

Acquisition and Disposal of Real Property.

- (1) **Authority.** Boards, including universities, are authorized to purchase, own, convey, sell, lease, trade and encumber real property. A Board planning to acquire sites, existing facilities or new facilities, through purchase, gift, lease, lease-purchase or otherwise, shall comply with all laws, procedures, and requirements pertaining to the appropriation and use of capital outlay funds, including appraisal and/or condemnation procedures.
- (2) **Florida Inventory of School Houses (FISH).** Real property owned or acquired under a long-term lease/use agreement (40 or more years) by a school board shall be included in the inventory update as reported to the Department. All satisfactory relocatables owned, leased, lease-purchased and rented (regardless of the terms and length of rental agreement) by or through a school board shall be included in the inventory.
- (3) **Location.** The location of educational facilities shall be consistent with the comprehensive plan of the appropriate local governing body and consistent with the plan's implementing land development regulations.
- (4) **Disposal of Real Property.** A Board may dispose of any land or other real property by resolution of such Board, if recommended in an educational plant survey and if determined to be unnecessary for educational or ancillary purposes. Upon disposal of any land or real property, funds received shall be deposited into a depository account pursuant to SREF, section 2.1(4)(a)-(h) and credited to the fund source used for the original acquisition. If the original acquisition was by private grant or donation, the proceeds from the sale shall be deposited into a depository account pursuant to SREF, section 2.1(4)(h), and shall be expended only on capital outlay projects unless otherwise prescribed by the grantor or donor in writing or in a written agreement with the Board. If the original fund source cannot be determined, proceeds of the sale shall be credited pursuant to SREF, section 2.1(4)(h) and shall be expended only on capital outlay projects. This section does not apply to the granting of easements, rights-of-way or leases of Board property for no consideration.

See rule 6A-2.0010, FAC, and sections 163.31777, 267.061, 562.45(2)(a), 1001.42(11), 1001.64(37), 1010.01, 1010.02, 1011.01(3), 1011.06, 1011.09, 1011.60(1) and (5), 1013.02, 1013.14, 1013.24, 1013.28(1), 1013.31, 1013.33, 1013.36, 1013.37, 1013.40, F.S.