When are Contracts Needed?

All contracts **MUST** be Board Approved, per Education Code [EC17604].

All contracts **MUST** be signed by a Board authorized personnel: Superintendent, Assistant Superintendent Business Services, Assistant Superintendent Human Resources, Director of Fiscal Support Services, or Assistant Director of Fiscal Support Services.

"Contracts are not a legal obligation against the district unless approved or ratified by the governing board. This applies to **ALL** contracts, regardless of the dollar amount or the time period of the contract." (OCDE)

The types of contracts most commonly used are Independent Contractor Agreements, Consultant Agreements, Memorandum of Understandings, and Software License Agreements.

Contracts must be submitted when services fall into one or more of the categories listed below:

- ✓ Consultant, contractor, or third party is left alone with a student(s) or left unsupervised while on campus.
- ✓ Consultant, contractor, or third party have electronic or other access to student privacy information.
- ✓ Consultant, contractor, or third party is receiving financial compensation for services.
- Services rendered have risk factors that may cause personal injury; property damage; and/or death.
- ✓ Services provided by an outside company or organization.

All **volunteers**, visitors and guests to IUSD sites are required to check in through the Raptor System at the school office. The school must furnish them with identification to wear while on campus. Contracts are not required for volunteers, visitors and guests.

Work Flow Process



- •Complete and submit the required documents (Contract Review Form, Original Contract signed by Contractor, W-9 Form, Certificate of Insurance, Endorsement, and Insurance Waiver, if applicable) to Purchasing and Contracts Specialist for review. Forms and approved template contract can be found at (http://intranet.iusd.org/business/index.html)
- A Ratification Letter is required if consultant must commence work prior to board approval.



•Reviewed documents are submitted by Purchasing to Business Services for placement on the Board Agenda through the Contract Services Action Report. The deadline for inclusion on the Board Agenda is the Friday, one week prior to the Board meeting. Please note that the review process must be complete in advance of this deadline; submission two (2) to four (4) weeks in advance of the deadline is recommended. The Board Meeting Calendar can be found at (http://www.iusd.org/board of education/BoardMeetingCalendar.html).



•After the School Board meeting, approved contracts are submitted to the Assistant Superintendent of Business Services, or other Board authorized signer, for final signature. The W-9 Form is submitted to Purchasing for entry into the Business Plus purchase order system.



• Fully-executed contracts are scanned to the J:SHARE/CONTRACTS drive and original contracts are filed in Business Services. Email notification of contract completion will be sent to the Contract Originator. Contract Originator to complete a purchase order for the consultant noting "Board Approval on Date" in the description field of the purchase order, for proper processing.



• Questions? We understand that sometimes it is not clear if a contract is required or not. If in doubt, please contact:

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Maria Ragas, Purchasing and Contracts Specialist, Ext. 5212/ MariaRagas@iusd.org