

POLICY BOARD OF EDUCATION OF MONTGOMERY COUNTY

Related Entries: DNA-RA

Disposition of Board of Education Property

A. PURPOSE

To provide for the disposal of Board of Education property

B. PROCESS AND CONTENT

1. *The Annotated Code of Maryland, Education*, governing disposal of real property provides that:
 - a) Subject to the approval of the state superintendent of schools, local boards of education shall transfer grounds, school sites, or buildings no longer needed for school purposes to the County Council
 - b) the State Board of Public Works, by rule and regulation, can require that the proceeds from the sale, lease, or disposal of school buildings constructed primarily with state funds after February 1, 1971, be utilized solely as a part of the state funding of future school buildings within the subdivision in which the disposal occurred
2. Board of Education property will be disposed of as follows:
 - a) Real Property – Buildings and Grounds
 - (1) Disposal

In the event that any Board of Education real property is considered to have no further use for school system purposes, the superintendent of schools shall make a recommendation to the Board of Education for disposition. The recommendation will include the rationale for the proposal, an estimate of the market value of the property, and the identification of the amount and year of state appropriations for construction and/or improvements of buildings on the site.

(2) Easements and Rights-of-Way

The granting of easements and rights-of-way requested by other public agencies and utility firms in the public interest shall be by Board action upon the recommendation of the superintendent.

b) Other Than Real Property

(1) The superintendent of schools will effect the trade-in of other than real property and equipment at the time bids are invited for replacement. The superintendent is authorized to effect the direct sale of items which have no trade-in value nor significant use to the instructional or support programs. The sale of any item exceeding \$5,000 in proceeds will be approved by the Board.

(2) Requested authorization for the disposition of obsolete school books by sale or transfer to such agencies as may have use for these books be and it is hereby approved, it being understood that any transfer to an agency would be at no cost to the Board of Education.

C. REVIEW AND REPORTING

1. The superintendent will report to the Board annually the disposition of nontraded items indicating quantity, description of property, method of disposal, and value received.
2. This policy will be reviewed every three years in accordance with the Board of Education policy review process.

Policy History: Adopted by Resolution No. 431-58, August 12, 1958, amended by Resolution No. 447-73, July 10, 1973; reformatted by Resolution No. 333-86, June 12, 1986, and Resolution No. 458-86, August 12, 1986;