

Disposal of Property

Reference: Education Code Sections 70902(b)(6), 81383, 81384, and 81450 et seq.

Disposal of surplus supplies/equipment shall be accomplished by trade-in or new purchases or at a sale open to the public. The Superintendent/President or designee is authorized to act as agent of the Board of Trustees to identify and dispose of all District surplus property, consistent with applicable Education Code provisions.

The District may sell for cash any District personal property if the property is not required for District purposes, or if it should be disposed of for the purpose of replacement, or if it is unsatisfactory or not suitable for use. Property cannot be sold until notice has been given. Notice must be posted in at least three (3) public places in the District for not less than two (2) weeks; notice can also be by publication for at least once a week for a period of not less than two (2) weeks in a newspaper published in the District and having a general circulation. If there is no such newspaper, then notice can be published in a newspaper having a general circulation in the District; or if there is no such newspaper, then in a newspaper having a general circulation in the county in which the District or any part thereof is situated. The Superintendent/President or designee shall sell the property to the highest bidder, or shall reject all bids.

Personal property authorized for sale as surplus may also be disposed of by means of a public auction conducted by employees of the District, or by other public agencies, or by contract with a private auction firm. The personal property shall be sold or transferred to the highest responsible bidder upon completion of the auction and after payment has been received by the District.

The District can also exchange for value, sell for cash, or donate any personal property belonging to the District without complying with the preceding procedures if all of the following criteria are met:

- The District determines that the property is not required for District purposes, that it should be disposed of for the purpose of replacement, or that it is unsatisfactory or not suitable for school use;
- The property is exchanged with, or sold or donated to, a school district, community college district, or other public entity that has had an opportunity to examine the property proposed to be exchanged, sold, or donated; and
- The receipt of the property by a school district or community college district will not be inconsistent with any applicable district-wide or school site technology plan of the recipient district.

In addition, the District can sell or lease real property belonging to the community college district if both of the following conditions are met.

- The property is sold or leased to another local governmental agency, or to a nonprofit corporation that is organized for the purpose of assisting one or more local governmental agencies in obtaining financing for a qualified community college facility; and
- If the Board, by a unanimous vote of those members present, finds that the property, whether one or more items, does not exceed in value the sum of five thousand dollars (\$5,000), the property may be sold by the Superintendent/President or designee at a private sale without advertising.

Any item or items of property having previously been offered for sale by means of a public auction as provided above, but for which no qualified bid was received, may be sold by the Superintendent/President or designee at private sale without advertising.

Lost and Found Property

It shall be the policy of the Palo Verde Community College District to maintain a lost and found system in the Office of Administrative Services that shall attempt to locate the owner of lost personal property. In the event the owner is not located, the District shall hold the lost and unclaimed items for a period of not less than three (3) months. Upon lapse of this period, the District may sell the item at the next District public auction to the highest bidder.

The notice of such sale shall be given in accordance with the provisions stated for District property.

Further, if the District determines that any such property is needed for public use, such property may be retained by the college and need not be sold.

Property Fabricated by Students

The Superintendent/President is empowered to sell to any student, personal property of the District which has been fabricated by such student, at District cost for the materials used.

See also BP 6330 (AP 6330-0) – Purchasing

(Formerly PVC Board Policies 3130, 3170 and 3180)

11/19/08 College Council Approval
12/09/08 Board First Read
01/27/09 Board Second Read and Approval
02/05/14 College Council Approval
06/10/14 Board Information Item