

Consultants

01 The Governing Board authorizes the use of consultants to provide expert
02 professional advice or specialized technical or training services which are not
03 needed on a continuing basis and which cannot be provided by District staff
04 because of limitations of time, experience or knowledge. Individuals, firms or
05 organizations employed as consultants may assist management with decisions
06 and/or project development related to financial, economic, accounting,
07 engineering, legal, administrative, instructional or other matters.
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11 As part of the contract process, the Superintendent or designee shall
12 determine, in accordance with Internal Revenue Service guidelines, that the
13 consultant is properly classified as an independent contractor. District
14 employees who perform extra-duty consultant services shall not be retained as
15 independent contractors. They shall be considered employees for all
16 purposes, even if the additional services are not related to their regular duties.
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19 All consultant contracts shall be brought to the Board for approval.
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22 (cf. 3312 - Contracts)
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24 The District shall not contract for consulting services that can be performed
25 without charge by a public agency or official unless these services are
26 unavailable from the public source for reasons beyond the District's control.
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29 All qualified firms or resource persons shall be accorded equal opportunity for
30 consultant contracts regardless of race, creed, color, gender, national or ethnic
31 origin, age or disability.
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34 (cf. 3311 - Bids)

35 (cf. 3551 - Food Service Operations/Cafeteria Fund)

36 (cf. 4030 - Nondiscrimination in Employment)
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39 Independent contractors applying for a consultant contract shall submit a
40 written conflict of interest statement disclosing financial interests as determined
41 necessary by the Superintendent or designee, depending on the range of
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43 duties to be performed by the consultant. The Superintendent or designee
44 shall consider this statement when deciding whether to recommend the
45 consultant's employment.
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48 (cf. 9270 - Conflict of Interest)
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50 When employees of a public university, county office of education or other
51 public agency serve as consultant or resource persons for the District, they
52 shall certify as part of the consultant agreement that they will not receive salary
53 or remuneration other than vacation pay from any other public agency for the
54 specific days when they work for this District.
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57 Legal Reference:

58 EDUCATION CODE

59 10400-10407 Cooperative improvement programs

60 35010 Control of Districts; prescription and enforcement of rules

61 35172 Promotional activities

62 35204 Contract with attorney

63 17596 Limit on continuing contracts

64 44925 Part-time readers employed as independent contractors

65 45103 Classified service in Districts not incorporating the merit system

66 45103.5 Contracts for food service consulting services

67 45134-45135 Employment of retired classified employee

68 45256 Merit system Districts; classified service; positions established for professional experts
69 on a temporary basis

70 GOVERNMENT CODE

71 53060 Contract for special services and advice
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73 Management Resources:

74 INTERNAL REVENUE SERVICE PUBLICATIONS

75 15-A Employer's Supplemental Tax Guide
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77 CSBA: (1/85 9/88) 10/96

78 Adopted:
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