

PERSONAL PROPERTY ACCOUNTABILITY

I. Definition of Personal Property

- A. Personal property shall mean all tangible personal property of the Board of Cooperative Educational Services of Rensselaer, Columbia, and Greene Counties (hereinafter "the Board" when denoting the body constituted pursuant to Secs. 1950(1) and (2) of the Education Law; and "Questar III" when denoting the agency operated by the Board pursuant to Secs. 1950(4)(d) et seq. of the Education Law) that is not consumable and that has a useful life of one year or more, including but not limited to equipment, supplies, materials, parts, and vehicles, provided that such term shall not include buildings or other real property, or equipment that is permanently affixed to real property, or leases, notes, or other written instruments.
- B. Valuable personal property shall mean personal property that has a unit resale value of \$500 or more, and equipment, supplies, parts, or materials that are disposed of in lots having an aggregate resale value of \$500 or more.
- C. Surplus personal property shall mean personal property that has no known, immediate, or currently foreseeable use to Questar III.

II. Acquisition of Personal Property by Purchase

- A. Competitive Bidding Competitive bids shall be solicited in connection with all purchasing as required by Sec. 103 of the General Municipal Law. Contracts shall be awarded to the lowest responsible bidder complying with specifications and other stipulated bidding conditions. Notwithstanding, Questar III is authorized to make purchases from State Procurement Contracts provided by the New York State Office of General Services or participate in joint competitive purchasing as may otherwise be authorized by law.
 - 1. Contracts for equipment, supplies, materials, services, or public works that are in an amount in excess of the amount specified in Sec. 103 of the General Municipal Law, and all public works contracts involving an expenditure in excess of the amount specified in Sec. 103 of the General Municipal Law, shall be awarded on the basis of public advertising and competitive bidding consistent with the provisions of Sec. 103 of the General Municipal Law and the Questar III Purchasing Policy.
 - 2. Any contract that has been publicly advertised and competitively bid shall be awarded by resolution of the Board. Recommendations for such contracts shall be made to the Board by the District Superintendent.

3. The Board Clerk (or designee) shall open bids and record same pursuant to law.

B. Purchases Exempt from Competitive Bidding. Any purchase of personal property which is not subject to competitive bidding shall be made in accordance with the procedures established pursuant to Sec. 104-b of the General Municipal law and the Board's Purchasing Policy.

1. Goods and services must be purchased so as to facilitate the acquisition of goods and services of quality at the lowest cost under the circumstances and to guard against favoritism, improvidence, extravagance, fraud or corruption.
2. The Board shall appoint a purchasing agent who shall be authorized to issue purchase orders without prior approval of the Board where formal bidding procedures are not required by law, and when budget appropriations are adequate to cover such obligations.

III. Gifts and Donations

A. Acceptance.

1. The Board is hereby authorized to accept on behalf of Questar III gifts of cash or financial instruments in the amount of one thousand dollars (\$1,000) or more and real property, for the benefit of Questar III facilities, educational programs or for the purpose of awarding scholarships. Questar III will not formally accept a gift until the offer is made in writing. The District Superintendent or her/his designee is authorized to accept on behalf of Questar III gifts of cash or financial instruments of less than one thousand dollars (\$1,000) or personal property. The District Superintendent or her/his designee shall act to safeguard Questar III, its employees, and its students from commercial exploitation from special interest groups. Gifts and donations shall be made in accordance with the Questar Gifts and Donations Policy.
2. The Board or the District Superintendent or her/his designee may reject a gift, grant or bequest which does not comply with Board policies.

B. Accounting for Gifts

1. All gifts of personal property shall be entered into the perpetual physical inventory of Questar III in the same manner as purchased personal property and consistent with the provisions of paragraph 3, below.
2. Gifts of money shall be accounted for annually under the trust and agency account in the bank designated by the Board.

3. Any property donated to and accepted by the Board or the District Superintendent or her/his designee shall be for the use of Questar III and no employee shall benefit personally from such donation.
4. All gifts accepted by the Board or the District Superintendent or her/his designee shall become the sole property of Questar III.
5. It shall be the responsibility of the District Superintendent or her/his designee to have the value of the gift or donation established, when necessary, for tax purposes, and to acknowledge in writing the receipt of the gift or donation on behalf of Questar III.
6. All gifts or donations shall be immediately brought to the attention of the District Superintendent, who shall make a recommendation to accept or reject such gifts to the Board, when required.
7. The administrator or supervisor of the service, program, or operation to which the contribution is made shall be responsible for assuring that the gift or donation is appropriately used or disposed of.

IV. Perpetual Inventory

- A. Record of General Fixed Assets. The District Superintendent or her/his designee shall develop in writing the basic rules and regulations to be followed in maintaining Questar III's personal property records. Procedures employed shall comply with all applicable laws and requirements of the New York Office of the State Comptroller, which are issued pursuant to Sec. 36 of the General Municipal Law.
 1. The minimum standards to be considered for inclusion in the personal property record are:
 - a. The personal property shall have a significant value. Personal Property valued at one hundred dollars (\$100) or more, but less than five hundred dollars (\$500) may be included, and personal property valued at five hundred dollars (\$500) or more shall be included.
 - b. The personal property must have an estimated useful life of one year or more.
 - c. The physical characteristics of the personal property must be such as not to be appreciably affected by use or consumption.
 2. It shall be the responsibility of the District Superintendent or her/his designee to assure that all new acquisitions, by purchase or gift, are entered into the perpetual inventory system.

B. Inventory Records. The inventory record shall contain sufficient information to identify each item classified as personal property and shall include the following:

1. A sufficient description of the personal property;
2. The class of the personal property (e.g., machinery, equipment, etc.);
3. The year the personal property was acquired;
4. The cost of the personal property at acquisition (the historical cost of the personal property), or, if unknown or a gift, its estimated value;
5. The source of financing or acquisition of the personal property (e.g., general fund, federal fund, gift); and
6. For personal property leased-to-purchase or leased to a school district pursuant to a cooperative service agreement or other instrument, identification of the lease, lease term and location of the leased property.
7. An inventory tag, including the model and serial numbers (if available) and location where it will be used.

C. Physical Inventory. "Physical inventory" shall mean a determination of the actual existence and condition of real and personal property in the records of Questar III by visually examining the property in question.

1. A physical inventory shall be conducted at least once a year for personal property with a resale unit value of more than \$500.
2. A physical inventory shall be conducted at least once every other year for all other personal property in the personal property record.

V. Disposition of Personal Property

A. Regular Assessment of Inventory's Condition. Questar III administrative personnel shall be responsible for identifying obsolete and surplus equipment and supplies within their area(s) of responsibility. Periodically, but not less than once a year, a determination shall be made as to what equipment, supplies, and/or materials are obsolete and cannot be salvaged or utilized effectively or economically by Questar III.

B. Procedures for Disposing of Personal Property

1. All surplus or obsolete equipment, supplies, materials or other personal property shall be sold only to the highest bidder.

2. Any personal 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 or has not been marketable after at least one prior attempt at competitive bidding, may be disposed of by Questar III in the most effective and efficient manner.
 3. No personal property shall be disposed of, even if it is determined to have little or no marketable value, without the prior approval of the District Superintendent or her/his designee.
 4. Prior to classifying it as disposable, an item of personal property shall be considered by the District Superintendent or her/his designee for reassignment to other locations, programs, or operations within Questar III as needed, or for storage in a central location if it has potential future usefulness.
 5. All sales of surplus or obsolete personal property by Questar III shall be open to the public. Notice of the sale or requests for bids shall be made through advertisements placed in local newspapers, and by other means calculated to assure public awareness.
- C. Leased property. Personal property may be purchased by Questar III and leased or leased-to-purchase to school districts pursuant to cooperative service agreements or other instruments. Such lease arrangements shall not be considered the sale or disposition of surplus property.

VI. Accountability of Officers and Employees for Violating the Personal Property Policy

- A. Penalty for Violation. Unauthorized use of personal property is prohibited, and the theft or conversion of personal property belonging to Questar III shall be prosecuted vigorously. Any officer or employee of Questar III who violates any provision of this policy shall be subject to disciplinary action up to and including termination of employment and/or removal from office and/or such other discipline or penalties, as authorized by existing law, contract of employment, and applicable collective bargaining agreement.

- B. Dissemination of This Policy. The District Superintendent shall ensure enforcement of this policy, and shall take such action as is necessary to communicate this policy, or cause it to be communicated, to all officers and employees of Questar III, including, but not limited to, the publication of this policy in the Board's policy manual and in Questar III employee handbooks. This policy shall be included on the agenda of faculty and administrative meetings within Questar III at least annually.
- C. Complaints. Complaints concerning the violation of this policy shall be submitted to the District Superintendent or her/his designee. Such complaints may be submitted on an appropriate form prescribed by regulation. Whenever a complaint is received alleging a violation of this policy, the District Superintendent shall cause an investigation to be conducted and a report shall be filed in her/his office at the completion of the investigation.

VII. Adoption, Review and Amendment of This Policy; Regulations

- A. Adoption. Upon adoption of this policy by the Board the District Superintendent shall promptly send a copy to the Commissioner of Education.
- B. Review. The Board shall review its policy on personal property accountability annually, and shall amend the policy as it deems necessary.
- C. Amendments. Such changes as may be required herein by the Commissioner upon review of this policy, or that are otherwise made herein, shall be acted upon by the Board at a regular meeting. 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 the Board.
- D. Administrative Regulations. The District Superintendent shall ensure that such regulations, practices, and procedures as she/he deems necessary to comply with the provisions of this policy are developed and implemented.

References

Education Law Secs. 1950(18), 2116-a
8 NYCRR 170.3

General Municipal Law Secs. 36, 103

"Fiscal Guidelines for Federal and State Aided Grants," N.Y.S. Education Department (1994)

Gifts and Donations Policy 6-122

Purchasing Policy 6-102

ADOPTED 1996

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