

Policy Code: 6100 DISPOSITION OF SCHOOL PROPERTY

When real or personal property becomes unnecessary and undesirable for public school purposes, the school system will sell or dispose of the property in order to provide additional revenue for educational purposes, in accordance with the requirements of [Article IX, Section 7 of the North Carolina Constitution](#), [G.S. 115C-518](#) and [G.S. 160A, article 12](#). Contracts for the sale or disposal of surplus property must be consistent with [G.S. 147, art. 6E](#) and [6G](#). Before any property may be sold or disposed of, it must be removed from the appropriate fixed asset inventory.

The superintendent or designee shall ensure that any confidential, proprietary or other identifying information is removed from surplus property prior to disposition. In addition, the disposal of any equipment or other property through waste management services must be done in a manner consistent with environmental or other relevant rules and regulations.

A. REAL PROPERTY

The board will consider the sale and disposal of board-owned real property, including land and buildings, as authorized by law. The board is guided in its decisions by its commitment to help students succeed by providing appropriate facilities and to use its resources in a fiscally and environmentally sound manner. Any sale or disposal of real property, including school buildings, will be conducted in accordance with **constitutional and** statutory requirements. The superintendent should secure the services of consultants as necessary to conduct feasibility assessments and determine the fair market value. No building or land will be sold below the fair market value or exchanged for less than full and fair consideration, except **as permitted by law**. ~~that~~ The board will afford the board of county commissioners the first opportunity to obtain any real property at the fair market price or a price negotiated between the two boards.

~~The board may When the board decides to~~ lease board-owned **real** property to another entity, ~~the lease will be at the fair market value, except that the board may negotiate a lesser amount with another governmental unit.~~ **in accordance with constitutional and statutory requirements**. The board will lease available board-owned buildings and land to charter schools when required by law. All contracts for the sale, disposal, or lease of real property must be consistent with [G.S. 147, art. 6E](#) and [6G](#).

B. PERSONAL PROPERTY

Personal property, including products generated by vocational education, may be disposed of by the school system in accordance with the requirements of [G.S. 115C-518](#) and [G.S. 160A, article 12](#). Contracts for the sale or disposal of surplus property must be consistent with [G.S. 147, art. 6E](#) and [6G](#).

1. Property valued under five thousand dollars (\$5,000): The Superintendent or his/her designee, in accordance with state law, is authorized to declare as surplus personal property owned by the Board that is valued at less than five thousand dollars (\$5,000) for any one item or group of similar items, to set the property's fair market value, and to convey title to the property for the Board. The Superintendent or his/her designee shall choose a method of disposal designed to obtain a fair market value for the property in the most efficient and economical manner possible. The disposal of the property may

be achieved through public or private exchange or sale or by any other method allowed by law.

The Superintendent or his/her designee shall keep a written record of such sales generally describing the property sold or exchanged, to whom it was sold or with whom it was exchanged, and the amount of money or other consideration received for each sale or exchange.

2. Property valued at less than thirty thousand (\$30,000): Personal property valued at less than thirty thousand dollars (\$30,000) for any one item or group of similar items may be disposed of through private negotiation and sale or by any other method allowed by law, including advertisement for sealed bids; negotiated offer, advertisement, and upset bids; public auction; or exchange as outlined in [Chapter 160A, Article 12 of the North Carolina General Statutes](#). Except as authorized in 6100. 2A, regardless of the method of sale, the Board must first determine that the property is no longer necessary or desirable for school use.

The Board shall comply with all statutory requirements governing the disposal of property, including resolution and notice requirements.

3. Personal property valued at thirty thousand dollars (\$30,000) or more: Personal property valued at thirty thousand dollars (\$30,000) or more for any one item or group of similar items may not be sold by private negotiation and sale. Such property may be disposed of by the Board through advertisement for sealed bids; negotiated offer, advertisement, and upset bids; public auction; or exchange as outlined in [Chapter 160A, Article 12 of the North Carolina General Statutes](#) after a determination by the Board that the property is no longer necessary or desirable for school use. The Board shall comply with all statutory requirements governing the disposal of property, including resolution and notice requirements.

4. Property that may be discarded: The Board may discard any personal property that is determined to have no value, remains unsold or unclaimed after the Board has exhausted efforts to sell the property using the procedures as provided by state law, or that poses a potential threat to public health or safety.

C. TEXTBOOKS

Textbooks which have been replaced by newer textbook adoption may be disposed of by sale, gift, or exchange. Disposal by sale, exchange, or recycling shall be conducted in accordance with section 2 above. Textbooks disposed of by gift may be given as follows:

1. Sets of textbooks may be placed in classrooms for use as supplementary or reference texts.
2. Textbooks may be taken apart by teachers or school-related organizations to create instructional materials for individual student or class use.
3. Textbooks may be given in small quantities to individual students to use as resource materials.
4. Textbooks may be given to community or civic groups who do or will offer tutorial services.

5. Textbooks may be given to hospitals, rest homes, etc. for adult libraries or adult education.

6. Textbooks may not be given to an individual, group, or corporation when so doing would result in the resale or placement of those books in a private school instructional program.

7. Textbooks may be given to other public schools.

Textbooks must be retained intact by the school for thirty days after the books' adoption has expired (August 1).

D. GRANTING EASEMENTS

In addition to the above, the Board is authorized and empowered by law, in its sound discretion, to grant easements to any public utility, municipality or quasi-municipal corporations to furnish utility services, with or without compensation except the benefits accruing by virtue of the location of said public utility, and to dedicate portions of any lands owned by the Board as rights-of-way for public streets, roads, or sidewalks, with or without compensation except the benefits accruing by virtue of the location or improvement of such public streets, roads or sidewalks.

LEGAL REF: [N.C. Const. art. IX, & 7](#); [G.S. 115C-72, -218.25, -518, -521](#); [147, art. 6E, art. 6G](#); [160A, art.12](#); *Boney v. Board of Trustees*, 229 N.C. 136 (1948)

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Edenton-Chowan Schools