



Ohio Administrative Code Rule 3301-40-08 Property disposal procedures.

Effective: October 28, 2022

(A) In the event that a chartered nonpublic school closes, and it receives its funds directly from the state, the school cannot keep any materials or equipment purchased with auxiliary services funds under section 3317.062 of the Revised Code, as those materials and equipment are property of the state, and materials and equipment are to be disposed of by any of the following methods:

- (1) The materials and equipment may be offered to any remaining nonpublic schools or preschool located within the public district and may be used at that nonpublic school or preschool;
- (2) The materials and equipment may be offered to the public district in which the closing school is located, and upon acceptance by the school district, the materials and equipment will become property of the school district;
- (3) The materials and equipment may be sold. Any proceeds related to the sale of auxiliary services materials and equipment are to be returned to the department of education;
- (4) If the materials and equipment cannot be sold, and the fair market value of the property is, in the opinion of the school, two thousand five hundred dollars or less, the item may be donated. The property may be donated to an eligible nonprofit organization that is located in this state and is exempt from federal income taxation pursuant to 26 U.S.C. 501 (a) and (c)(3). Before donating any property under this division, the school is required to adopt a resolution expressing its intent to make unneeded, obsolete, or unfit-for-use school property available to these organizations;
- (5) If the materials and equipment are not an acceptable donation and refused by an eligible nonprofit organization, the item may be disposed of in accordance with the schools disposal procedures.

(B) Disposal of obsolete loaned textbooks



(1) For chartered nonpublic schools which have received their auxiliary services funds directly from the state, obsolete textbooks are to be disposed of in the same manner as textbooks purchased with the schools own funds.

(2) If obsolete textbooks are sold, all proceeds from the sale are to be returned to the department of education.

(C) Disposal of materials or equipment that were purchased in accordance with division (A)(6) or (A)(7) of section 3317.062 of the Revised Code and that are no longer needed for school use, are obsolete, are unfit for the use for which they were acquired, or have been in the schools possession for more than four years are to be disposed of in accordance with division (H) of that section.