

**SALE OR LEASE OF DISTRICT-OWNED REAL PROPERTY**

The Governing Board believes that the district should utilize its facilities and resources in the most economical and practical manner. The Superintendent or designee shall periodically study the current and projected use of all district facilities to ensure the efficient utilization of space for the effective delivery of instruction.

Upon determination that District property is no longer needed or may not be needed until some future time, the Board of Education shall offer to sell or lease District-owned real property in accordance with priorities and procedures specified in law, including, but not limited to, Education Code 17230, 17463.7, 17464, 17485-17500, and Government Code 54222.

When required by law, the Board of Education shall appoint a District Advisory Committee to advise the Board of Education in the use or disposition of schools, school building space, or vacant land, which is not needed for school purposes. (Education Code 17388). The District Advisory Committee's recommendations are not binding to the Board.

The Superintendent, or designee, shall ensure the sale or lease of District surplus property and proceeds from the sale or lease shall conform to the provisions of the law.

- (cf. 1330 - Use of School Facilities)*
- (cf. 7110 - Facilities Master Plan)*
- (cf. 7111 - Evaluating Existing Buildings)*
- (cf. 7160 - Charter School Facilities)*

*Legal Reference:*

EDUCATION CODE

- 17219-17224 Acquisition of property not utilized as school site; nonuse payments; exemptions*
- 17230-17234 Surplus property*
- 17385 Conveyances to and from school districts*
- 17387-17391 Advisory committees for use of excess school facilities*
- 17400-17429 Leasing property*
- 17430-17447 Leasing facilities*
- 17453 Lease of surplus district property*
- 17455-17484 Sale or lease of real property, especially:*
- 17457.5 Offer to charter school*
- 17462.3 State Allocation Board program to reclaim funds*
- 17463.7 Proceeds for general fund purposes*
- 17485-17500 Surplus school playground (Naylor Act)*
- 17515-17526 Joint occupancy*
- 17527-17535 Joint use of district facilities*

- 33050 Request for waiver*
- 38130-38139 Civic Center Act*

GOVERNMENT CODE

- 54220-54232 Surplus land, especially:*
- 54222 Offer to sell or lease property*
- 54950-54963 Brown Act, especially:*

**SALE OR LEASE OF DISTRICT-OWNED REAL PROPERTY** (continued)

*54952 Legislative body, definition*

PUBLIC RESOURCES CODE

*21000-21177 California Environmental Quality Act*

CODE OF REGULATIONS, TITLE 2

*1700 Definitions related to surplus property*

COURT DECISIONS

*San Lorenzo Valley Community Advocates for Responsible Education v. San Lorenzo Valley Unified School District, (2006) 139 Cal.App. 4th 1356*

*Management Resources:*

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

*Closing a School Best Practices Guide*

OFFICE OF PUBLIC SCHOOL CONSTRUCTION PUBLICATIONS

*Unused Site Program Handbook, May 2008*

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education, School Facilities Planning Division: <http://www.cde.ca.gov/ls/fa>

Coalition for Adequate School Housing: <http://www.cashnet.org>

Office of Public School Construction: <http://www.dgs.ca.gov/opsc>