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**OAKLAND UNIFIED
SCHOOL DISTRICT**
Community Schools, Thriving Students

Memo

To Board of Education

From Kyla Johnson-Trammell, Superintendent
Michael Smith, Interim General Counsel

Board Meeting Date 5/8/2019

Subject Amendment, Board Policy – Business and Noninstructional Operations – BP 3270 Sale And Disposal Of Books, Equipment And Supplies

Action Requested and Recommendation Approval by the Board of Education of amendments to Board Policy – Business and Noninstructional Operations – BP 3270 Sale And Disposal Of Books, Equipment And Supplies

Background and Discussion Periodically modifications to board policies are recommended to align with changes in law or recommended best practices. The proposed modifications to the board policies reflect the District’s standards and are based on the California School Boards Association’s model policies.

The changes to the policy are shown on the attachment. The proposed deletions are indicated with **blue strikeouts**. The recommended additions are shown in **red**.

Fiscal Impact No direct funding implications

Attachments Board Policy BP 3270 Sale And Disposal Of Books, Equipment And Supplies

OAKLAND UNIFIED SCHOOL DISTRICT

Board Policy

Business and Noninstructional Operations

BP 3270

Sale and Disposal of Books, Equipment And Supplies

The Governing Board recognizes its fiscal responsibility to maximize the use of district equipment, supplies, instructional materials, and other personal property while providing up-to-date resources that facilitate student learning and effective district operations. When the Board, upon recommendation of the Superintendent or designee, declares any district-owned books, equipment and supplies become personal property unusable, obsolete, or no longer needed, the Superintendent or Deputy Superintendent of Business Services Board shall identify these items to the Governing Board, together with their determine the estimated value and a recommendation that they of the property and shall decide whether the property will be donated, sold, or otherwise disposed of by one of the methods as prescribed in by law and Oakland Unified School administrative regulation.

(cf. 0440 - District Administrative Regulations. —With Board approval, the Superintendent or Deputy Superintendent of Business Services shall arrange for the sale or disposal of these items. Technology Plan)

(cf. 3512 - Equipment)

(cf. 6161.11 - Supplementary Instructional materials Materials)

(cf. 6163.1 - Library Media Centers)

The Board shall approve the price and terms of any sale or lease of personal property of the district.

If the Board members who are in attendance at a meeting unanimously agree that the property, whether one or more items, does not exceed \$2,500 in value, the property may be sold without advertising for bids. (Education Code 17546)

(cf. 9323.2 - Actions by the Board)

If the Board members who are in attendance at a meeting unanimously find that the value of the property is insufficient to defray the costs of arranging a sale, the property may be donated to a charitable organization deemed appropriate by the Board or may be disposed of in the local public dump. (Education Code 17546)

Instructional materials shall be considered obsolete or unusable when by the district if they have been replaced by more recent editions or new materials selected by the Board, are not aligned with the district's academic standards or course of study, and have no foreseeable value in other instructional areas. Such materials may be sold or donated if they continue to serve educational purposes that would benefit others outside the district. Instructional materials are not appropriate for sale or donation if they meet any of the following criteria:

1. Contain information rendered inaccurate or incomplete by new ~~discoveries~~research or technologies

~~2. Have been replaced by more recent versions or editions of the same material and are of no foreseeable value in other instructional areas~~

~~3. 2. Contain demeaning, stereotyping, or patronizing references to either sex, members of racial, ethnic, religious, vocational or cultural groups, or any group of persons with physical or mental disabilities~~protected against discrimination by law or Board policy

~~4. Have been inspected and discovered to be 3. Are~~ damaged beyond use or repair

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

(cf. 6011 - Academic Standards)

(cf. 6143 - Courses of Study)

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

The Superintendent or ~~Deputy Superintendent of Business Services~~designee shall establish procedures to be used ~~when selling whenever the district sells~~ equipment ~~for which the or supplies originally acquired under a federal government has a right to receive all or part of the proceeds. These grant or subgrant. Such~~ procedures shall be designed to ensure ~~a reasonable amount of competition so as to result in the highest possible revenue return.~~ (2 CFR 200.313)

(cf. 3230 - Federal Grant Funds)

(cf. 3440 - Inventories)

Legal Reference:

EDUCATION CODE

17540-17542 Sale or lease of personal property by one district to another

17545-17555 Sale of personal property

~~42291.5 Temporary school bus designation~~

~~42303 School bus sale to another district~~

~~60500 Determination of obsolescence~~

~~35168 Inventory, including record of time and mode of disposal~~

~~60510-60511 Donation or sale~~

~~60520-60521 Disposition of sale proceeds~~

~~60530 Methods Sale, donation, or disposal of destruction~~

~~62000.4 Instructional instructional materials program, sunset date~~

GOVERNMENT CODE

25505 District property; disposition; proceeds

CODE OF REGULATIONS, TITLE 5

3944 Consolidated categorical programs, district title to equipment

3946 Disposal of equipment purchased with state and federal consolidated application funds

UNITED STATES CODE, TITLE 40

484.549 Surplus ~~properties~~property

CODE OF FEDERAL REGULATIONS, TITLE 342

80.32 Equipment acquired under a 200.0-200.521 Federal uniform grant ~~or sub-grant~~guidance

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California School Accounting Manual

Standards for Evaluating Instructional Materials for Social Content, 2013

WEB SITES

California Department of Education: <http://www.cde.ca.gov>

School Services of California, Inc.: <http://www.sscal.com>

7/14/04; 5/8/19A (if adopted)

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(cf. 0440 - District Technology Plan)

(cf. 3512 - Equipment)

(cf. 6161.11 - Supplementary Instructional Materials)

(cf. 6163.1 - Library Media Centers)

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1. Contain information rendered inaccurate or incomplete by new research or technologies
2. Contain demeaning, stereotyping, or patronizing references to any group of persons protected against discrimination by law or Board policy

3. Are damaged beyond use or repair

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 1312.4 - Williams Uniform Complaint Procedures)
(cf. 6011 - Academic Standards)
(cf. 6143 - Courses of Study)
(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

The Superintendent or designee shall establish procedures to be used whenever the district sells equipment or supplies originally acquired under a federal grant or subgrant. Such procedures shall be designed to ensure the highest possible return. (2 CFR 200.313)

(cf. 3230 - Federal Grant Funds)
(cf. 3440 - Inventories)

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3946 Disposal of equipment purchased with state and federal consolidated application funds

UNITED STATES CODE, TITLE 40

549 Surplus property

CODE OF FEDERAL REGULATIONS, TITLE 2

200.0-200.521 Federal uniform grant guidance

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California School Accounting Manual

Standards for Evaluating Instructional Materials for Social Content, 2013

WEB SITES

California Department of Education: <http://www.cde.ca.gov>

School Services of California, Inc.: <http://www.sscal.com>

7/14/04; 5/8/19A (if adopted)



Aimee Eng
President, Board of Education

5/9/19



Kyla Johnson-Trammell
Secretary, Board of Education

5/9/19