



ARTICLE 2 ADMINISTRATION (Series 2000)

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Administration

Concept and Roles in Administration

The Superintendent of Schools and all management staff are responsible for directing and coordinating County Office of Education employees in realizing the educational philosophy, goals, and general objectives adopted by the County Board of Education.

To demonstrate leadership and to resolve the County Office of Education obstacles which will arise both inside the Contra Office of Education and in its relations with the community, the County Board expects all management employees to be competent in the areas of

1. decision-making and communication skills.
2. planning, organizing, implementation and evaluation skills.

The County Superintendent is encouraged to conduct the operations of the County Office of Education with a management team concept.

Policy
adopted: February 22, 1984

AdministrationOrganization Chart(s)

Organization or function charts for the County Office of Education shall be prepared by the County Superintendent to designate clearly the relationships of all employees within the organization. The organization or function charts shall be kept up to date.

Policy
adopted: February 22, 1984

Administration

Policy/Regulation/Bylaw Development

Policy Manual

The County Superintendent shall establish and maintain an orderly plan for preserving and making accessible the policies adopted by the County Board, the bylaws adopted by the Board, and the regulations of the County Superintendent. The Board policies, the Board bylaws, and the regulations shall be published in a manual, maintained in current condition, and made available to all persons concerned. The manual shall also be available at all regular and special Board of Education meetings.

Policies

Policies are statements of intent which are adopted by the County Board. They serve as guides to the administration in the development and implementation of regulations for operating the County Office of Education.

Regulations

Administrative regulations must be consistent with the policies adopted by the Board. The County Superintendent shall specify the required County Office actions and design the detailed arrangements under which the County Office shall be operated. Such procedures are to be designed as "regulations " and to be placed in the County Office policies and regulations manual. The regulations shall be presented to the County Board before implementation.

The County Superintendent is responsible for development and implementation of the regulations. The County Superintendent should, as a matter of good administrative procedure, develop a system whereby staff members are involved in development of regulations in order to make certain that each regulation is complete, efficient, sufficient to the need, consistent with adopted board policy, and capable of full implementation.

Bylaws

Bylaws are the rules governing the internal operations of the County Board. When need for a new bylaw or modification of an existing bylaw is recognized, the County Board may develop or instruct the County Superintendent to develop new or modified bylaws. Bylaw 9312 specifies procedures by which bylaws will be adopted.

Administration

Policy/Regulation/Bylaw Development (continued)

Legal Reference: Education Code

35014 Adopting of rules by governing boards

35035 Powers and duties of superintendent

35291 Rules (powers of governing board)

48657 Rules and regulation for management and government
(adjustment schools)

Government Code

3540-3549.3 Public Educational Employer - Employee Relations

Policy

adopted: February 22, 1984

Policy

amended: September 13, 1989

May 11, 1994

AdministrationDistributing Revised Pages to Manual Holders

Whenever the County Board adopts, revises, or deletes policies or bylaws, and whenever the administration institutes, revises, or deletes regulations, all authorized holders of the County Office policy manual shall be notified.

The notification task is the responsibility of the Supervisor, Administrative Services who shall care for the manuals and see that they are kept current. Copies of new or revised policies, bylaws, regulations and should be prepared and distributed to all manual policy holders.

The Superintendent shall keep a master file of all policies/regulations/bylaws distributed, and shall cause all manuals to be checked at least annually for currency.

Regulation
approved: February 22, 1984

Administration**Conflict of Interest Code: Designated Personnel**CONFLICT OF INTEREST CODE
OF THE
CONTRA COSTA COUNTY OFFICE OF EDUCATION

The Political Reform Act (Gov. Code §§ 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted regulation section 18730 of title 2 of the California Code of Regulations ("Section 18730"), which contains the terms of a standard conflict of interest code that can be incorporated by reference in an agency's code. After public notice and hearing, Section 18730 may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. The terms of Section 18730 and any amendments to it that are adopted by the Fair Political Practices Commission are incorporated by reference into this Conflict of Interest Code. Section 18730 and the attached Appendix designating officials and employees and establishing disclosure categories, constitute the conflict of interest code of the Contra Costa County Office of Education.

Persons occupying positions which categorize them as designated employees (pursuant to the attached Appendix) shall file the original Statement of Economic Interest/Form 700 with the Human Resources Department as the Filing Officer in accordance with the disclosure categories listed in the attached Appendix. The Filing Officer will retain the original statements filed by persons in designated positions and will make all retained statements available for public inspection and reproduction during regular business hours. Persons who are public officials within the meaning of Government Code section 87200 will file their statements of economic interests with the filing officer designated for their elected/appointed positions pursuant to Government Code section 87500.

APPENDIX

Appendix to Conflict of Interest Code of the Contra Costa County Office of Education

Disclosure Categories

Category 1:

A person designated Category 1 shall disclose:

All investments, interests in real property and business entities, sources of income, and status as a director, officer, partner, trustee, employee, or holder of any position of management in any business entity. These financial interests are reportable only if located within Contra Costa County or if the business entity is doing business with the County Office of Education (and such plans are known by the designated official) or has done business with the County Office of Education at any time during the two years prior to the filing of the statement of economic interests.

Category 2:

A person designated Category 2 shall disclose:

Investments in any business entity, income from any business entity, and status as a director, officer, partner, trustee, employee, or holder or a position of management in any business entity, which has within the last two years prior to the filing of the statement of economic interests, contracted with the Contra Costa County Office of Education to provide services, supplies, materials, machinery or equipment to the Contra Costa County Office of Education.

Designated Positions:

<u>Designated Position</u>	<u>Disclosure Category</u>
Administrator, Special Education, Court and Community	1, 2
Administrator, Student Programs	1, 2
Assistant Principal, Student Programs	1, 2
Assistant Superintendent, Human Resources	1, 2
Associate Superintendent, Business Services	1, 2
Human Resources Analyst	2
Coordinator	1, 2
Curriculum Specialist (TUPE)	2
Database Administrator	2
Deputy Superintendent**	1, 2
Director I, CPIN	1, 2
Director I, Curriculum and Instruction	1, 2
Director I, External Business Services	1, 2
Director I, Internal Business Services	1, 2
Director I, Program Support	1, 2
Director II, Communications and Special Projects	1, 2
Director II, General Services	1, 2
Director III, Administrative Business Services	1, 2
Director III, College and Career Readiness	1, 2
Director III, Student Programs	1, 2
Director III, Student Programs (Court and Community Schools)	1, 2
Director III, Technology Systems	1, 2
Financial System Support/Trainer	2
Manager, Budget and Accounting	1, 2
Manager, College and Career Readiness	1, 2

<u>Designated Position</u>	<u>Disclosure Category</u>
Manager, District Business and Payroll Services	1, 2
Manager, Educational Services	1, 2
Manager, Human Resources	1, 2
Manager, Projects, Educational Services	1, 2
Manager, Tech/Curriculum Integration	1, 2
Manager, Technology Project	1, 2
Manager, Technology Systems	1, 2
Network Engineer	1, 2
Payroll and Accounting Support Analyst	2
Principal, Student Programs	1, 2
Project Manager, YS	1, 2
Project Supervisor, Early Learning Quality Improvement Initiatives	2
Senior Director, Educational Services	1, 2
Senior Director, Student Programs and Services	1, 2
Supervisor, Credential Services	2
Supervisor, District Payroll Services	2
Supervisor, Energy, Safety, and Environment	2
Supervisor, Maintenance & Operations	2
Supervisor, Medi-Cal Programs	2
Supervisor, Youth Development Services	2
Technology Support Liaison	2
Technology Systems Engineer	2

Disclosures for Consultants

* The County Superintendent may determine in writing that a consultant is hired to perform a range of duties that is limited in scope and thus not required to comply with disclosure requirements. The written determination is a public record and shall be retained for public inspection.

** It has been determined that the position listed below manages public investments and will file a statement of economic interests pursuant to Government Code Section 87200:

Deputy Superintendent

Policy Adopted: February 22, 1984

Policy amended November 19, 2020

AdministrationFunction of Superintendent in Selection of Member for Commission on Professional Compliance

Whenever the Governing Board or an employee in a school district located in Contra Costa County fails to select a Commission member for any reason at least seven (7) calendar days prior to the date of a hearing requested by the employee under provisions of Section 44944 of the Education Code, the Contra Costa County Superintendent of Schools, as the County Board of Education's designee, will make the selection of a Commission member. Such selection of a Commission member by the County Superintendent of Schools will be made in accordance with applicable provisions of the Education Code.

Legal Reference: Education Code
44944 Hearing

Regulation
approved: August 26, 1981

Regulation
effective: August 26, 1981

AdministrationCare of County Office Records

The County Board of Education and the County Superintendent of Schools encourage and support a Records Management Program toward achieving efficient management systems to serve County Office needs. The County Board of Education directs the County Superintendent to develop administrative regulations, as appropriate, to establish a Records Management Program and to identify its objectives, scope, organization, and functions. The Records Management Program will be consistent with existing policies addressing the retention and disposal of records (see 2435.1 - 2435.11).

Policy
adopted: December 9, 1987

AdministrationRecords Management Program

This Administrative Regulation addresses procedures concerning a program to effectively manage records created and maintained within the County Office of Education.

The objectives of the Records Management Program are to ensure that:

1. The policies, decisions, and transactions of the County Office are fully documented.
2. Information is available when and where needed.
3. Unnecessary creation of records is avoided.
4. Duplication in record keeping is minimized.
5. Records are filed to:
 - ensure their prompt retrieval
 - provide full documentation from one file source whenever practical
 - Facilitate systematic disposal when no longer current
6. Non-current records do not encumber valuable office space and filing equipment.
7. Records are destroyed only in accordance with authorized records control schedules in compliance with all applicable laws, policies, and regulations.
8. Records essential for the continuance of operations in the event of fire or other disaster are adequately protected.
9. Cost-effective filing equipment and supplies are used to facilitate good filing practices.
10. Records are created and used in the most efficient way.

The scope of the Records Management Program encompasses all organizational elements and work units within the County Office of Education. Additionally, all information and records created and maintained by the County Office of Education are covered by the Program.

The County Superintendent will appoint a Records Management Coordinator to ensure the overall Records Management Program is appropriately implemented and maintained. The Records Management Coordinator will assume responsibility for the following activities:

AdministrationRecords Management Program (continued)

- Compliance with the Records Management Policy and its administrative directive throughout the County Office of Education
- Supervision and operation of the central records center
- Maintenance of current record control schedules
- Maintenance of the master index for the uniform filing system
- Training of work unit personnel who coordinate their respective unit's record management system
- Application of standards for the selection, utilization, and procurement of filing equipment appropriate for the agencywide Records Management Program
- Maintenance of the vital records protection system

Each major work unit or department administrator is responsible for the effective management of records in the file station(s) under his/her direction and for compliance with the Records Management Program policies and regulations. Each work unit/department administrator shall designate a person to assist the Records Management Coordinator in maintaining the overall Records Management Program. The designated persons need to be familiar with the concepts and objectives of the Records Management Program, as well as have a working knowledge of current guidelines and practices.

Each work unit/department assumes responsibility under the Records Management Program to keep the files in its custody in efficient operating condition and in compliance with applicable policies, regulations, guidelines, and practices related to the agencywide Records Management Program.

Regulation

approved: December 10, 1987

AdministrationFunction of County Superintendent in Destruction of Records

Whenever the destruction of records of the Contra Costa County Office of Education is not otherwise authorized or provided for by law, the Superintendent may destroy such records of his office in accordance with regulations of the Superintendent of Public Instruction and the Board of Governors of the California Community Colleges.

Legal Reference: Education Code
 1246 Destruction of Records

 California Administrative Code Title V
 16026
 16027

Policy
adopted: August 20, 1980

AdministrationFunction of County Superintendent in Retention and Disposal of Records

As used in these policies and regulations, "records" means all maps, books, papers, and documents of the Contra Costa County Superintendent of Schools which he is authorized to prepare and retain or which he prepares or retains as convenient or necessary to the discharge of his official duties, such as records dealing directly with the Administrative Code, Title 5, 17401)

1. Records relating to the County School Service fund.
2. All other records, prepared, preserved or maintained pursuant to state statute, except those records relating to County matters, the destruction of which is provided for in the Government Code or by the Contra Costa County Board of Supervisors, such as records relating to expenses and travel costs paid from the County General Fund.

The following documents are not records and may be disposed of at any time:

1. Duplicated or carbon copies, except the original or one copy. (A staff member receiving a duplicated copy need not retain it.)
2. Any pupil verification of illness or other note from home relating to a pupil, or other writing relating to the pupil's daily activities not a part of the pupil's cumulative record of attendance and scholarship.
3. An individual memorandum between one employee and another employee, except such memoranda relating to personnel matters.
4. Notices of meetings.
5. Advertisements or other sales materials received.
6. Library books, pamphlets and magazines.
7. Any material (textbooks, magazines, films, etc.) used for instruction of students.

Administration

Function of County Superintendent in Relation and Disposal of Records (continued)

Legal Reference: Education Code
1246 Destruction of Records
Administrative Code, Title V
16020
16028
17401 - 17404
Government Code
26202 Destruction of Old Records

Policy
adopted: August 20, 1980

AdministrationFunction of County Superintendent in Classification of Records

Before January 1, annually, the Assistant Superintendent, Business Services, shall be responsible for reviewing all records originated during the immediately preceding school year and for classifying school records into the following classifications:

Class 1 - Permanent Records

Class 2 - Optional Records

Class 3 - Disposal Records

The classifications shall become final only upon approval of the County Superintendent of Schools.

Records of a continuing nature, that is, those active and useful for administrative, legal, fiscal or other purposes over a period of years, shall not be classified until their usefulness has ended.

Legal Reference: Education Code
 1246 Destruction of Records
 Administrative Code, Title V
 16022 Classification of Records
 17401 - 17404

Policy
adopted: February 22, 1984

AdministrationFunction of County Superintendent: Permanent Records (Class I)

The original of each of the following records, or one exact copy thereof when the original is required to be filed with another agency, is a Class I - Permanent record and shall be retained indefinitely, unless microfilmed and placed in a conveniently accessible file, and provision made for preserving permanently.

1. Official budgets.
2. Annual financial reports of all funds.
3. Annual audit of all funds.
4. Annual reports of average daily attendance.
5. Annual reports relating to property transaction involving financial exchange or other conditions.
6. The minutes of all meetings of the County Board of Education including the text of any rule, regulation, policy or resolution not set forth verbatim in the minutes.
7. Resolution adopted by the County Superintendent of Schools.
8. The call and results of any election held for the purpose of election or recall of a Board member or County Superintendent of Schools for any other purpose.
9. Records transmitted to another agency relating to school district reorganization.
10. Records relating to employment, assignment, amount and dated of service rendered, termination and dismissal of any employee, and the employee's sick leave record, rate of compensation, salaries received, deductions or withholding made and the person or agency to whom such payments were made. In lieu of detail records, a proven summary payroll record for each employee may be classified as Class I - Permanent in which case, the detail records may be classified as Class III - Disposable.
11. Records of enrollment and scholarship of all pupils enrolled in schools or classes maintained by the County Board of Education or County Superintendent of Schools.

Administration

Function of County Superintendent: Permanent Records (Class I)

12. All records pertaining to any accident or injury involving any employee or other person for which a claim for damages has been filed as required by law, including any policy of liability insurance relating thereto. The Class I - Permanent classification shall end one year after the claim has been settled or the statute of limitations has run.
13. All records relating to land, buildings and equipment. In lieu of detailed property records, a complete property ledger which includes (a) all fixed assets; (b) an equipment inventory; (c) for each unit of property, the date of acquisition or augmentation, the person from which acquired, description or other identification and the amount paid; and (d) comparable data if the unit is disposed of by sale, loss or otherwise.

Legal Reference: Education Code
1246 Destruction of Records
Administrative Code, Title V
16023 Class I - Permanent Records
17403 Applicable Provisions of Sections 16020 through 16028

Policy
adopted: August 20, 1980

AdministrationFunction of County Superintendent: Optional Records (Class II)

Any record worthy of further preservation, but not classified as Class I - Permanent, may be classified as Class II - Optional and shall be retained until it is reclassified as Class III - Disposable. The County Superintendent of Schools may order any or all records of a given year not classified as Class I - Permanent to be classified as Class II - Optional pending further review and classification within one year.

Legal Reference: Education Code
1246 Destruction of Records
Administrative Code, Title V
16024 Class 2 - Optional Records

Policy
adopted: August 20, 1980

AdministrationFunction of County Superintendent: Disposable Records (Class III)

All records not classified a Class I - Permanent or Class II - Optional shall be classified as Class III - Disposable, including but not limited to detail records basic to audit such as attendance, average daily attendance, or business and financial transactions (purchase orders, invoices, warrants, ledger sheets cancelled checks) and the detail records used in preparation of any other report or record. Teacher's registers may be classified as Class III Disposable if the General Records pages are removed and classified as Class I - Permanent. Periodic reports, including daily, weekly and monthly reports and bulletins, shall be classified as Class III disposable.

Legal Reference: Education Code
1246 Destruction of Records
Administrative Code, Title V
16025 Class 3 - Disposable Records

Policy
adopted: August 20, 1980

Administration

Function of County Superintendent: Retention Period of Disposable Records (Class III)

- A. Class III - Disposable record shall not be destroyed until after the third July 1 succeeding the completion of the audit required by Education Code Section 41020 or of any other legally required audit. A continuing record shall not be destroyed until the fourth year after it has been classified as Class III - Disposable.

Legal Reference: Administrative Code, Title V
16026 Retention Period

Policy
adopted: August 20, 1980

Administration

Function of County Superintendent: Transfer of Records

The only record which may be transferred are:

1. Cumulative Records of Pupils

Before the cumulative record of a pupil may be transferred, a copy of the following information shall be retained and classified as Class I - Permanent:

Name of pupil

Date of birth

Method of verifying birthdate

Place of birth

Name and address of parent or guardian having custody

Entering and leaving date of each school year

Subjects taken each year, or type of class or program in which enrolled

Grades or marks, if given

2. Class III - Disposable Records Requested by the State Historian

Legal Reference: Administrative Code, Title V
 431 Responsibilities of Local Governing Boards
 437 Retention and Destruction of Pupil Records
 16028 Transfer of Records

Policy
adopted: August 20, 1980

AdministrationProcedure to be Followed in the Destruction of Records

The County Superintendent shall supervise the classification of records. He shall be responsible for, but he may delegate to any person, the duties described below in the destruction of records:

1. Classify each record.
2. Mark each file or container as to class and the school year in which the records originated. If the records are classified as Class III - Disposable, the file or container shall be marked with the school year in which they shall be destroyed and indication made that the record was maintained until the fourth year.
3. List for each class, by year, the general description and approximate number of items of each kind and place a copy of the appropriate list in each container as well as in the current or continuing file showing the location of the container.
4. At least 60 days before the date of proposed destruction, send a copy of the list of Class III - Disposable records to the Historian, State Archives, Secretary of State, Sacramento, California.

Legal Reference: Education Code
1246 Destruction of Records
Administrative Code, Title V
16026-27
16029-30

Policy
adopted: August 20, 1980

Administration

Employment of Consultants

The Contra Costa County Superintendent of Schools may employ consultants as needed to provide assistance with the activities of the office, including, but not limited to, administration, curriculum, special projects, personnel, assessment and evaluation.

Definition

All employees originating service contracts are responsible to determine independent contractor status versus employer-employee relationship. The following definition shall apply to consultants. Consultants are independent contractors employed by the County Superintendent to provide special services and advice in matters affecting the operation of the County Schools Office. Consultants render a service for specified payment under the control of the County Superintendent or designee only as regards the result of his/her work. The means by which such is accomplished is at the discretion of the consultant. Such persons must have special training, experience, and ability to perform the required services without direct supervision.

Restrictions

No person or agency may be employed as a consultant if:

1. Such consultant is an employee in a pay status of the Contra Costa County Office of Education.
2. Such consultant work would give the consultant or an employee of the consultant's firm unfair advantage as a bidder on County Office supplies, equipment, or services.
3. Such consultant is an employee of any other public agency and will receive salary or other remuneration (other than vacation pay) from such public agency for the specific period of time that the consultant would be retained by the County Superintendent.

Rates of Payment

Payment for service as a consultant will be made at the specified rate in the Agreement. General rates in effect for the current year are available from the Business Office.

AdministrationEmployment of Consultants (continued)Expenses

Consultants may be eligible for reimbursement for necessary and reasonable expenses for transportation, lodging, and meals under the following conditions:

1. **Transportation.** A consultant whose residence is more than 25 miles distant from the site which the consultant's service is to be performed may be eligible for transportation reimbursement for each round trip required in the performance of the consultant's service.
2. **Lodging.** A consultant who qualifies for transportation reimbursement, as indicated above, may also be eligible for lodging expenses in the event that services make it necessary to stay overnight in the county.
3. **Meals.** A consultant who qualifies for transportation and reimbursement, as indicated above, may also be eligible for reimbursement for meals purchased enroute to and from the county and while in the county rendering service.

Rates for reimbursement for transportation, lodging, and meals are available from the Business Office. Such expenses must be paid by the consultant directly to the provider of the service. Those expenses authorized for reimbursement will be paid by the county Schools to the consultant as indicated below under Payment for Services.

Authorization for Services

The administrator requesting consultant services shall be responsible for ensuring that sufficient funds are available in appropriate accounts to cover all costs of the requested services. No commitment shall be made to retain a consultant until approval is obtained from the County Superintendent or appropriate Assistant Superintendent or designee.

Short Form Service Contract

The administrator requesting the services of a consultant must complete in duplicate the Short Form Service Contract (available from the Business Office), obtain the signature of the consultant, and submit the signed forms to the appropriate Assistant Superintendent. The Assistant Superintendent or designee shall sign the Contract and route one original signed form to the consultant and one original signed form to the Business Office.

Administration

Employment of Consultants (continued)

Payment for Services

Upon completion of the consultant's services, the administrator originally requesting the service must perform the following tasks to ensure proper payment to the consultant:

1. Ensure that the contracted services were in fact completed and the required reports submitted and approved.
2. Complete the Consultant Reimbursement Form (available from the Business Office), obtain the signature of the consultant, and submit the Consultant Reimbursement Form to the appropriate Assistant Superintendent.

Payment, in the form of a warrant, shall be to the consultant approximately four weeks following the submission of all required documents.

Regulation
approved: January 30, 1980

Regulation
effective: January 30, 1980

AdministrationShort Form Service Contract for Employment of Consultants

A new Short Form Service Contract is attached. Please follow steps below for all future Service Contracts:

1. Complete the Contract prior to the delivery of services.
2. Section 2, parties, identifies the consultant by individual name or corporate name.

Capacity refers to legal status as "individual," "partnership" or "corporation."

Social Security number must be completed if contractor is an individual.

3. The "Fee Rate" and "Flat Rate" are necessary to establish maximum payment and basis for the contractor to submit an invoice (billing).
4. The Contractor's Services must be completed in sufficient detail to describe professional services to be provided. A listing in numerical order of each activity will be sufficient. Please keep sentences concise and clear. A lengthy narrative description of services will normally be unnecessary and, in fact, less understandable as compared to a simple numerical listing.
5. After you have fully completed the suggested service contract, please forward to the appropriate Director or Assistant Superintendent for review and approval, in line with Administrative Regulation No. 3413.1: "Expenditure Control."
6. Secure the signature of the Contractor, along with initial of the appropriate Director, Assistant Superintendent or other authorized staff, and submit to the Deputy Superintendent for his/her signature.

An ink-signed original of the Contract shall be forwarded to the Business Office for recording. An original ink-signed copy should also be transmitted to the Contractor for his/her records. An additional copy of the Contract may be maintained for your program administration purposes.

AdministrationShort Form Service Contract for Employment of Consultants (continued)

7. After completion of the service or periodically as services are provided pursuant to the Contract, the Contractor shall submit an invoice for payment including break down of number of hours, days, or units of service. The Contractor's invoice should be addressed to the Contra Costa County Office of Education, Business Office, 77 Santa Barbara Road, Pleasant Hill, CA 94523. The earlier issued Contractor's Reimbursement Form may be used for this purpose.
8. Management staff responsible for arranging the contracting service is expected to monitor performance of the Contractor and assure that the terms of the contract are adhered to. Particular attention should be given full compliance with identified contractor services to be provided and the limit per number of hours, days or other work units.

Although the Short-Form Service Contract will meet most contracting service needs, it is recognized that special contracts will be required for the more complex and outside service needs of certain programs. Unique contract forms or any requested modification to the standard form must be approved by the Deputy Superintendent or designee before entering into a contract with an outside party. Use of the Short Form Service Contract will eliminate need for prior review before beginning of service.

Cooperation of all management staff to assure the proper administration of contract services is appreciated and needed.

Regulation
approved: March 4, 1981

Regulation
effective: March 4, 1981

Regulation
amended: August 15, 1991
April 22, 1998



Prepared by: _____
ASN# _____

CONTRA COSTA COUNTY SUPERINTENDENT OF SCHOOLS
SERVICE CONTRACT

1. **Contract Identification.** _____

2. **Parties.** The Contra Costa County Superintendent of Schools (County Superintendent), whose address is 77 Santa Barbara Road, Pleasant Hill, CA 94523 and the following named Contractor:

Name _____ Telephone # _____

Capacity _____ Soc. Sec. # _____ Fed. I.D.# _____

Address _____ City _____ Zip _____

mutually agree and promise as follows:

3. **Term.** The effective date of this contract is _____, and it terminates _____, unless sooner terminated as provided herein.

4. **Termination.** This contract may be terminated by the County Superintendent at his/her sole discretion, upon five-day advance written notice thereof to the Contractor, or canceled immediately by written mutual consent.

5. **County Superintendent's Obligation.** In consideration of Contractor's provision of services as described below, and subject to the payment provisions expressed herein, County Superintendent shall pay Contractor, upon Contractor's submission of a properly documented demand for payment (*example: Contractor Reimbursement Form attached*) which shall be submitted no later than 30 days from the end of the month in which the contract services were rendered and upon approval of such demand by the County Superintendent or his/her designee, as follows:

Fee Rate: \$ _____ per hour/day of service as may be requested by the County Superintendent, not to exceed a maximum of _____ hours/days of service. The County Superintendent may, but is not obligated to, request the maximum number of hours/days of service. The total maximum fee is \$ _____.
(*Fee Rate x Total No. of Hours/Days*)

Flat Rate: \$ _____ to be the total payment to the Contractor including travel/other expenses.

STRS Member Yes _____ No _____
STRS Retiree * Yes _____ No _____

*Education Code Section 24216 states: "If a service retirant received payment in excess of the limitation set forth in Section 24214 or 24215, the allowance of the service retirant shall be reduced by the amount of that excess."

6. **Contractor's Obligation.** In consideration of the compensation for all work and services, the Contractor shall: (*attach additional pages if necessary*)

7. **Independent Contractor Status.** This contract is by and between two independent contractors and is not intended to and shall not be construed to create the relationship of agent, servant, employee, partnership, joint venture, or association.
8. **Indemnification.** The Contractor shall defend, indemnify, save, and hold harmless the County Superintendent and his/her officers and employees from any and all claims, costs and liability for any damages, sickness, death, or injury to person(s) or property, including without limitation all consequential damages, from any cause whatsoever arising directly or indirectly from or connected with the operations or services of the Contractor or its agents, servants, employees or subcontractors hereunder, save and except claims or litigation arising through the sole negligence or sole willful misconduct of the County Superintendent or his/her officers or employees. Contractor will reimburse the County Superintendent for any expenditures, including reasonable attorneys' fees, the County Superintendent may make by the reason of the matters that are the subject of this indemnification, and if requested by the County Superintendent, will defend any claims or litigation to which this indemnification provision applies at the sole cost and expense of the Contractor.
9. **Compliance with Law.** The Contractor shall be subject to and shall comply with all Federal, State and local laws and regulations applicable with respect to its performance under this contract, including but not limited to, licensing, employment and purchasing practices, and wages, hours and conditions of employment, including nondiscrimination.
10. **Nondiscriminatory Services.** The Contractor agrees that all goods and services under this contract shall be available to all qualified persons regardless of age, sex, race, religion, color, national origin, ethnic background, or handicap, and that none shall be used, in whole or in part, for religious worship or instruction.
11. **Tax Reporting/Payment Responsibilities.** The County Superintendent shall provide an annual statement of compensation paid on the appropriate federal and/or state information forms. The Contractor is responsible for payment of any federal and/or state tax amounts due.
12. **Disputes.** Disagreements between the County Superintendent and Contractor concerning the meaning, requirements or performance of this Contract shall be subject to final determination in writing by the County Superintendent or his/her designee or in accordance with the applicable procedures (if any) required by the State or Federal Government.
13. **Reporting Requirements.** Pursuant to Government Code Section 7550, Contractor shall include in all documents or written reports completed and submitted to County Superintendent in accordance with this Contract, a separate section listing the numbers and dollar amounts of all contracts and subcontracts relating to the preparation of each such document or written report. This section shall apply only if the total cost to County Superintendent for the work under this contract exceeds \$5,000.
14. **Signatures.** These signatures attest the parties' agreement hereto:

Contra Costa County Superintendent of Schools	Date
Contractor	Date

ACKNOWLEDGMENT

State of California

**ACKNOWLEDGMENT
(By Corporation, Partnership, or Individual)**

County of _____

The person(s) signing above for Contractor, personally known to me in the individual or business capacity(ies) stated, or proved to me on the basis of satisfactory evidence to be the stated individual or the representative(s) of the partnership or corporation named above in the capacity(ies) stated, personally appeared before me today and acknowledged that he/she/they executed it, and acknowledged to me that the partnership, if a partnership, named above executed it or acknowledged to me that the corporation, if a corporation, named above executed it pursuant to its by-laws or a resolution of its board of directors.

Dated: _____ Signed: _____
(Notarial Seal) (Notary Public)

CONTRACTOR REIMBURSEMENT
to be submitted to the
CONTRA COSTA COUNTY SUPERINTENDENT OF SCHOOLS
77 Santa Barbara Road, Pleasant Hill, CA 94523
after completion of the contract service

Name/Address of Person or Firm _____

Social Security Number _____

Service(s) Performed _____

Project Title/
Contract Identification _____

Amount Due

\$ _____ Total \$ _____
Rate

This is to certify that the Contractor service(s) for which I am being reimbursed was provided in accordance with Service Contract identified above and in no way duplicates service(s) for which payment was made by another governmental agency.

_____ Date _____
Signature of Contractor

Approved By

Staff Member