

**PERSONAL PROPERTY ACCOUNTABILITY**

**I. Definition of Personal Property**

1. Personal property shall mean all tangible personal property of the Clinton-Essex-Warren-Washington BOCES that is not consumable and has a useful life of one year or more, including but not limited to equipment, supplies, parts, vehicles and materials, provided that such terms shall not include buildings or other real property or equipment which is permanently affixed to real property, or leases, notes or other written instruments.
2. Valuable personal property shall mean personal property which has a unit resale value of \$500 or more and supplies, parts or materials which are disposed of in lots having an aggregate resale value of \$500 or more.
3. Surplus personal property shall mean personal property which has no known immediate or currently foreseeable use to Clinton-Essex-Warren-Washington BOCES.

**II. Acquisition of Personal Property by Purchase**

1. Competitive Bidding – Competitive bids or quotations shall be solicited in connection with all purchasing as required by Section 103 of the General Municipal Law. Contracts shall be awarded to the lowest responsible bidder or to the bid with the best value as defined by General Municipal Law complying with specifications and other stipulated bidding conditions.
  - a. Purchases shall be in accordance with BOCES’ Purchasing Policy 6700 and Competitive Bidding Requirements 6720.
  - b. All contracts which require public advertising and bidding shall be awarded by resolution of the Board. Recommendations for such contracts shall be made to the Board by the District Superintendent of Schools.
  - c. Bids shall be opened at the time and place set forth in the Notice to Bidders. There will be at least two (2) Supervisory district employees present at each bid opening, including the Assistant Superintendent of Management Services, or the Purchasing Agent if so designated by the School Business Official. If no spectators are present, the Assistant Superintendent of Management Services or other designated official will have one or more persons serve as witness to the process. All interested parties may also attend the opening bids.
2. Purchases exempt from public bidding requirements shall be made in accordance with the policy on purchasing 6700, et. seq.

### **III. Acquisition of Personal Property by Gift**

1. Acceptance. Only the Board may accept on behalf of Clinton-Essex-Warren-Washington BOCES gifts of either money or merchandise, including federal, state or municipal corporation surplus property and property donated to Clinton-Essex-Warren-Washington BOCES by bequest or devise in a will or trust instrument that in the view of the Board adds to the overall welfare of Clinton-Essex-Warren-Washington BOCES. The District Superintendent, in consultation with the Program Director and Board President, may also approve the acceptance or rejection of such gifts of either money or merchandise, including federal, state, or municipal corporation surplus property only when a condition exists that requires acceptance or rejection of the donation prior to the next available Board meeting. Such acceptance will be reported to the Board at the next subsequent meeting.
  - a. The Board and/or District Superintendent, in consultation with the Program Director and Board President, will not consider the acceptance of a gift until the offer is made in writing.
  - b. The Board and/or District Superintendent, in consultation with the Program Director and Board President, will safeguard the Clinton-Essex-Warren-Washington BOCES staff and students from commercial exploitation from special interest groups.

#### **2 Accounting for Gifts**

- a. All gifts shall be entered into the perpetual physical inventory of Clinton-Essex-Warren-Washington BOCES in the same manner as purchased personal property and consistent with the provisions of Subheading "Perpetual Inventory" below.
- b. Gifts of money shall be annually accounted for as designated by the Board.
- c. Any property donated shall be for the use of Clinton-Essex-Warren-Washington BOCES and no employee shall benefit personally from such donations.
- d. All gifts shall become the sole property of Clinton-Essex-Warren-Washington BOCES.
- e. It shall be the responsibility of the District Superintendent to have the value of the gift or donation established, when necessary, for tax purposes and acknowledge, in writing, the receipt of the gift or donation on behalf of Clinton-Essex-Warren-Washington BOCES.
- f. All gifts or donations shall be immediately brought to the attention of the program director to which the contribution is made.

- g. The program director shall recommend the acceptance or rejection of the gift to the District Superintendent. The program director will notify the donor of the acceptance or rejection of the gift by Clinton-Essex-Warren-Washington BOCES.
- h. The District Superintendent shall make a recommendation to accept or reject such gifts to the Board at a regular meeting. If the District Superintendent approves the acceptance of such gifts or donations, he/she will make a report to the Board of such gifts that have been accepted at the next regular Board meeting. Such a report will include handling or processing fees, or other costs associated with the acquisition of said gift.
- i. The program director to which the gift or donation is made, shall be responsible to see that the gift or donation is appropriately used.
- j. Gifts or donations made that are not specific to a program shall be brought to the attention of the District Superintendent who will be responsible for designating a program director to follow through with the implementation of the regulations as set forth in this policy.

#### **IV. Perpetual Inventory**

- 1. The Assistant Superintendent of Management Services shall develop in writing, the basic rules and regulations to be followed in maintaining the personal property records. Procedures employed shall comply with all applicable laws and requirements of the New York State Department of Audit and Control, which are issued pursuant to Section 36 of the General Municipal Law.
  - a. The minimum standards to be considered for inclusion in the personal property record are:
    - i. The property must have significant value. Personal property valued at \$100 or more, but less than \$500, may be included, and personal property valued at \$500, or more shall be included. Technology devices valued at \$100 or more shall be included.
    - ii. The property must have an estimated useful life of one year or more.
    - iii. The physical characteristics of the property are not appreciably affected by use or consumption.
  - b. It shall be the responsibility of the Assistant Superintendent of Management Services or designee to assure that all new acquisitions, by purchase or gift, are entered into the perpetual inventory system.

2. Inventory Records. The inventory record shall contain sufficient information to identify each item classified as a personal property and include the following.
  - a. A sufficient description of the personal property including make, model, manufacturer's identification number, and assigned BOCES asset number.
  - b. The class of the property (land, building, machinery and equipment, licensed vehicles, etc.)
  - c. The date of acquisition of the property.
  - d. The acquisition cost of the property. If unknown or a gift, the estimated value.
  - e. The source of financing or acquisition (general fund, special aid fund, gift, etc.)
  - f. The physical location of the property. An Asset Relocation/Storage form (5600 E.1 or 5600 E.1A) must be submitted to the Business Office for all subsequent movements or an electronic movement request must be submitted and approved through the asset management system.
3. Physical Inventory. A physical inventory shall mean determining the actual existence, and condition, of real and personal property in the records by visually examining the property in question.
  - a. For all personal property maintained in the physical inventory records, a physical inventory shall be conducted at least annually.
4. Lost or Stolen Property. A Lost or Stolen Property Report (5600 E.2) must be forwarded to the Assistant Superintendent of Management Services as soon as the loss is discovered.

## **V. Disposition of Valuable Personal Property**

### **Property Located in School Districts**

Ownership of BOCES asset tagged computers, copiers, and related technology equipment is allowable in local component school districts. When the period of probable use is exhausted for these items, the ownership will be transferred to the component school districts. The property becomes surplus without board approval due to it having no value to the BOCES. The Assistant Superintendent of Management Services will be responsible with creating and maintaining a period of probably use for these assets.

At the time of the transfer of ownership, such assets shall be eliminated from the Clinton-Essex-Warren-Washington BOCES inventory and each component school district will be provided an itemized list of the computers, copiers, and related technology equipment located in their district. After Assistant Superintendent of Management Services review and approval for transfer of ownership; maintenance, related supply costs, and insurance coverage will be the responsibility of the component school district.

## **Property Located at the BOCES**

1. Division directors or their designee(s) are responsible for identifying obsolete and surplus equipment and supplies within their area(s) of responsibility.

Periodically, a determination shall be made as to what equipment, supplies and/or materials are obsolete or surplus and cannot be reassigned to other locations within Clinton-Essex-Warren-Washington BOCES. If items are determined to have potential usefulness in the future, the items will be stored in a central location. (5600 E.1; 5600 E.1A)

2. Procedures for Disposition of Equipment, Supplies or Materials
  - a. All surplus or obsolete equipment, supplies or materials, which is considered valuable personal property, may be sold to the highest bidder, or may be exchanged for equipment, supplies, or materials that are of equal or greater value. Surplus or obsolete equipment, supplies, or materials may also be offered and sold first to the component school district(s), second to another BOCES, and third to a municipal corporation for FMV.
  - b. Any property whose market value would classify it as valuable personal property, but which is determined not to be marketable because it is damaged or in poor condition and has not been marketable after at least one prior attempt at competitive bidding, may be disposed of by Clinton-Essex-Warren-Washington BOCES.
  - c. Disposition of any valuable personal property must be approved by the Assistant Superintendent of Management Services via an Asset Disposal Request Form (5600 E.3, 5600 E.3A) or electronically through the asset management system.
  - d. Prior to classifying as disposable, all items should be considered for reassignment to other locations within Clinton-Essex-Warren-Washington BOCES as needed or stored in a central location if they may have potential usefulness in the future.
  - e. All sales of valuable personal property shall be open to the public unless such sale is to a component school district, a BOCES, or a municipal corporation for fair market value. Notice of the sale and/or requests for bids shall be made through advertisements in the local newspapers and other appropriate means to assure public awareness. The general public shall be eligible to bid on the equipment, supplies and/or materials.

## **VI. Accounting of Fixed Assets and Depreciation**

The Assistant Superintendent of Management Services shall be responsible for accounting for general fixed assets according to the procedures outlined by the Uniform System of Accounts for School Districts and GASB Statement 34 Regulations.

These accounts will serve to:

1. Maintain a physical inventory of assets;
2. Establish accountability;
3. Determine replacement costs; and
4. Provide appropriate insurance coverage.

Fixed assets with a minimum value established by the Board that have a useful life of one (1) year or more and physical characteristics not appreciably affected by use or consumption shall be inventoried and recorded on an annual basis. Fixed assets shall include land, buildings, equipment and materials.

Fixed assets acquired having a value equal to or greater than \$1500 are considered depreciable assets and shall be inventoried for the purposes of GASB 34 accounting practices and placed on a depreciation schedule according to its asset class and estimated useful life as stipulated by the NYS Comptroller's Office or the IRS. A standardized depreciation method and averaging convention shall also be established for depreciation calculations.

Assets shall be recorded at initial cost or, if not available, at estimated initial cost; gifts of fixed assets shall be recorded at estimated fair value at the time of the gift. A property record will be maintained for each asset and will contain, where possible, the following information:

1. The date of acquisition;
2. A sufficient description including make, model, manufacturer's identification number, and assigned BOCES asset number;
3. The acquisition cost. If unknown or a gift, the estimated value;
4. The physical location;
5. Class (land, building, licensed vehicles, machinery and equipment, etc.);
6. Estimated useful life;
7. Salvage value;
8. Date and method of disposition; and
9. Source of financing or acquisition (general fund, special aid fund, gift, etc.)

## **VII. Procedure of Accountability of Officers and Employees for Violating the Personal Property Policy**

1. Penalty for violation. Any officer or employee who violates this policy will be subject to removal from office or discipline in accordance with existing law. Unauthorized use of personal property and the theft or conversion of personal property belonging to Clinton-Essex-Warren-Washington BOCES will be prosecuted vigorously and to the maximum extent allowable under the law.
2. Dissemination of policy. The District Superintendent shall be responsible for the enforcement of this policy and shall take such action as is necessary to communicate this policy to all officers and employees of Clinton-Essex-Warren-Washington BOCES

including but not limited to, the publication of this policy in the Clinton-Essex-Warren-Washington BOCES Policy Manual, the Personnel Handbook, and teacher and employee handbooks. This policy will be included on the agenda of faculty and administrative meetings at least annually.

3. Complaints. Complaints concerning violation of this policy shall be forwarded to the District Superintendent on an appropriate form prescribed by the District Superintendent. The District Superintendent shall cause an investigation to be conducted and a report shall be filed in his office at the completion of the investigation. The District Superintendent is responsible for and shall take such action as is necessary for the enforcement of this policy.

#### **VIII. Review and Amendment of the Policy**

1. Review. Clinton-Essex-Warren-Washington BOCES shall review the policy on personal property accountability annually and make amendments it deems necessary.
2. Amendments. Any amendment made to the originally approved policy on personal property accountability shall be submitted to the Commissioner of Education for approval within 30 days of its adoption by Clinton-Essex-Warren-Washington BOCES.

Legal Reference: Section 170.3 of the  
Regulations of the Commissioner of Education

Adopted July 8, 2020