Property Disposal Check List

Office of School Facilities (OSF)

> ***SECTION 59-19-190. Purchase of land by trustees; reassignment or disposal of land purchased with State funds.***
>
> *Whenever a board of trustees deems it expedient to acquire lands for public school purposes with any State funds, it may purchase, subject to the prior written approval of the State Board of Education, the lots or parcels of land necessary for such purchase. The reassignment or disposal of such parcels of land purchased after 1952 with any State funds shall be subject to the prior written approval of the State Board of Education.*

Requests for property disposals must be mailed to the Director of the Office of School Facilities, SC Department of Education, 1429 Senate Street, Columbia SC 29201 or emailed to schoolfacilties@ed.sc.gov. Requests should be submitted at least six weeks before the next scheduled meeting of the State Board of Education (SBE).

In addition to the written request for property disposal, the Office of School Facilities will need the following information before the request is presented to the SBE:

- ☐ Tax map number and street address
- ☐ Amount of Acreage
- ☐ The original cost of the property
- ☐ The appraised value of the property
- ☐ The asking price of the property
- ☐ Is there a potential buyer at this time?
- ☐ Resolution passed by the local school board declaring the property to be unnecessary and/or unsuitable for educational or administrative purposes according to the district's facilities plan. Note: *Here is an example of a resolution document; however, this specific template is not required to be used; the district can develop its own resolution document but the document must be signed by the Chairman of the School Board of Trustees.*
- ☐ Charter School right of refusal - has the school district communicated the availability of the building to any other charter school board or committee operating or applying within the district to give them the first refusal to purchase or lease the facility in accordance with SC Code of Laws Section 59-40-170 https://www.scstatehouse.gov/code/t59c040.php. If so, please provide a copy of the notification/letter. If no existing or potential charter schools exist within the district, provide documentation indicating such.
- ☐ Roads – OSF will need to notify the SC Department of Transportation (SCDOT) before the SBE approves the disposal.
    - Section 305.2 of the *School Facilities Planning and Construction Guide* reads "Parcel(s) may contain internal roads identified as being on the State Highway System regardless of purchase date. These are roads that are owned and maintained by the SCDOT and will require the SCDOT to remove the road(s) from the system prior to the disposal of the property. Providing a boundary survey (if available) of the parcel with the disposition request to the OSF will aid the SCDOT in determining if any road(s) are on the State Highway System."

(E X A M P L E R E S O L U T I O N)

RESOLUTION
DECLARING SCHOOL PROPERTY FOR SALE
----------COUNTY SCHOOL DISTRICT
----------, SOUTH CAROLINA

WHEREAS, The School Board of Trustees of ----------County School District, has begun a $----------capital construction program; and

WHEREAS, The school district's capital construction program involves the construction of (*describe planned construction*); and

WHEREAS, The School Board of Trustees declares that (*name(s) of property*) to be unnecessary for educational and administrative purposes according to the district's facilities plans;

NOW THEREFORE BE IT RESOLVED, That the School Board of Trustees requests approval from the State Board of Education to sell (*name(s) of property*); and

BE IT RESOLVED, That the sale of (*name(s) of property*) will not have a discernible negative impact upon any other district school facility or site; and

BE IT RESOLVED, That assurance is hereby given that the proceeds from the sale of (*name(s) of property*) shall go to the district's capital budget for subsequent use.

Adopted (*date*) by the School Board of Trustees of ----------County School District.

_____
Chairperson, School Board of Trustees

_____
Date