

PROPERTY SALES/DISPOSAL

Code: **DO** Issued: **4/14/82** Revised: **10/14/93:6/14/06**

Constitutional and Statutory Provisions:

Sale of any land purchased with any state funds after 1952 requires the prior written approval of the State Board of Education. (See §59-19-190, South Carolina Code.) The State Board Of Education shall dispose of school buses or other personal property according to the provisions outlined in the South Carolina Procurement Code. (See §11-35-3810, South Carolina Code.)

State Board Rule:

1. A district board may dispose of any land or other real property which has been declared by resolution of the board to be unnecessary and/or unsuitable for educational or administrative purposes according to the district's facilities plan. If relevant, the resolution will also certify that the subject property disposition will not reduce a school site below State minimum land area requirements as set forth in the South Carolina School Facilities Planning and Construction Guide.
2. Any conveyance of school district property will be reported to the State Department of Education, Office of School Facilities, for the purpose of maintaining an accurate inventory of facilities and sites, whether by sale lease, exchange, or donation.
3. For land and other real property acquired or constructed in whole or in part with State funds after 1952, the local board must request in writing that the State Board approve the property disposal. The request must include a copy of the district board's resolution and must be sent to the Office of School Facilities. The Office of School Facilities will review the request and make a recommendation at the next regular meeting of the State Board of Education.
4. The State Board will review all requests and make its determination. The Office of School Facilities will communicate action of the State Board to the district.
5. The district board, upon receipt of State Board approval, may dispose of property in any manner which complies with State and/or local regulations affecting the sale of assets.
6. After a district board has disposed of any land or other real property pursuant to Item 3 (above), an amount equal to the original State funding for the land or other real property will be taken from the proceeds of the sale and will be placed in the appropriate part(s) of the district board's budget where it will only be expended for capital outlay purposes. If the proceeds are equal to or less than the original State funding, all proceeds will be placed in capital outlay accounts.

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7. Upon completion of the conveyance of any land or other real property pursuant to Item 3 (above), the district board will notify the State Department of Education, Office of School Facilities in writing, including details of the sale (the specific property sold and total proceeds of the sale), certification of the original amount of State funding, the State Department of Education account number(s) for said funding, and certification that this same amount has been credited to the district's capital outlay budget.
8. The Office of School Facilities will review the certification and details of sale, and, if properly carried out, will remove the property from the school facilities inventory and close the file. If, however, there are any discrepancies in the material submitted, the Office of School Facilities will immediately notify the districts of required corrections or additions.