

## **Chapter 91: Vocational, Facilities**

### *Rule 91.2 Use, Transfer of Title & Disposition of Local Physical Facilities*

#### **1. Use**

All local physical facilities funded through the State Board of Education shall be utilized for the support and conduct of career and technical education programs approved by the State Board of Education. This includes, but is not limited to, the following career and technical education programs: agriculture, trade and industry, family and consumer science, distributive education, business and office, health occupations, guidance services, technical education, cooperative education, customized industrial training and all other specialized occupational and support training not requiring a bachelor's degree, with the exception of programs of nursing education regulated under the provisions of section 37-129-1, Mississippi Code of 1972. Any other use or alteration of the facility other than previously specified shall require prior approval by the State Board of Education.

The facility shall be used for the originally authorized purpose as long as needed for that purpose. When no longer so needed, approval may be requested from the State Board of Education for other purposes. Use for other purposes shall be limited to:

- a. Projects or programs supported by other federal grants assistance agreements.
- b. Activities not supported by other federal grants or assistance agreements but having purposes consistent with those of the legislation under which the original grant was made.

#### **2. Transfer of Title**

Approval may be requested from the State Board of Education to transfer title to an eligible third party for continued use for authorized purposes in accordance with paragraph A. If approval is permissible under federal statutes and is given, the terms of the transfer shall provide that the transferee shall assume all rights and obligations of the transferor.

#### **3. Disposition**

When the facility is no longer to be used as provided in paragraphs A. and B., one of the following alternatives shall be followed.

- a. The property shall be sold and the federal government's share shall be paid to the State Board of Education. That amount shall be computed by multiplying the federal share of the property times the proceeds from sale (after deducting actual and reasonable selling and fix-up expenses, if any, from the sale proceeds). Proper sales procedures shall be used that provide for competition to the extent practicable and result in the highest possible return.
- b. The local educational agency shall have the option either of selling the property in accordance with paragraph C. 1. or of retaining title. If title is retained, the federal government's share shall be paid to the State Board of Education. That amount shall be computed by multiplying the market value of the property by the federal share of the property.

- c. The State Board of Education shall transfer the title to either the federal government or an eligible non-federal party approved by the federal government. The local educational agency shall be entitled to be paid an amount computed by multiplying the market value of the property by the local educational agency's share of the property.

*Source: Section 37-31-205 Mississippi Code of 1972; Volume 42, No. 191, Section 104.621, Federal Register, Oct. 3, 1977 (Revised 11/2011)*