



## SPECIAL REQUIREMENTS FOR REAL ESTATE APPROPRIATIONS APPROVAL

- A. Any financing contract to make an outright or time purchase of real property must have prior approval of the Legislature, the state finance committee, and the State Board (see [RCW 39.94](#)). Legislative approval is normally granted in the capital budget act, either by a direct appropriation of state capital funds for an acquisition or by a lease-development or alternative financing approval. State Board approval is granted by resolution of the Board in the budget process or by separate action.
- B. Any lease or rental of real property for college use must be performed by staff of the Department of Enterprise Services (DES), unless the local college has a delegation of authority from DES for the specific type of property and acquisition proposed.
- C. SBCTC staff should be asked to review major lease proposals, especially when the acquisition brings college programs to an area for the first time or when unique local or program characteristics suggest that prior knowledge and understanding of SBCTC staff would be prudent.
- D. The Student Achievement Council (SAC) has a statutory responsibility to review the purchase or lease of major off-campus facilities by a community or technical college. By agreement, SBCTC staff is expected to forward to the SAC any proposed SBCTC agenda items re (a) the capital budget request, (b) other acquisitions of property, or (c) any major facilities located beyond the current campus boundaries. SBCTC staff will perform the SAC notification as part of the SBCTC approval process.
- E. The SBCTC has statutory authority to exercise the power of eminent domain on behalf of a community or technical college or the community/technical college system ([RCW 28B.50.090\(15\)](#)).
- F. Local boards of trustees and the SBCTC may jointly apply for surplus real property, made available by the federal government. SBCTC review of proposals to make application for surplus property will focus on the use and value of the property in the college's educational programs, consistency with program and physical plans, and the financial obligations of operation, maintenance and renovation or development.