

BUILDINGS & SITES

Series 800

POLICY TITLE LEASE, SALE, OR DISPOSAL OF SCHOOL REAL PROPERTY No. 803.2

Decisions regarding the lease, sale, or disposal of school district real property are made by the board. In making its decision the board will consider the best interests of the education program and the efficient use of public funds.

Before the board may authorize disposition of real property by sale, gift, or lease for a period of more than one year, or lease of real property in excess of one year a public hearing will be held. The board will adopt a resolution announcing the proposed sale which will contain notice of the time and place of the public hearing and the description of the property or locally known address. Notice of the time and place of the public hearing will be published at least once, but not less than 10 days and not more than 20 days, prior to the hearing date. Upon completion of the public hearing, the board may authorize disposition of the property in accordance with the proposal reviewed during the public hearing.

The board may market and authorize the sale of any student constructed buildings by any procedure recommended by the Superintendent and authorized by the board, and the public hearing requirement contained in this policy will not apply to the sale of student constructed buildings. The public hearing requirement in this policy will also not apply to the lease of school district real property for a period of one year or less or to the lease of a portion of an existing school building for any term.

If the real property contains less than two acres, is located outside of a city, is not adjacent to a city and was previously used as a schoolhouse site, the property may revert to the owner of the tract from whom the property was taken following the procedures set forth in Iowa Code §§ 297.15-.25.

The board will not enter into an agreement to prohibit the sale of real property to other educational institutions as defined in Iowa Code ch. 297.24. If the board offers to sell real property that includes a building or structure, and an educational institution offers to purchase the real property for a purchase price that represents the highest bid the board received, the board will sell the real property to the other educational institution for such purchase price.

In the case of the razing of a school district facility, in an amount in excess of the statutory minimum required by law, the board will advertise and take bids or quotes as may be required and defined by Iowa Code chapter 26 for the purpose of awarding the contract for the project.

The superintendent is responsible for coordinating the action necessary for the board to accomplish the lease, sale, or disposal of school district real property. It will also be the responsibility of the superintendent to make a recommendation to the board regarding the use of school district real property not being utilized for the education program.

Proceeds from the sale of real property shall be deposited in the fund which was used to account

for the acquisition of the property. If the fund used to acquire the property is unknown or no longer exists, the proceeds from the sale shall be deposited into the physical plant and equipment levy fund.

Proceeds from the lease of real estate property shall be placed in the general fund. Proceeds from the sale of student constructed buildings shall be placed into student-construction fund.

Legal Reference: Iowa Code §§ 26; 297.15-.25.
Cross Reference: 704 Revenue
705.1 Purchasing - Bidding
803 Selling and Leasing

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