

SALE AND DISPOSAL OF BOOKS, EQUIPMENT AND SUPPLIES;  
SALE, LICENSING AND RENTAL OF PROPERTY

The Egg Harbor City Board of Education believes that the efficient administration of the district requires the disposition of property and goods no longer necessary for the maintenance of the educational program or the operation of the school district. The board shall direct the chief school administrator to review periodically all district property and shall authorize the disposition by sale, licensing, rental or donation of any property not required for school purposes.

The school business administrator shall develop rules for the disposition of property that ensure that all sales are conducted in a fair and open manner consistent with the public interest, and in compliance with law.

Any district property designated for donation or unsold after such offer may be offered without cost to charitable or nonprofit organizations having a use for such property.

Supplies and equipment for specific programs, purchased with funds granted by the state and federal government, shall be disposed of in strict accordance with applicable law and regulations.

Leasing Property

The board may consider leasing real-estate property with or without a building not presently used in the instructional program of the school district. The leasing of school real-estate property shall not interfere in any way with the attainment of educational goals.

The board shall approve all lease agreements. The lease contract shall state:

- A. The premises to be leased;
- B. The name and address of the lessee;
- C. The purposes for which the lessee intends to use the premises;
- D. The rental fee, the term of the lease; and
- E. Other terms and conditions as may be recommended by the board attorney and accepted by the board.

Any lease entered by the board shall be in writing. Any lease which extends beyond the life of this board shall include the conditions that it will terminate unless ratified by the successor board and any succeeding boards.

No premises of this school district will be leased unless the lessee provides insurance in the amount of assessed by the board for bodily injury and property damage for any claim arising out of the lessee's use of the lease premises and supplies documentation satisfactory to the board as proof of that coverage.

The board shall advertise to request bids to lease to the highest bidder in a newspaper published in the school district at least once a week for two weeks prior to the date fixed for the receipt and opening of bids.

Bidding is not required and the school property may be leased by private agreement for a nominal fee without advertisement for bids when leasing to the federal government, State (or a political subdivision thereof),

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another school district; any board, body or commission of a municipality within the school district, any volunteer fire company or rescue squad actively engaged in the protection of life and property and duly incorporated under the laws of the State of New Jersey, or to any American Legion post, Veterans of Foreign Wars, or other recognized veterans' organization of the United States of America, located in the municipality or the county, as a meeting place for such organization, or to a nonprofit child care service organization duly incorporated under the laws of the State of New Jersey, or to a nonprofit hospital duly licensed under the laws of the State of New Jersey, or to a nonprofit organization duly licensed under the laws of the State of New Jersey to provide emergency shelter for the homeless, or to a nonprofit senior citizen organization, or to a nonprofit historic preservation organization duly incorporated under the laws of the State of New Jersey.

Any lease in excess of five years shall be approved by the Commissioner of Education.

Adopted: August 11, 2004  
 NJSBA Review/Update: May 2015  
 Readopted: August 12, 2015

Key Words

Sale of Property, Licensing, Rental, Donation to Private Organizations, Disposal of Property

**Legal References:**

<u>N.J.S.A.</u>	18A:7F-7(e)	Appropriation by school district of undesignated fund balance; amounts allowable
<u>N.J.S.A.</u>	18A:18A-45	Manner and method of sale (personal property)
<u>N.J.S.A.</u>	18A:20-2	Purchase and sale of property in general
<u>N.J.S.A.</u>	18A:20-5	Disposition of property and title of purchaser
<u>N.J.S.A.</u>	18A:20-6	Sale at public sale; exceptions
<u>N.J.S.A.</u>	18A:20-7	Sale at fixed minimum prices; rejection of bids
<u>N.J.S.A.</u>	18A:20-8.1	Transfer of land for vocational school purposes
<u>N.J.S.A.</u>	18A:20-8.2	Lease of land, or part or all of school building not necessary for school purpose; resolution; procedure
<u>N.J.S.A.</u>	18A:20-9	Conveyance of unneeded real estate for nominal consideration; qualified recipients; reversion
<u>N.J.S.A.</u>	18A:20-9.1	Conveyance of certain sewer lines to a municipality
<u>N.J.S.A.</u>	18A:20-9.2	Sale of school property to nonprofit schools for the handicapped
<u>N.J.S.A.</u>	54:4-3.6	Exemption of property of nonprofit organizations
<u>N.J.A.C.</u>	6A:26-7.4	Approval for the disposal of land

**Possible**

**Cross References:**

*3220/3230	State funds; federal funds
*3280	Gifts, grants and bequests
*3440	Inventories
*6171.3	At-risk and Title 1
*7110	Long-range facilities planning

\*Indicates policy is included in the Critical Policy Reference Manual.