Highline Public Schools Board Action Report

DATE: 5.27.26

FROM: Dr. Ivan Duran, Superintendent

LEAD STAFF: Erinn Bennett, Andrew Burgess, Ellie Daneshnia, Holly Ferguson, Katie Luksan, Elizabeth Palow, Sarah Semroc

CABINET MEMBER: Holly Ferguson, Chief Policy & Strategy Officer

For Introduction: 6.3.26 For Action: 6.18.26

I.TITLE: Motion to repeal current Policy 6101 Grants, 6114 Donations, and 6225 Contracts and replace them with new Policy 6101 Donations, Grants, and Contracts.

Select one: ☒ New Item ☐ Renewed Item ☐ Annual Item ☐ Revised Item

II. WHY BOARD ACTION IS NECESSARY

Per School Board Policy 1310, repealing and creating new policies requires School Board action.

III. BACKGROUND INFORMATION

This spring the district engaged a group of stakeholders to do a deep review of the district's donations, grants, and contracts policies. This included reviewing the policies from other districts, as well as WSSDA Model Policies. WSSDA only has a model policy for donations which districts use. Because WSSDA does not have a model policy on either grants or contracts many districts do not either. However, there were a few that we could review. The purpose of the review was to look at the dollar amounts for approval, as well as to look at the way we process donations, grants, and contracts.

After review it was determined that both the policies and the procedures had become burdensome on staff and in some cases involved unnecessary or duplicative work. It was also determined that the dollar amount for approval thresholds had not kept up with inflation, especially in the area of capital contracts.

In response, we are proposing to repeal the current Policy 6101 Grants, 6114 Donations, and 6225 Contracts, and to approve a new Policy 6101 Donations, Grants, and Contracts. If approved the Superintendent will approve revised procedures (attached for review).

Specific changes include:

* A clear requirement that approval of any donation, grant, or contract must include all of the relevant schools or departments that will be involved. For example, if the item is equipment for a school's construction program it would need to be approved by the school and by the Career & Technical Education department (which oversees construction programs) and the Facilities department (to ensure electrical and other standards are met).

* A distinction between general fund grants and capital grants. The proposed policy retains a Board approval threshold of $250,000 for non-formula general fund grants, but increases the threshold for capital grants to $1,000,000.00. This is intended to account for the steep level of inflation in the construction world.

* A distinction between general fund contracts, capital contracts that are not bond or levy funded, and capital contracts funded by bonds or levies, and increased approval thresholds depending on the type of contract. The

purpose of increasing approval levels is to account for inflation, especially in the construction world. Specifically, the proposed new policy:
--Increases the School Board approval threshold for general fund contracts to $500,000.00. This should help account for inflation.
--Increases the School Board approval threshold for capital non-bond/levy contracts to $1,000,000.00 and change orders/amendments to $500,000.00.
--Changes the approval process for approved bond or capital levy projects to say that the School Board's approval of the projects named within a levy or bond proposal constitutes the initial acceptance of all contractual commitments and additional School Board approval is not needed except 1. The School Board must approve change orders or amendments directly related to a bond or levy construction project, valued at more than $1,000,000.00, excluding sales tax and contingencies; and 2. The School Board must approve any levy or bond project that exceeds the total initial budgeted amount, including taxes and contingency, regardless of amount.

These changes apply only to approval of grants, donations, and contracts. There are still many other agreements that will come to the School Board for approval. For example, donations of real property and curriculum adoptions are still required to be Board approved, regardless of dollar amount.

This policy is recommended to have an effective date of August 1, 2026. This is recommended to allow any contracts that are currently in process to be completed under the current rules, and also to allow staff time to update internal forms and processes.

IV. RECOMMENDED MOTION
I move that the School Board of Directors approve the repeal of current Policy 6101, 6114, and 6225, and approve new Policy 6101 Donations, Grants, and Contracts.

V. FISCAL IMPACT/REVENUE SOURCE
The revenue source for this motion is N/A. These changes are not expected to have a fiscal impact as they are simply updating dollar amounts and processes. However, it is hoped that a more streamlined process will result in a reduction in staff workload, and also a better understanding across the district about the rules surrounding donations, grants, and contracts.

Expenditure: ☐ One-time ☐ Annual

VI. APPLICABLE POLICY(S)
6220 Bid or Proposal Requirements

VII. ALTERNATIVES
The alternative is not to make these changes. This is not recommended, as the current policies have outdated approval amounts and do not include other requirements such as multiple approvers when multiple schools or departments are impacted.

VIII. COMMUNITY ENGAGEMENT
Community Engagement Required: ☐ Yes ☒ No

IX. ATTACHMENTS
Policy 6101 clean For approval

Policy 6101 redline For repeal

Policy 6114 redline For repeal

Policy 6225 redline For repeal

Procedure 6101 P1 For review

Procedure 6101 P2 For review

Procedure 6101 P3 For review

Policy 6101 – DONATIONS, GRANTS, and CONTRACTS

It is the policy of Highline Public Schools to accept grants and donations, or enter into contracts, that support the district's strategic plan and student success, or that further the operational efficiency of the district. This policy does not apply to employment contracts, collective bargaining agreements, or other internal agreements.

The purpose of this policy is to outline the specific thresholds required for School Board approval of a contract, donation, or grant. Additional requirements for entering into or accepting a contract, donation, or grant, including approval authority, can be found in the related Superintendent procedures and administrative guidelines.

No expenditures may be made against any donation, grant, or contract until after final approval has been granted. Failure to follow this policy and any related procedures or guidelines may result in the grant, contract, or donation to be declined.

Definitions

Donation: An agreement between a donor and the district for the donor to provide goods, services, or funding free and clear for the district to use as they see fit, subject to district acceptance and review requirements. All donations are subject to District acceptance authority. Donations involving physical assets or items with potential operational, maintenance, or lifecycle implications must undergo review by appropriate departments, prior to acceptance. The district may decline donations that create unfunded long-term obligations, or that otherwise are not in alignment with the district's instructional or operational needs. Donations of real property require Board approval and an independent appraisal prior to acceptance (RCW 28A.335.090). All acceptances and declinations shall be confirmed in writing and retained per the district's records of retention schedule.

Grant: An agreement between a grantor and the district for the grantor to provide funding or services upon mutually accepted terms. Grants are subject to compliance, reporting, and audit requirements. All grants are subject to district acceptance authority. Grants involving physical assets or items with potential operational, maintenance, or lifecycle implications must undergo review by appropriate departments, prior to applying for the grant. Grant compliance responsibilities, including financial tracking and reporting, shall be clearly assigned by the Superintendent or designee.

Contract: An agreement between a contractor/vendor and the district for the contractor/vendor to provide goods and/or services under mutually agreeable terms. Contracts are subject to procurement requirements and performance obligations in accordance with district policy and applicable law. "Contract" is an inclusive term and should be construed broadly to include other types of agreements, such as Memoranda of Understanding.

Ownership and Administration

The Superintendent (or designee) shall assign clear ownership and administrative responsibility for each category covered under this policy.

Donations: Business Services shall manage the acceptance process; however, where donations have operational, facility, or system impacts, the responsible operational department(s) shall have authority to approve, condition, or decline acceptance based on feasibility, safety, and lifecycle considerations.

Grants: Business Services shall oversee financial compliance, tracking, and reporting unless otherwise designated.

Contracts: Departments initiating contracts shall coordinate with Business Services and Procurement to ensure adherence with district requirements. The district shall ensure alignment between approval authority and operational responsibility to avoid ambiguity in execution and accountability. Where agreements have operational, facility, or system impacts, the responsible operational department(s) shall have authority to approve, condition, or decline acceptance based on feasibility, safety, and lifecycle considerations. Disputes regarding approval authority shall be escalated to the Superintendent or designee prior to execution.

School Board Approval Thresholds

Thresholds can be reached both by one-time actions or by aggregate actions.

Donations: The School Board must approve the acceptance of any donation of $10,000.00 or greater. All internal review and approval processes must be completed before a donation can be brought for Board approval. Donations of real property require School Board approval regardless of value.

Grants: The School Board must approve the acceptance of any General Fund grant in excess of $250,000 or Capital grant in excess of $1,000,000.00. Prior to Board approval, all internal review and approval processes must be completed. Board approval is also required where the funding agency mandates it, or where the district match obligation exceeds the applicable contract approval threshold.

Contracts—General Fund (Non-Capital) Budgets:

- The School Board must approve contracts in the amount of $500,000.00 or greater, exclusive of sales tax and contingencies.
- The School Board must approve contract amendments in the amount of $250,000.00 or greater, exclusive of sales tax and contingencies.
- The School Board must approve all changes or amendments that result in an aggregate amount of $500,000 or greater excluding sales tax and contingencies.

Contracts—Capital Budgets—Non-Bond/Levy Projects:

- The School Board must approve contracts in the amount of $1,000,000.00 or greater, exclusive of sales tax and contingencies.
- The School Board must approve all change orders or amendments valued at $500,000.00 or greater, exclusive of sales tax and contingencies.

Contracts—Capital Budgets—Bond/Levy Projects:

- School Board approval of the projects named within a levy or bond proposal constitutes the initial acceptance of all contractual commitments. Additional School Board approval is not needed except:
  - The School Board must approve change orders or amendments directly related to a bond or levy construction project, valued at more than $1,000,000, excluding sales tax and contingencies.
  - The School Board must approve any levy or bond project that exceeds the total initial budgeted amount, including taxes and contingency, regardless of amount.

The Superintendent is authorized to develop procedures to support this policy, including clearly defined review requirements, ownership responsibilities, and risk management controls for each category of agreement.

Records Retention

All executed donations, grants, and contracts, including supporting documentation, shall be retained in accordance with the Washington State General Records Retention Schedule and Chapter 42.56 RCW (Public Records Act). Business Services shall maintain a centralized agreement repository accessible to authorized staff.

Emergency Contracts

An emergency exists when unforeseen circumstances beyond the district's control (a) present a real, immediate threat to the proper performance of essential functions, or (b) may reasonably be expected to result in material loss or damage to property, bodily injury, or loss of life if immediate action is not taken. Prior to contracting in an emergency without competitive bids, a written Emergency Determination shall be submitted to the Chief Financial Officer or Superintendent for approval. The Determination shall identify at minimum: the contractor, the work or purchase, the maximum contract amount, the basis for payment, and the basis for the emergency finding. A written contract shall be executed for all emergency contracts over $5,000 prior to commencing work. Emergency contracts shall be reported to the Board at the next regular meeting. This process is consistent with RCW 28A.335.190 emergency exemption requirements.

Cross Reference:
Policy 6220 Bid or Proposal Requirements

WSSDA Cross Reference:
Policy 6114 Gifts and Donations

Legal References:
RCW 28A.335.090 – Real property appraisal and conveyance
RCW 28A.335.190 – School district competitive bid law
RCW 28A.400.330 – Child safety clause; contractor employee requirements
RCW 28A.530 – District bonds for land, buildings, and equipment
RCW 39.04.151–39.04.154 – Small works roster procedures
RCW 39.04.320 – Apprentice utilization on public works
RCW 39.10 – Alternative public works contracting (GC/CM, design-build)
RCW 39.12 – Prevailing wages on public works

RCW 39.34 – Interlocal Cooperation Act
RCW 39.80 – Contracts for architectural and engineering services
RCW 42.23 – Code of Ethics for Municipal Officers
RCW 42.30 – Open Public Meetings Act
RCW 42.56 – Public Records Act
2 CFR Part 200 – Uniform Guidance (federal grants

Highline School District No. 401
Adopted by the Board: 6.26 (formerly Policy 6101 Grants; 6114 Donations; and 6225 Contracts)
Revised by the Board:
Classification: Discretionary

Policy 6101 – GRANTS

It is the policy of the Highline Public School Board to seek out grant opportunities that support the district's strategic plan and will benefit the district. Grants should positively impact student performance and be aligned to the districts instructional priorities and strategies.

All persons/departments/schools applying for a grant must follow the process outlined in Superintendent Procedure 6101P. Grants that meet or exceed $250,000 or if required by Grantor, will need to be sent to the Superintendent's office to complete the School Board process after the grant has been awarded. School Board approval is required prior to expending any grant funds unless an exception is granted. Grants that require approval prior to submitting a grant application should be calendared on the Board's agenda for a first and second reading; at the discretion of the Board, second reading can be placed on the consent agenda.

Expenditures may not occur in advance of a formal grant award or signed contract with Grantor. No grant funds may have expenditures without the formal award and prior approval of the budget authority.

Federal

The district's financial management system and records will be sufficient for preparing required reports and for tracing expenditures to a level that establishes funds have been used according to federal statutes, regulations, and the terms and conditions of federal awards. This is in addition to maintaining a system of funds and accounts in accordance with state law and the state accounting manual (Policy 6020).

The district's financial management system will:

- Identify all federal awards received and expended, including specific information pertaining to the award: federal program name; CFDA title and number; identification number and year; and name of federal and any pass-through agency.
- Provide for accurate, current, and complete disclosure of the results of each federal award in accordance with reporting requirements.
- Include records and supporting documentation that identify the source and application of funds for federally funded activities, including authorizations, obligations, unobligated balances, expenditures, assets, income and interest.

- Enable the district to maintain effective internal controls to ensure accountability and proper safeguarding and use of all funds, property and other assets (for example, adequate segregation of duties).

In order for the district to comply with federal regulations for grant recipients, the district has approved Policy and Procedure 6106 and 6220 for 1) federal program management; and 2) determining the allowability of costs in accordance with cost principles and the federal award terms and conditions.

Cross Reference:
System of Funds and Accounts – Policy 6020
Allowable Costs for Federal Programs – Policy 6106
Bid Requirements – Policy 6220

Highline School District 401
Adopted by the Board: September 2018
Revised by the Board: 2.20 (Formerly Policy 6230)

Policy 6114 - GIFTS AND DONATIONS

The Board recognizes that individuals and organizations in the community may wish to contribute supplies or equipment to enhance or extend the instructional program. All gifts or donations to the district, including those from private fundraising sources such as Donors Choose, become the property of the district. If gifts or donations are given to an individual staff member for their use that staff member may use such item for the duration of their employment with the district. Students, families, or members of the public who wish to express their gratitude to a staff member are encouraged to send a letter of commendation to the Superintendent for inclusion in the staff member's personnel file, rather than sending a gift or donation to the school. The use of fundraising sites, such as GoFundMe, Indiegogo, and Kickstarter, are not permitted.

Any gift to the district of real property can be accepted only by School Board approval.

The Superintendent or designee will determine whether or not to accept gifts or donations with a value of less than $10,000. Any gift to the district or to an individual school or department of money, materials or equipment having a value of $10,000 or greater shall be approved by the School Board in a public meeting.

In no event shall any commitment be made by a staff member or other individuals in return for any gift to the district or to a school or department without the Board's authorization. The Board, Superintendent, or designee will not authorize the acceptance of gifts that would obligate the district to future expenditures which the district would not otherwise wish to make. All gifts or donations to the district, including those from private fundraising sources such as Donors Choose, become the property of the district and except as approved by the Board, shall be accepted without obligation relative to use or disposal.

Donors of equipment or materials shall, upon request, be held free and without harm for any liability or expense that may arise or be caused in any way by such use by school staff, students or any other individuals or groups who choose to use the equipment or materials.

Unsolicited Gifts or Donations to the District

Money or additional supplies and equipment donated by booster clubs or other groups or patrons to support specific teams or extra-curricular activities should not result in unacceptable levels of disparity of allocation favoring one team or gender.

The Superintendent is authorized to develop procedures in support of this policy.

Legal Reference:

Gifts, conveyances, etc., for scholarship and student aid purposes, receipt and administration - RCW 28A.320.030
Recreational and athletic activities - WAC 392-190-025

Highline School District 401
Adopted by the Board: May, 1983
Revised by the Board: 03.89, 11.03, 10.03, 07.12, 9.14, 5.16, 2.20

Policy 6225- APPROVAL OF CONTRACTS

It is the policy of the Highline School Board to accept contracts in alignment with the districts strategic plan.

The School Board delegates the acceptance of contracts to the Superintendent except as outlined in this policy. The Superintendent is designated to develop procedures to support this policy.

Approval of Contracts

All contracts for more than $250,000 initial value, excluding sales tax and contingencies, and changes or amendments of more than $250,000, excluding sales tax and contingencies, must be approved by the School Board. Changes and amendments which are for the same or similar services at the same time and same location, or continuation of existing activity shall be considered a single action for approval purposes.

Any amendment of at least $250,000 must be approved by the School Board. The School Board must be notified of any contracts that were initially under $250,000, but which, through changes, amendments or extensions reach at least $250,000.

This policy shall apply to all contracts, agreements, and Memoranda of Understanding (MOUs) over $250,000 where the district receives money, pays money, or commits time and/or resources, whether these are paid from general funds, capital projects fund, ASB funds, the transportation vehicle fund, or other sources.

This policy shall not apply to individual employment contracts or collective bargaining agreements. All new employment contracts or collective bargaining agreements or renewals of such contracts or agreements shall require School Board approval.

Emergency Contracts

State law permits purchases of materials, equipment and supplies and contracts for public works, without using sealed bids under certain circumstances. By statute, an "emergency" means unforeseen circumstances beyond the control of the agency that either: (a) present a real, immediate threat to the proper performance of essential functions; or (b) will likely result in material loss or damage to property, bodily injury, or loss of life if immediate action is not taken.

It is the policy of the Highline School Board to contract in emergencies without sealed bids, in accordance with Board-adopted procedure and State law, and consistent with sound business practices. The district shall also promote fair competition in

emergencies whenever practicable, and assure compliance with all legal and statutory requirements.

The Board delegates to the Superintendent all other authority and responsibility for contracts within the budgets approved by the Board. The Superintendent may delegate such authority as appropriate. The Superintendent is authorized to develop procedures to implement this policy.

Legal Reference:
Advertising for bids-Competitive bid procedures-Purchases from inmate work programs-Telephone or written quotation solicitation, limitations-Emergencies - RCW 28A.335.190
Competitive Bidding Requirements- Exemptions - RCW 39.04.280

Management Resources:
Policy News - October 2005; June 2001

Highline School District 401
Adopted by the Board: 10.14
Revised by the Board: 09.18, 02.20
Classification: Discretionary

Superintendent Procedure 6101 P1- Donations

All gifts or donations to Highline employees, schools, or the district become the property of the district, including donations through organizations such as DonorsChoose. Except as approved by the Board, gifts or donations shall be accepted without obligation relative to use or disposal. This includes monetary donations as well as donations of equipment, materials, technology, or any other item.

For the purposes of this procedure "gift" and "donation" have the same meaning. When dollar amounts are given, those should apply to either monetary donations or to the value of donated equipment or other items.

Donations are typically presented as items on the School Board's consent agenda and generally do not require a Board Action Report to be completed. All items presented for School Board approval must include the appropriate donation form.

Any donation presented to the district shall satisfy the following criteria:

1. Purpose or use consistent with philosophy and programs of the district;
2. Minimum financial obligation to district for installation, maintenance and operation;
3. Free from health and/or safety hazards;
4. No direct or implied commercial endorsement.

Equipment and material which are to be donated to a school or are brought to the school for temporary use shall be reviewed in terms of suitability and durability and for any possible health or safety hazards. The review team must include representatives from the school as well as representatives from central office departments that may be impacted by the donation. For example, donated equipment may require review from the Career Technical Education (CTE) department and the facilities department.

If the equipment or material is deemed unsuitable for any reason, the donation will be declined, and the donor shall be informed of the reason behind the decision.

The approval levels are as follows:

- Value between $0 and $5,000.00: Must be approved by the school principal or program director; the business services department; and any other impacted department head (or designee).
- Value between $5,000.01 and $9,999.99: Same as above, plus Superintendent (or designee)
- Value over $10,000.00: Same as above, plus School Board

No one may authorize the acceptance of gifts and donations that would obligate the district to future expenditures which the district would not otherwise wish to make.

Donations that are accepted without following this policy, procedure, and any administrative guidelines may be returned to the donor or otherwise removed from use by district students, staff, or guests.

After approving a donation of equipment or materials the donor may, upon request, be advised in writing that they will be held harmless for any liability or expense that may arise or be caused in any way by such use by school staff, students, or any other individuals or groups who choose to use the equipment or materials.

Schools and departments are encouraged to thank all donors for their generosity and support of the students in Highline Public Schools.

Highline School District 401
Adopted by the Superintendent: 6.26
Revised by the Superintendent:

Superintendent Procedure 6101 P2- Grants

The following procedures provide financial monitoring and ensure compliance with district, state, and federal regulations and reporting requirements for the various types of grants available.

Formula Grantees will need to email Business Services prior to submitting the grant application. No Grant Pre-Approval is required on Formula grants.

All non-formula grant applications must be submitted for review and approval prior to submission to the grantor. Grants that have not been pre-approved may be declined even if awarded. A pre-approval form, along with a copy of the grant application, must be reviewed and signed by the following:

- Up to $10,000: Principal / Director + Business Services + Other Impacted Department(s)
- $10,001 – $100,000: All of the above + ILED (schools only) or Supervising Admin
- $100,001 and up: All of the above + Cabinet + Superintendent

General fund grants that are awarded for greater than $250,000 must be approved by the School Board prior to accepting the grant. Capital fund grants that are awarded for greater than $1,000,000.00 must be approved by the School Board prior to accepting the grant.

Highline Public Schools takes an indirect to help support the expenses of any and all overhead. The indirect cost represents the expenses of doing business that are not readily identified with a particular grant, contract, project function, or activity, but are necessary for the general operation. The indirect rate that is taken is based on the type of grant awarded.

Highline Public Schools policy in regard to Substantially Approvable Status (SAS) is on a case-by-case basis. Approval will be given by Business Services.

Written documentation of any formal grant award must be furnished to Business Services. This should include a copy of the grant award, and approval letter from the Superintendent of Public Instruction, or other documentation showing that the grant has been awarded. Documentation should include the budget as approved by the grantor. Business Services will keep copies of all Grant Pre-Approvals, award letters, and reimbursement claims for audit purposes.

Expenditures may not occur in advance of a Grant Pre-Approval and a formal grant award or signed contract with the grantor. A program number must have been issued, and a Grant Budget Allocation document received by Business Services.

Once all the above items are completed funds can be spent, per the award outline and terms of the grant. Federally awarded grants may not have any expenditures without the prior approval of the budget authority.

The Business Services department will submit payment requests and invoices for reimbursable grants claimed through OSPI and local, state or federal grantors on a monthly basis. All invoices will be sent to the Grantee for verification and signature prior to being submitted to Accounts Receivable for submission to the Grantor.

Prior to submitting a final fiscal report to the Grantor, a copy shall be submitted to Business Services for review and verification. All final invoicing will be completed by Business Services, and the Grantee will be required to review and sign.

Business Services will be responsible for monitoring and invoicing all grants. Business Services will also provide advance notice of grant deadlines and purchase cut-off dates. It will be the Grantee’s responsibility to submit any reporting requirements outlined in the grant. It will also be the Grantee’s responsibility to track expenditures or budget purposes. Any due date extension must be made in writing by the agency granting the extension.

Highline School District 401
Adopted by the Superintendent: 6.26
Revised by the Superintendent:

Superintendent Procedure 6101 P3- Contracts

This procedure applies to any non-construction agreement between Highline Public Schools and another organization, or an individual school and another organization that is not a grant, including Memoranda of Understanding and Independent Contractor/Personal Services Contracts.

General Fund-Funded Contracts:

- Value between $0 and $100,000.00: School principal/department director + supervisor + Business Services Department + and any other potentially impacted department head (or designee).
- Value between $100,000.01 and $250,000.00: Same as above + cabinet member with oversight of the school/department
- Value between $250,000.01 and $499,999.99: Same as above + Superintendent
- Value over $500,000.00: Same as above + School Board

No work may begin under any contract or agreement prior to completing the approval and requisition process outlined above.

Construction contracts are managed through the Facilities department; questions about construction contracts should be directed to that department.

Emergency Contracts

An emergency exists when unforeseen circumstances beyond the district's control:

a. present a real, immediate threat to the proper performance of essential functions; or
b. may reasonably be expected to result in
a. material loss or damage to property;
b. bodily injury; or
c. loss of life, if immediate action is not taken.

The time required to contract using sealed bids shall be taken into account when determining whether immediate action is necessary.

Determination that an Emergency Exists

The department seeing an emergency contract must work with the Business Services department to determine if an emergency contract is warranted. Prior to contracting without sealed bids, a proposed Emergency Determination shall be submitted by the Customer in writing to the Chief Financial Officer or the Superintendent for approval. The Proposed Determination shall contain such detail as is appropriate under the circumstances, but shall provide at a minimum the name of the

proposed contractor, the thing to be purchased or the public work to be performed, the maximum amount of the contract, the basis for payment and the basis for the determination that the emergency exists.

If it is determined that an emergency contract is warranted the department and Business Services staff shall prepare the Emergency Determination and the written contract. Department staff shall maintain a file on all such contracts, which shall include the Determination, the written contract, and shall make the file available for public inspection as a public record not more than two weeks after the contract is let.

Written Contract
A written contract shall be executed for all emergency contracts over $5000.00 prior to commencing work. Where a purchase is made or work contracted without a prior written contract, a written contract shall be prepared and executed as early as possible. The contract shall contain such detail as is appropriate under the circumstances. At a minimum the contract shall state the parties, the item to be purchased, the maximum amount, the basis for payment and require that the contractor comply with all statutory requirements, such as prevailing wages. A copy of the contract shall be kept on file by the requesting department.

Because an emergency situation may require immediate action without incorporating all of the usual and customary contract provisions, the department and Business Services staff should consider use of a short-term contract with limited authority whenever possible.

During this interim period, alternatives should be considered, such as competition (by sealed bids or otherwise) for the remaining purchases or work, or a more detailed contract which incorporates the usual and customary terms.

Competitive Process
Even where an emergency is determined to exist, the District shall obtain competition whenever practicable, as the best means to assure quality services and minimum cost.

Budget
Business Services will be informed promptly of any emergency declaration and provided the necessary direction to record contracted obligations.

Contracting Authority
Up to $100,000 – Chief Financial Officer
Between $100,000 to $250,000 - Superintendent
Over $250,000 - Superintendent (provided however, that the Board shall be notified in writing promptly after execution of such a contract, and ratification shall be requested at the next regular school board meeting)

This procedure is to supplement the powers of the district and not to limit the current powers of the district with regard to other exceptions from competitive bidding requirements.

Revised by the Superintendent: