Board of the necessary purchase as soon as practicable and present the matter at the next scheduled board meeting.

##### Conveyance of Property

Within one year prior to conveyance, all real and personal property with an estimated value of \$1,000 or greater shall be appraised, and the appraisal shall be presented at a regular board meeting. All appraisals shall be retained by the District pursuant to Policy 8605.

##### **Less than \$500:**

Property may be disposed of in the most cost-effective and expedient manner. The Board shall direct the Superintendent to create a process for property disposal.

##### **\$500 to \$999:**

The Board may sell personal property, with an estimated value of less than \$1,000, without appraisal, by sealed bid, or at public auction. Notice of the time and the conditions of such sale shall be published once, and proof thereof made, The Board may accept the highest bid, may reject any bid, or reject all bids.

**\$1,000 or Greater:**

For property with a value of greater than \$1,000, the property may be sold at public auction or by sealed bids, to the highest bidder, as determined by the Board. Property may be sold pursuant to the terms and conditions determined by the Board. The terms and conditions shall not exceed ten years, and the annual rate of interest shall be not less than 7% per annum. Title shall be retained in the name of the District until payment is made in full. Real property shall be transferred at the point of sale under the terms and conditions of the mortgage or deed of trust, as determined by the Board. Notice of the time and the conditions of such sale shall be published twice, and proof thereof made, in accordance with subsections (2) and (3) of Idaho Code § 33-402. 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 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.

Donated Real Property

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. The Board must have new appraisals made and again publish notice for bids if the sale is beyond one (1) year from the time of the appraisal.

Exchange of Property

The Board may exchange real or personal property for other property provided that one-half (1/2) plus one of the members of the full Board votes and a resolution is duly adopted, authorizing an exchange of real and/or personal property, and determining the transfer or conveyance to:

- A. U.S. government;
- B. City;
- C. County;
- D. State of Idaho;
- E. Hospital district organized under Chapter 13, Title 39, Idaho Code;
- F. Cooperative Service Agency formed pursuant to I.C. § 33-317,

- G. Other School districts;
- H. Idaho Housing and Finance Association;
- I. Public charter school;
- J. Library district;
- K. Community college district;
- L. Recreation district.

Exchange of any real or personal property shall adhere to the appraisal requirements listed above.

Equipment Acquired Under a Federal Award: When it is determined that original or replacement equipment, as defined in Policy 7270, 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.

Disposition of equipment is dependent on its fair market value (FMV) at the time of disposition. If the item has a current FMV of \$10,000 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 \$10,000, the federal awarding agency is entitled to the federal share of the current market value or sales proceeds.

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.

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

Capital expenditures for special purpose equipment are allowable as direct costs, provided that items with a unit cost of \$10,000 or more have the prior written approval of the federal awarding agency or pass-through entity. The District should request prior approval from the State Department of Education for the purchase or the disposition of equipment purchased with federal funds that have a value of \$10,000 or more.

Cross Reference: Policy 2510P  
Policy 7270  
Policy 8605

Selection of Library Materials  
Property Records  
Retention of District Records

Legal References: I.C. § 33-402  
I.C. § 33-601

I.C. § 67-2801, *et seq.*  
I.C. § 74-107(3)

2 CFR § 200.313(e)  
2 CFR § 200.439(b)(2)

Notice Requirements  
Real and Personal Property –  
Acquisition,  
Use or Disposal of Same  
Purchasing by Political Subdivisions  
Records Exempt from Disclosure –  
Trade  
Secrets, Production Records,  
Appraisals, Bids, Proprietary  
Information, Tax Commission,  
Unclaimed Property, Petroleum Clean  
Water Trust Fund

Equipment. Disposal  
Equipment and Other Capital  
Expenditures

Policy History:

Adopted on:

Revised on:

Reviewed on:

## Draft Lakeland Joint School District

### SCHOOL FACILITIES

9100

#### Acquisition, Use and Disposal of School Property

#### Use and Disposal of School Property

#### Acquisition of Property

Real Property - Within one (1) year, prior to acquiring or disposing of real property, the District will ~~cause such property to be~~ **have the real property** appraised by an certified appraiser in the State of Idaho. The appraised value will be used to establish the fair market value of the property **and** ~~The appraisal shall be exempt from disclosure to the public. If the Board is purchasing a site for educational purposes, such a the building site must be located within the District's 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 city limits, but within the boundaries of the District.~~

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 twenty-five thousand dollars **(\$25,000)**. When the purchase of personal property (with the exception of curricular materials) is ~~reasonably~~ expected to cost **over** twenty-five thousand dollars (\$25,000) ~~or more~~, the District shall comply with the statutory bidding requirements found in Chapter 28, Title 67 of the Idaho Code.

Exception - In the event a purchase must be made prior to Board approval, the Superintendent shall have the authority to make acquisition purchases without advance approval when the purchase exceeds twenty-five thousand dollars (\$25,000) and is necessary to protect the interests of the District or the health and safety of staff and students. The Superintendent shall notify the Board of the necessary purchase as soon as practicable and present the matter at the next scheduled board meeting.

#### Conveyance of Property

Within one year prior to conveyance, all real and personal property with an estimated value of \$1,000 or greater shall be appraised, ~~and the appraisal shall be presented at a regular board meeting. All appraisals shall be retained by the District pursuant to Policy 8605, which appraisal shall be entered in the records of the Board.~~

#### **Less than \$500:**

~~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 empowered by the District to do so. However, the employee shall notify the Board in writing of the item(s) to be disposed of and the manner in which they will be disposed prior to disposal of the property.~~

~~For property that has an estimated value of less than \$500, the Property may be disposed of in the most cost-effective and expedient manner. The Board shall direct the Superintendent to create a process for property disposal. by an employee of the District empowered for that purpose by the Board, provided however, such employee shall notify the Board prior to disposal of said property.~~

#### **Less than \$500 to \$999:**

~~For property that has an estimated value of less than one thousand dollars (\$1,000), the Board may dispose of such property by sealed bid or by public auction. However, prior to disposal of the same at least one (1) published advertisement is required.~~

~~The Board may sell personal property, with an estimated value of less than \$1,000, without appraisal, by sealed bid, or at public auction. Notice of the time and the conditions of such sale shall be published once, and proof thereof made, provided that there has been not less than one published advertisement prior to the sale of said property. When the appraised value of the property is less than \$1,000, one 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.~~

#### **\$1,000 or Greater:**

~~For property with a value of one thousand dollars (\$1,000) or greater, such property will be appraised. The Board may dispose of such property by sealed bids or by public auction to the highest bidder. Notice of the time and method of sale shall be published twice in accordance with I.C. Idaho Code § 33-402(2).~~

~~For property with a value of greater than \$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, as determined by the Board. Such Property may be sold pursuant to the terms and conditions determined by the Board. The terms and conditions shall not exceed ten years, and the annual rate of interest shall be not less than 7% per annum. Title shall be retained in the name of the District until payment is made in full. Real property shall be transferred at the point of sale under the terms and conditions of the mortgage or deed of trust, as determined by the Board. for cash or for such terms and conditions as the Board shall determine for a period not exceeding ten years, with the annual rate of interest on all deferred payments not less than 7% per annum. The title to all property sold on contract shall be retained in the name of the District until 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. Notice of the~~

time and the conditions of such sale shall be published twice, and proof thereof made, in accordance with subsections (2) and (3) of Idaho Code § 33-402. 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.

#### Donated ~~Real~~ Property

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 ~~within one (1) year of the time the initial appraisal was conducted. Otherwise,~~ The Board must have new appraisals made and again publish notice for bids ~~if the sale is beyond one (1) year from the time of the appraisal. with other property.~~

#### Exchange of Property

The Board may exchange real or personal property for other property provided that ~~one-half (1/2) plus one of the members of the full Board votes and a resolution is duly adopted, authorizing an exchange of real and/or personal property, and determining the transfer or conveyance or exchange to: is in the best interest of the District:~~

- ~~1) Such property is appraised;~~
- ~~2) ~~and~~~~
- ~~3) A resolution is passed authorizing such exchange of real and/or personal property to any of the following:~~
- ~~4) A majority of the **FULL** Board determine such conveyance/exchange is in the best interest of the District; ~~and~~~~

- A. U.S. government;
- B. City;
- C. County;
- D. State of Idaho;
- E. Hospital district ~~organized under Chapter 13, Title 39, Idaho Code;~~
- ~~F. Cooperative Service Agency formed pursuant to I.C. § 33-317,~~
- G. ~~Other~~ School districts;
- H. ~~Idaho Housing and Finance Association;~~
- I. ~~Public charter school;~~
- J. Library district;
- K. Community college district;
- L. ~~Junior college district;~~ or
- M. Recreation district.

Exchange of any real or personal property shall adhere to the appraisal requirements listed above.

~~Prior to any transfer or conveyance of any real or personal property as set forth above, the Board shall have the property appraised by an appraiser certified in the state of Idaho, which appraisal shall be entered in the records of the Board and 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 elect to abstain from an appraisal of the personal property if the estimated value of such property is less than \$5,000.~~

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

~~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 ~~\$10,000~~ **\$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 ~~\$10,000~~ **\$5,000**, the federal awarding agency is entitled to the federal share of the current market value or sales proceeds.

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.

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Capital expenditures for special purpose equipment are allowable as direct costs, provided that items with a unit cost of ~~\$10,000~~ **\$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 purchased with federal funds that have a value of ~~\$10,000~~ **\$5,000** or more.



Cross Reference: Policy 2510P  
Policy 7270  
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Property Records  
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Legal References: I.C. § 33-402  
I.C. § 33-601  
  
I.C. § 67-2801, *et seq.*  
I.C. § 74-107(3)

Notice Requirements  
Real and Personal Property –  
Acquisition,  
Use or Disposal of Same  
Purchasing by Political Subdivisions  
Records Exempt from Disclosure –  
Trade  
Secrets, Production Records,  
Appraisals, Bids, Proprietary  
Information, Tax Commission,  
Unclaimed Property, Petroleum Clean  
Water Trust Fund

2 CFR § 200.313(e)  
2 CFR § 200.439(b)(2)

Equipment. Disposal  
Equipment and Other Capital  
Expenditures

Policy History:

Adopted on:

Revised on:

Reviewed on: