



POLICY 7.12

4-D I recommend that the Board adopt the proposed revised Policy 7.12, entitled “Disposal of School Board Land and Tangible Property.”

[Contact: Barry Present, PX 48083.]

Adoption

CONSENT ITEM

- The Board approved development of this revised Policy at the development reading on May 28, 2008 without any changes.
- The revision updates some portions of the Policy for compliance with Florida law. It also adds a statutory provision for charter schools and updates statutory references.
- Provisions relating to the disposal of instructional materials are deleted from this Policy as they appear in Policy 8.122(5).
- This Policy sets forth the methods, pursuant to state law, for the Board to dispose of real property and tangible property.

POLICY 7.12

1 **DISPOSAL OF SCHOOL BOARD LAND, AND TANGIBLE PROPERTY, AND**
2 **INSTRUCTIONAL MATERIAL**
3

- 4 1. The Board shall dispose of real property (land and buildings) in accordance with
5 Section 235.041(1), 1013.28(1), FS and State Requirements for Educational
6 Facilities (SREF) Section 1.4(7).
- 7 2. The Superintendent shall dispose of tangible property (equipment, furniture, buses,
8 vehicles, etc.) in accordance with Section 235.042(2), 1013.28(2), FS, but -3.
9 —The Superintendent he/she shall dispose of obsolete or surplus instructional
10 materials in accordance with State Board of Education rule 6A-7.74, FAC, as
11 provided within Section 1006.41, FS. and School Board Policy 8.122(5). and in the
12 following manner:
- 13 a. ~~Given to other public education programs within the district or state.~~
- 14 b. ~~Given to the teachers to use in developing supplementary teaching materials.~~
- 15 c. ~~Given to students or others.~~
- 16 d. ~~Given to any charitable organization, governmental agency, private school or~~
17 ~~state.~~
- 18 e. ~~Sold to students or others.~~
- 19 f. ~~Sold to paper manufacturers, junk dealers or other persons, firms or~~
20 ~~corporations upon such terms as are most economically advantageous to the~~
21 ~~district school board.~~
- 22 g. ~~If disposition cannot be accomplished by any of the above, items may be~~
23 ~~disposed of as provided for in State Statutes for disposal of surplus, obsolete~~
24 ~~and/or salvage for which there is no value.~~
- 25 i. ~~All monies received from sale of surplus, obsolete or salvage instructional~~
26 ~~material shall be appropriated for instructional materials.~~
- 27 3. Pursuant to Section 1002.33 (18)(e), FS, if "a district school board facility or
28 property is available because it is surplus, marked for disposal, or otherwise
29 unused, it shall be provided for a charter school's use on the same basis as it is
30 made available to other public schools in the district." No public school within the
31 district shall have access to another public school's facility for use, except through
32 School Board Policy 7.012 relating to Interim Property.

33 STATUTORY AUTHORITY: ~~230.22(2)~~, FS 1001.32(2); 1001.41(1) & (2); 1001.42(2) &
34 (23); 1001.43(2)
35 LAWS IMPLEMENTED: Fla. Stat. §§ 274.05, 274.06, 1002.33(18)(e), 1006.41,
36 1013.28(1) & (2)
37 HISTORY: 2/18/72; Revised: April 6, 1983, 4/6/83; _____ / _____ /08

Legal Signoff:

The Legal Department has reviewed proposed Policy 7.12 and finds it legally sufficient for adoption by the Board.

Attorney

Date