

PROPOSED REVISION



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MANAGEMENT SUPPORT

Rental, Lease, or Use of Surplus District Real Property

When district real property is not currently needed by the district for school purposes, the board may (1) determine such property to be surplus, and (2) rent or lease such surplus property to, or permit the occasional use of such surplus property by, any person, corporation, or government entity for profit or nonprofit, commercial or noncommercial purposes; *provided* that the renting, leasing or use of such property is for a lawful purpose and does not interfere with the conduct of the district's educational program and related activities. Such rental, lease or occasional use may include the joint use of district property, which is in part used for school purposes, by any combination of persons, corporations, or governmental entities; *provided* that any such joint use shall comply with existing applicable local zoning ordinances.

The lease or rental agreement shall permit the recapture of the leased or rented surplus property should such property be needed for school purposes in the future unless proximity to an international airport precludes the possible or appropriate use of the property for a school, or the property is leased or rented for affordable housing purposes.

It is a violation of district policy for any person, including a renter or leaser to **knowingly** carry a firearm or dangerous weapon on district **property premises. "Premises" includes district property, including rental property, used exclusively for school district activities and does not extend to a property rented or leased as a personal domicile.**

Every rental, lease or use agreement entered into by the district shall include provisions which permit the district to recapture the leased or rented surplus property from the tenant, lessee, or user should the district determine, in its sole discretion, that the property is needed for school purposes. The board shall further require all tenants, lessees, or users to pay reasonable compensation ("Rent") for such rental, lease, or use. Rent shall be determined and assessed on a basis that is nondiscriminatory within classes of users. Proceeds from the rental, lease, or use of district property in excess of the operational costs incurred for such rental, lease, or use shall be deposited in the district's debt service fund and/or the capital projects fund. Operational costs shall be deposited in the district's general fund.

For rentals or leases of surplus property totaling ten thousand dollars (\$10,000) or more in value, the board shall publish a written notice, in the newspaper of general circulation in the school district, at least forty-five (45) days prior to renting or leasing the property.

Nothing in this policy statement shall: (1) limit the district's authority or ability to enter into leases, rental agreements, or other contracts with public entities on such terms and conditions as are consistent with applicable law; or (2) prohibit the board from agreeing to conditions to a lease otherwise lawful, including conditions of reimbursement or partial reimbursement of costs associated with the lease or rental of the surplus property.

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Rental of Musical Instruments

The district shall purchase only those instruments which, because of cost and/or unsuitability as a solo instrument, are not likely to be purchased by parents and yet are needed for full instrumentation of school music groups. Such instruments shall be rented with the fee used to help cover maintenance costs, except when the rental instrument is in addition to an instrument that is already owned or rented by the student.

Arrangements shall be made for the reduction/waiver of fees for students whose families, by reason of income, would have difficulty paying the fee. The USDA child nutrition program guidelines shall be used to determine qualification for a reduction/waiver. Parent(s)/guardian(s) shall be notified of the availability of fee reduction/waivers. Rental instruments shall be used only in preparation for and playing in school organizations. The user shall be responsible for any damage to the instrument which might occur while it is in his/her care.

The superintendent or designee shall establish a rental fee for school-owned instruments.

Cross references:	Board Policy 4207	Regulation of Firearms and Dangerous Weapons on School District Property
	Board Policy 6115	Fees, Fines and Charges
Legal references:	RCW 28A.335.040	Surplus school property, rental, lease or use of—Authorized—Limitations
	RCW 28A.335.050	Surplus school property, rental, lease or use of—Joint use—Compensation—Conditions generally
	RCW 28A.335.060	Surplus school property—Rental, lease or use of—Disposition of moneys received from
	RCW 28A.335.070	Surplus school property, rental, lease or use of—Existing contracts not impaired
	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.335.130	Real property—Sale—Use of proceeds
	RCW 39.33.010	Sale, exchange, transfer, lease of public property authorized—Section deemed alternative

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