

NOVATO UNIFIED SCHOOL DISTRICT

Board Policy

Series 3000

BP 3312

BUSINESS SERVICES

CONTRACTS

Education Code 17604 authorizes the Governing Board to delegate authority to enter into contracts to the Superintendent or designee wherever the Code invests in the Board the power to contract. A contract made under this delegation is not valid until it is approved and/or ratified by the Board.

As specified in law, the power to contract is invested in the Governing Board. However, the Board may, by a majority vote, delegate the power to enter into contracts on behalf of the district 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 Governing 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.

Government Code 12990 requires all state contracts and subcontracts to include a nondiscrimination clause as specified.

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)

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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

35182.5 Contract prohibitions

45103.5 Contracts for management consulting service related to food service

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 Performance retentions

UNITED STATES CODE, TITLE 20

1681-1688 Title IX, discrimination

(cf. 3300 - Expenditures/Expending Authority)

(cf. 3314 - Payment for Goods and Services)

(cf. 3400 - Management of District Assets/Accounts)

(cf. 2121- Superintendent's Contract)

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- (cf. 4312.1 - Contracts)
- (cf. 9124 - Attorney)
- (cf. 0410 - Nondiscrimination in District Programs and Activities)
- (cf. 1220- Citizen Advisory Committees)
- (cf. 3100 – Budget)
- (cf. 3400 - Management of District Assets/Accounts)
- (cf. 3460 – Financial Reports and Accountability)
- (cf. 3290 – Gifts, Grants and Bequest)
- (cf. 0000 - Vision)
- (cf. 0100 - Philosophy)
- (cf. 0200 - Goals for the School District)
- (cf. 1230 – School-Connected Organizations)
- (cf. 1321 – Solicitation of Funds from and by Students)
- (cf. 3554 – Other Food Sales)
- (cf. 3550 - Food Service/Child Nutrition Program)
- (cf. 3311 – Bids)
- (cf. 9320 - Meetings and Notices)
- (cf. 0440 – District Technology Plan)
- (cf. 6162.7 – Use of Technology in Instruction)
- (cf. 1325 - Advertising and Promotion)
- (cf. 5145.6 – Parental Notifications)

Management Resources:

WEB SITES

CASBO: <http://www.casbo.org>

Board Approved: December 5, 2000