

COMMENTS TO POLICY REVISION SUGGESTED BY DR. DAWN MARIE BRITTINGHAM
Policy Section 4-6.2

Current Policy

Section 4-6.2. Appointment of Purchasing Manager and duties of the school superintendent; spot purchases by employees; department purchases; full and open competition required. — A. The superintendent, with the School Board's approval, will designate a qualified employee to serve as the purchasing manager for Suffolk Public Schools. In this capacity, the manager will prepare requests for proposals, bids, certain responses, analyze and tabulate proposals and bids for the superintendent to enter into contracts and/or make bid awards. Any contract entered into and/or bid awarded by the superintendent must not exceed funds available in the School Board's Adopted Budget in any fund or category. The procurement process will be in accordance with the Virginia Public Procurement Act and policies of the School Board. Once the superintendent approves a contract and/or bid, the purchasing manager will then purchase the required supplies, materials, equipment and contracted services subject to federal and state laws and School Board policies.

B. Individuals whose work requires frequent small purchases may be authorized to make spot purchases of supplies and equipment in accordance with established procedures. All personnel of Suffolk Public Schools who desire to purchase equipment and supplies must follow the established procurement procedures within their departments or schools for the issuance of a requisition or purchase order. All purchase orders must be forwarded to the superintendent or superintendent's designee for approval and processing.

C. All personnel in the division who desire to purchase equipment and supplies shall follow the established procurement procedures within their departments or schools for the issuance of a requisition or purchase order. All purchase orders must be forwarded to the superintendent or superintendent's designee for approval and processing.

D. School Board encourages full and open competition whenever practicable among potential contractors and suppliers by competitive bidding practices; to centralize purchasing and contracting within the school division to realize the economies resulting therefrom; and to seek maximum educational value for every dollar expended. (Adopted July 13, 1995; Revised/Effective Date: June 9, 2022; Ordinance 21/22-39; Ordinance 24/25-26; Revised/Effective: September 12, 2024)

Suggested Policy Revision

Section 4-6.2. Appointment of Purchasing Manager and duties of the school superintendent; spot purchases by employees; department purchases; full and open competition required. — A. The superintendent shall oversee procurement activities in accordance with school board policy, the Virginia Public Procurement Act, and applicable law.

~~A. B. The superintendent, With the school board's approval the superintendent will shall designate a qualified employee to serve as the purchasing manager for Suffolk Public Schools. The designation requires board approval and all procurement authority remains subject to board oversight. In this capacity, The purchasing manager will shall prepare requests for proposals and invitations for bids, receive and evaluate certain responses, and analyze and tabulate proposals and bids for the superintendent's consideration in awarding bids or approving contracts, to enter into contracts and/or make bid awards. Any contract entered into and/or bid awarded by the superintendent must not exceed funds available in the School Board's Adopted Budget in any fund or category. The superintendent shall not award any contract or bid that exceeds available funds within the school board's adopted budget, including any applicable fund or budget category. The All procurement activities process will be in accordance shall comply with the Virginia Public Procurement Act and policies of the school board policy. Got [sic] Once Following the superintendent's approves approval of a contract and/or or bid award, the purchasing~~

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manager ~~will~~ shall then complete the purchase ~~the required~~ supplies, materials, equipment and contracted services ~~subject to in~~ accordance with federal and state laws and school board policies ~~policy~~.

C. No procurement action shall: (1) exceed budget authority approved by the school board, (2) undermine or bypass the intent of the school board, or (3) replace board oversight with administrative discretion.

D. The superintendent shall submit regular procurement reports to the school board listing all contracts awarded, the amount of each contract, the selected vendor, and the funding source.

~~B. E. Small purchases and requisitions. Individuals~~ Employees whose ~~work~~ duties requires frequent small purchases may be authorized to make spot purchases of supplies and equipment in accordance with established procedures. All ~~personnel of Suffolk Public Schools~~ Suffolk Public Schools personnel seeking who desire to purchase equipment and supplies must follow the established departmental or school procurement procedures including the submission within their departments or schools for the issuance of a requisition or purchase order. All purchase orders ~~must~~ shall be forwarded submitted to the superintendent or superintendent's designee for approval and processing. The superintendent may approve small purchases within statutory thresholds only for routine operational needs and only within Board-approved budgetary limits. Small purchase authority shall not apply to (1) annual financial audits, forensic audits, investigations, or reviews involving governance compliance, or financial controls, or (2) contracts that may be reasonably perceived as sensitive, political, or related to policy development.

F. All small purchases above a board-defined reporting threshold shall be reported to the school board for informational purposes and entered into the public record.

~~G. G.~~ All personnel in the division ~~who desire seeking~~ to purchase equipment ~~and or~~ supplies shall follow ~~the~~ established departmental or school procurement procedures ~~within their departments or schools for including the issuance submission~~ of a requisition or purchase order. All purchase orders ~~must be forwarded~~ shall be submitted to the superintendent or superintendent's designee for approval and processing.

~~D. H.~~ The school board ~~encourages~~ shall promote full and open competition whenever practicable ~~among potential contractors and suppliers by through competitive bidding practices; to centralized purchasing and contracting within the school division to realize to achieve the economies of scale, resulting therefrom; and to seek and ensure~~ maximum educational value for every dollar expended.

Rationale for Revision

New provisions require regular reporting of contracts, procurement actions, and financial activities to the School Board, ensuring ongoing visibility and accountability for administrative actions. All procurement and purchasing actions must align with Board-approved budgets and policies, and may not bypass or undermine Board intent. Additionally, key roles such as the purchasing manager now require Board approval, reinforcing oversight at the operational level.

Attorney Comments

This suggested revision expands the school board's authority over purchases made by the school division. All purchases are subject to board oversight. The superintendent will be required to issue monthly procurement reports that will list all contracts awarded, the amount of each contract, the selected vendor, and the funding source. The policy does not allow the superintendent to make use of small purchasing procedures for purchases that "may be reasonably perceived as sensitive, political or related to policy development." This language is vague and perhaps overly broad, and not capable of being administered.