

RCW 28A.335.180 Surplus texts and other educational aids, notice of availability—Student priority as to texts. (1) Notwithstanding any other provision of law, school districts, educational service districts, or any other state or local governmental agency concerned with education, when declaring texts and other books, equipment, materials or relocatable facilities as surplus, shall, prior to other disposal thereof, serve notice in writing in a newspaper of general circulation in the school district and to any public school district or private school in Washington state annually requesting such a notice, that the same is available for sale, rent, or lease to public school districts or approved private schools, at depreciated cost or fair market value, whichever is greater: PROVIDED, That students wishing to purchase texts pursuant to *RCW 28A.320.230(2) shall have priority as to such texts. The notice requirement in this section does not apply to the sale or transfer of assistive devices under RCW 28A.335.205 or chapter 72.40 RCW. Such districts or agencies shall not otherwise sell, rent or lease such surplus property to any person, firm, organization, or nongovernmental agency for at least thirty days following publication of notice in a newspaper of general circulation in the school district.

(2) In lieu of complying with subsection (1) of this section, school districts and educational service districts may elect to grant surplus personal property to a federal, state, or local governmental entity, or to indigent persons, at no cost on the condition the property be used for preschool through twelfth grade educational purposes, or elect to loan surplus personal property to a nonreligious, nonsectarian private entity on the condition the property be used for the preschool through twelfth grade education of members of the public on a nondiscriminatory basis. [1997 c 264 s 1; 1997 c 104 s 1; 1991 c 116 s 1; 1990 c 33 s 361; 1981 c 306 s 1; 1977 ex.s. c 303 s 1. Formerly RCW 28A.02.110.]

Reviser's note: *(1) RCW 28A.320.230 was amended by 2024 c 316 s 3, moving the discussion of "students wishing to purchase texts" from subsection (2) to subsection (1)(b).

(2) This section was amended by 1997 c 104 s 1 and by 1997 c 264 s 1, each without reference to the other. Both amendments are incorporated in the publication of this section under RCW 1.12.025(2). For rule of construction, see RCW 1.12.025(1).

Severability—1981 c 306: "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1981 c 306 s 5.]

Disposal of obsolete or surplus reading materials by school districts and libraries: RCW 39.33.070.