

Title 49 Education
Chapter 6 Elementary and Secondary Education
Part 20 School Property

Tenn. Code Ann. § 49-6-2006 (2016)

49-6-2006. Powers of school board to buy, sell, acquire by gift or transfer.

(a) The board of education is authorized to receive donations of money, property or securities from any source for the benefit of the public schools, which funds it shall, in good faith, disburse in accordance with the conditions of the gifts.

(b) (1) The board has the power to purchase land subject to the laws of this state, to erect buildings for public school purposes and to equip them on such terms as it deems advisable and advantageous, subject to the laws of this state, and to pay for the property out of funds appropriated or donated for the public schools.

(2) The board shall be vested with the title to property so purchased or acquired.

(3) The board has the power to dispose of any property the title to which is vested in the board.

(c) (1) The board of education may dispose of any property to which it has title and upon which it has constructed a building under its career and technical education program, such sale to be a public sale or a negotiated sale, notwithstanding any public or private act of the general assembly. The public sale may be a sale by Internet auction, which may be through a web site maintained by the LEA or the local government. If, in the opinion of a majority of the board members, a negotiated sale will realize the best price obtainable for any property, the board shall advertise in a newspaper of general circulation in the county that the property is for sale and a negotiated sale shall not be completed until thirty (30) days after the publication of the legal notice. The board shall by a majority vote of the members at a regular meeting approve and record the price and name of the purchaser of any property so sold.

(2) For a sale by Internet auction, the board shall advertise the sale in a newspaper of general circulation, and include in the advertisement the Internet web site address and other necessary information concerning the sale, and may advertise the sale and information on a web site maintained by the LEA or the local government.

(d) The board of education may also transfer surplus real or personal school property to the county or to any municipality within the county for public use, without the requirement of competitive bidding or sale.