

SALE, DISPOSAL AND LEASE OF BOARD-OWNED REAL PROPERTY

Policy Code:

9400

The board will consider the sale and disposal of board-owned real property, including land and buildings, as authorized by law. The board is guided in its decisions by its commitment to help students succeed by providing appropriate facilities and to use its resources in a fiscally and environmentally sound manner.

Any sale or disposal of real property, including school buildings, will be conducted in accordance with constitutional and statutory requirements. The superintendent should secure the services of consultants as necessary to conduct feasibility assessments and determine the fair market value. No building or land will be sold below the fair market value or exchanged for less than full and fair consideration, except as permitted by law. The board will afford the board of county commissioners the first opportunity to obtain any real property at the fair market price or a price negotiated between the two boards.

The board may when the board decides to lease board-owned real property to another entity in accordance with constitutional and statutory requirements. The board will lease available board-owned buildings and land to charter schools when required by law.

All contracts for the sale, disposal, or lease of real property must be consistent with G.S. 147, art. 6E and art. 6G.

Legal References: N.C. Const. art. IX, § 7; G.S. 115C-72, -218.35 -518, -521; 147 art. 6E, art. 6G; 160A, art. 12; *Boney v. Board of Trustees*, 229 N.C. 136 (1948)

Cross References: Planning to Address Facility Needs (policy 9000), Site Selection (policy 9010), Use and Selection of Architects, Engineers, Surveyors, and Construction Managers At Risk (policy 9110)

Adopted: May 14, 1998 to become effective July 1, 1998

Revised: May 8, 2014, January 12, 2017, January 11, 2018, November 17, 2022