

**BALTIMORE COUNTY PUBLIC SCHOOLS**

**DATE:** April 5, 2011

**TO:** **BOARD OF EDUCATION**

**FROM:** Dr. Joe A. Hairston, Superintendent

**SUBJECT:** **CONSIDERATION OF THE PROPOSED DELETION OF POLICY 3630, DISPOSAL OF REAL PROPERTY**

**ORIGINATOR:** Joe A. Hairston, Superintendent

**RESOURCE PERSON(S):** Michael Sines, Executive Director, Department of Physical Facilities

**RECOMMENDATION**

That the Board of Education reviews the proposed changes to Policy 3630.  
This is the third reading.

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Attachment I – Policy Analysis  
Attachment II – Policy 3630

**POLICY ANALYSIS FOR  
BOARD OF EDUCATION POLICY 3630  
DISPOSAL OF REAL PROPERTY**

**Statement of Issues or Questions Addressed**

In accordance with Board of Education Policy and Superintendent's Rule 8130, Policy 3630 is scheduled for review on school year 2010-2011. Policy 3630 deals with the disposal of real property when the county board determines that land, school sites, or buildings are no longer needed for school purposes. The policy is simply a restatement of Maryland law found in Section 4-115 of the Education Article. The Board has consistently stated that a policy should be deleted if it merely restates the law. Therefore, staff is recommending that the policy be deleted.

**Cost Analysis and Fiscal Impact on School System**

No fiscal impact is anticipated by the deletion of this policy.

**Relationship to Other Board of Education Policies**

None

**Legal Requirements**

*Annotated Code of Maryland, Education Article §4-115, Acquisition and Disposition of Real Property*

**Similar Policies Adopted by Other Local School Systems**

1. Frederick County Board of Education, Policy 108, *Unused School Property*
2. Montgomery County Board of Education, Policy DNA, *Disposition of Board of Education Property*

**Draft of Proposed Policy**

Attached

**Other Alternatives Considered by Staff**

No other alternatives were considered.

**Timeline**

First Reading – April 5, 2011

Public Comment – May 10, 2011

Third Reading – June 14, 2011

NON-INSTRUCTIONAL SERVICES: Fees, Gifts, and Property Disposition

Disposal of Real Property

When the Board of Education, with the approval of the State Superintendent of Schools and approval of the Interagency Committee on School Construction, shall determine that grounds, school sites, or buildings are no longer needed for school purposes, they shall be transferred to the Baltimore County Government, in accordance with State Law.

Legal Reference:     Annotated Code of Maryland, Education Article  
                           §4-114         Acquisition and Disposition of Real Property  
                           §5-301(e)     Rules, Regulations, and Procedures  
                           §5-301(j)     Disposition of Proceeds from Sale of Certain Public  
   School Buildings

Policy  
Adopted:     12/12/74]

Board of Education of Baltimore County