

# REGULATION

## MONTGOMERY COUNTY PUBLIC SCHOOLS

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**Related Entries:** DNA, EDB-RA  
**Responsible Office:** Chief Operating Officer  
**Related Source:** *Annotated Code of Maryland*, Education Article,  
§ 4-115; § 5-301

### Disposition of Board of Education Property

#### I. PURPOSE

To establish procedures and set forth responsibilities for the disposition of Montgomery County Board of Education (Board) property

#### II. PROCEDURES

##### A. Real Property

##### 1. Disposal

The chief operating officer is responsible for initiating and carrying through the necessary activity to develop a recommendation to the superintendent of schools for disposing of all real property (land and buildings) considered to have no further use by the Montgomery County public school system, as prescribed in Board policy and state law. With the concurrence of the superintendent of schools, the recommendation is forwarded to the Board for approval. The superintendent of schools will notify the County Council and, if appropriate, the Board of Public Works of the decision of the Board.

##### 2. Easements and Rights-of-Way

Pertinent information and a recommendation is submitted by the chief operating officer when requests for easements and rights-of-way on Board property are received from public agencies and utility firms. The recommendation of the superintendent of schools is submitted to the Board for approval.

## B. Disposal of Other Than Real Property

### 1. Nonusable and Nontradeable Items

The chief operating officer is responsible for assuring that the following procedures are implemented in the disposal of nonusable and nontradable items:

- a) In consultation with staff and public representatives, as appropriate to the benefit of the school system, the director of the Department of Materials Management identifies items which are nonusable and nontradable.
- b) The director of the Department of Materials Management facilitates the following:
  - (1) The property is to be publicly sold.
  - (2) Notice of an intended sale is published at least one week in advance of the sale.
  - (3) Worn-out and/or obsolete material which cannot be sold is to be sold as scrap matter.
- c) The director of the Department of Materials Management maintains a record of all items sold and sends proceeds to the Department of Financial Services.
- d) When items are sold, the director of the Department of Materials Management is responsible for adjusting the inventory of Montgomery County Public Schools (MCPS) property.

### 2. Disposition of Instructional Materials and Equipment

- a) After instructional materials and equipment have been processed in accordance with MCPS Regulation EDB-RA: *Instructional Materials and Equipment*, any surplus books or other instructional materials and equipment are forwarded to the Warehouse.
- b) The director of the Department of Materials Management maintains a collection of surplus, worn-out, and obsolete library, reference, and classroom books and other instructional materials and equipment at

the Warehouse, awaiting disposition through sale or transfer to such agencies as may have use for such books and other instructional materials and equipment.

- c) Periodically, bids are invited for the sale of surplus, worn-out, and obsolete library, reference, and classroom books and other instructional materials and equipment. Awards are granted to the high bidder(s).

3. Tradeable Property

The director of the Department of Materials Management is responsible for reporting the trade-in value of property to be replaced. This will be accomplished as part of the bid tabulation and summary covering the award of a contract for the purchase of replacement property.

**Regulation History:** Formerly Regulation No. 235-3, February 17, 1977; directory information updated January, 1983; reprinted April, 1988; revised June 5, 2008; revised December 12, 2011; revised August 21, 2012.