

Business and Non-Instructional Operations

Contracts

Whenever state law invests the Board of Education with the power to enter into contracts on behalf of the District, the Board may, by a majority vote, delegate this power to the Superintendent or designee. To be valid or to constitute an enforceable obligation against the District, all contracts must be approved and/or ratified by the Board. (Education Code 17604)

All contracts between the District and outside agencies shall conform to standards required by law and shall be prepared under the direction of the Superintendent or designee.

All contracts, where appropriate, shall be submitted to the legal advisor of the District for review and approval.

When required by law, contracts and subcontracts made by the District for public works or for goods or services shall contain a nondiscrimination clause prohibiting discrimination by contractors or subcontractors. The nondiscrimination clause shall contain a provision requiring contractors and subcontractors to give written notice of their obligations to labor organizations with which they have a collective bargaining or other agreement. (Government Code 12990)

The District shall not enter into a contract that prohibits a school employee from disparaging the goods or services of the contracting party. (Education Code 35182.5)

The Superintendent or designee may enter into contracts on behalf of the District. All contracts in excess of \$2,500 must be approved by the Board. Contracts under \$2,500 may be approved by the Site Administration.

(Legal reference next page)

Legal Reference:

- EDUCATION CODE
 - 200-262.4 Prohibition of discrimination on the basis of sex
 - 14505 Provisions required in contracts for audits
 - 17595-17606 Contracts
 - 45103.5 Contracts for management consulting service related to food service 49431-
- CODE OF CIVIL PROCEDURE
 - 685.010 Rate of interest
- GOVERNMENT CODE
 - 12990 Nondiscrimination and compliance employment programs
 - 53260 Contract provision re maximum cash settlement
 - 53262 Ratification of contracts with administrative officers
- LABOR CODE
 - 1775 Penalties for violations
 - 1810-1813 Working hours
- PUBLIC CONTRACT CODE
 - 4100-4114 Subletting and subcontracting fair practices
 - 7104 Contracts for excavations; discovery of hazardous waste
 - 7106 Noncollusion affidavit
 - 20111 Contracts over \$50,000; contracts for construction; award to lowest responsible bidder
 - 20104.50 Construction Progress Payments
 - 22300 Performanceretentions
- UNITED STATES CODE, TITLE 20
 - 1681-1688 Title IX, discrimination

Adopted:

FULLERTON SCHOOL DISTRICT
Fullerton, California