

THE SCHOOL DISTRICT OF PHILADELPHIA

No. 706

Section: 700 Property

Title: Real Property Management

Adopted:

Revised: April 21, 2021

706 REAL PROPERTY MANAGEMENT

Purpose

The Board of Education (“Board”) is committed to providing the necessary grounds and suitable school buildings to accommodate all School District of Philadelphia (“District”) students. The goal of this policy is to ensure that the administration of all owned or leased real property is carried out with fidelity.

The District requires the ongoing ability to purchase and sell real property in a timely manner to adequately and efficiently support the changing enrollment and space requirements of the District. In addition, the District requires the ongoing ability to lease property that is needed for District purposes when the purchase of a property is not required, is not an available option, or is not economically feasible. In certain limited circumstances, the District may also wish to license or lease District property to one or more third parties for educational-related purposes or other purposes when such property is not immediately needed by the District for its own uses but market conditions or other factors may make a sale infeasible or undesirable.

Authority

As required by the Public School Code, the Board must approve by action item the sale of certain land or buildings. Court approval of the sale shall be obtained if required. The Executive Director of Operations shall work with the Office of General Counsel on compliance with all applicable sections of the Public School Code. [1][2][3][4][5][6][7][8][9][10]

The Board may sell unused and unnecessary lands and buildings in accordance with the Public School Code. Such provisions include sale by the following methods:

- a. By public auction after due notice.
- b. Upon sealed bids requested by the Board after due notice.
- c. At private sale, subject to the approval of the Philadelphia County Court of Common Pleas. The District must obtain two appraisals, and the appraisers must prepare affidavits stating that the price offered for the property is fair and reasonable and in their opinion a better price than could be obtained at public sale.

- d. Upon approval of two-thirds (2/3) of the members of the Board, the District may sell real estate to a charitable organization qualified as tax-exempt under section 501(c)(3) of the Internal Revenue Code of 1986 as amended, for accepted consideration.
- e. To a municipal authority, such as the City of Philadelphia, with or without consideration under certain circumstances, as otherwise provided by law. [7]

The Board may authorize the District by action item to purchase, condemn, lease, and license land or buildings which the Board deems necessary for school buildings or for other school purposes or may authorize the District by action item to lease or license land or buildings to other entities. [4]

In cases when a school building is not fit for use or occupation as a result of a natural disaster, such as a fire or flood, or other major disruption which impacts the physical health and safety of students, the District may lease or license property prior to Board approval by action item.

Delegation of Responsibility

The Board directs the Superintendent or their designee, through the Office of Real Property Management (“ORPM”), in consultation with other District administrative offices and subject to the direction and approval of the Chief Operating Officer (“COO”) or their designee, to establish administrative procedures to implement this policy in accordance with applicable laws.

Mandatory Regulatory Procedures

The District shall apply this policy and its procedures in a flexible, prudent, and strategic manner to best meet the needs and interests of the District and the students it serves.

The District shall maintain real property records and inventory records on all land and buildings, owned or under the control of the District in accordance with applicable laws and the District’s records retention schedule.

It is a goal of the Board and the District to achieve the maximum market rate value in the sale of any real property the District owns, and to pay no more than market rate for property leased or acquired, while recognizing the need to maintain an appropriate level of community involvement and engagement throughout all disposition, acquisition, and leasing processes.

The District shall make every effort to engage community groups and the various economic and community development agencies within the City of Philadelphia in the sale, purchase, and long-term lease of properties.

Legal References:

1. [24 P.S. 7-701](#)
2. [24 P.S. 7-701.1](#)
3. [24 P.S. 7-702](#)

4. [24 P.S. 7-703](#)
5. [24 P.S. 7-703.1](#)
6. [24 P.S. 7-704](#)
7. [24 P.S. 7-706](#)
8. [24 P.S. 7-707](#)
9. [24 P.S. 7-708](#)
10. [24 P.S. 7-709](#)

Related Information:

[Policy 706 Administrative Procedures](#)