

Board Policy

Code No. 803.2

LEASE, SALE OR DISPOSAL OF SCHOOL DISTRICT BUILDINGS & SITES

Decisions regarding the lease, sale, or disposal of school district real property shall be made by the Board. In making its decision the board will consider the needs of the education program and the efficient use of public funds. In making its decision the Board will consider the following non-prioritized criteria.

- The long-term best interest of the school district.
- The greater good of the community.
- The future use of the property by the school.
- Determine that the sale would not adversely affect the school's educational program and would further the school's objectives.
- Consider all purchasers or lessees on an equal basis.
- Consider whether the sale price exceeds the fair market value of the property by a substantial amount.
- Consider if the district can make up the loss of the property from the revenue received or whether the property could be traded or otherwise attained.
- Conflicts of interest shall be avoided.

Prior to its lease, sale or disposal, real property, unless otherwise exempted, shall be appraised. Prior to the board's final decision regarding real property, a public hearing shall be held. The board shall adopt a resolution announcing the proposed sale which shall 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 shall 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 dispose of the property.

If the real property contains less than two acres, is located outside of a city, is not adjacent to a city or 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.

In the case of a sale or lease of school district real property not being used for the education program, unless otherwise exempted, advertisements for bids shall be taken. If the bids received by the Board are deemed inadequate, the Board may decline to sell or lease the property and re-advertise.

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 for the purpose of awarding the contract for the project.

The Superintendent shall be responsible for coordinating the action necessary for the Board to accomplish the lease, sale, or disposal of school district real property, including student-constructed buildings. It shall 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.

Legal Reference: Iowa Code §§ 297.15-.25 (2011).

Cross Reference: 704 Revenue
705.1 Purchasing - Bidding
803 Selling and Leasing

Approved: May 6, 1996

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