

SURPLUSSING OF SCHOOL DISTRICT REAL PROPERTY

Real property owned or lawfully-held by the school district may not be sold, leased, rented, or used by third parties for non-school purposes unless (1) the Board of Directors has determined by resolution or other action that such property is temporarily or permanently “surplus,” as that term is defined by this policy, or (2) a surplus determination is not required by applicable law. A determination that a portion of the real property is temporarily surplus must precede any agreement for joint use of the school district’s real property for school purposes and purposes other than school purposes, unless such joint use is otherwise authorized by law.

Real property is permanently surplus if such real property is no longer required for school purposes.

Real property is temporarily surplus if it is not needed for school purposes during the period of the lease, rental, or use.

The Board of Directors need not determine that facilities are surplus to allow their occasional use or rental in accordance with Policy No. 4260.

The Board of Directors need not determine that a school or other school district facility is surplus in order to close such school or facility; however, whether a school is or will become surplus is a factor that may be considered in the Board’s written analysis prepared in accordance with Policy No. 6883. Neither a written analysis prepared in accordance with Policy No. 6883 nor a resolution closing a school will constitute a determination that the closed school is surplus.

Legal References:

- RCW 28A.320.510 Night School, Summer Schools, Meetings, Use of Facilities for
- RCW 28A.335.030 Surplus School Property, Rental, Lease, or Use of – Joint Use – Compensation – Conditions Generally
- RCW 28A.335.040 Surplus School Property, Rental, Lease, or Use of – Authorized – Limitations
- RCW 28A.335.080 Surplus School Property, Rental, Lease, or Use of – Community Use Not Impaired
- RCW 28A.335.090 Conveyance and Acquisition of Property – Management – Appraisal
- RCW 28A.335.120 Real Property – Sale – Notice and Hearing – Appraisal – Broker or Real Estate Appraiser Services – Real Estate Sales Contracts – Limitation
- RCW 28A.335.150 Permitting Use and Rental of Playgrounds, Athletic Fields or Athletic Facilities