

Lewis Center for Educational Research

BP 3312: Contracts

Adopted: September 12, 2011

Revised:

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

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

The organization shall not enter into any contract with a person, agency, or organization if it has knowledge that such person, agency or organization discriminates on the basis of race, color, creed, sex, religion, ancestry, national origin, age or non-job-related handicap or disability, either in employment practices or in the provision of benefits of services to student or employees.

The President or designee may enter into contracts on behalf of the organization.

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

When required by law, contracts and subcontracts made by the organization 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 organization shall not enter into a contract that prohibits a school employee from disparaging the goods or services of the contracting party.

Effective July 1, 2007, the organization or an organization school shall not enter into or renew a contract for the sale of foods that do not meet the nutritional standards specified in Education Code [49431](#) or [49431.2](#) unless the contract specifies that such sales will occur later than one-half hour after the end of the school day and/or off school premises.

In accordance with the dates specified in law, the organization or an organization school shall not enter into or renew a contract for the sale of beverages that do not meet the nutritional standards in Education Code [49431.5](#) unless the contract specifies that such sales will occur later than one-half hour after the end of the school day and/or off school premises.

Contracts for Electronic Products or Services

The Board shall not enter into a contract for electronic products or services that requires the dissemination of advertising to students, unless the Board:

1. Enters into the contract at a noticed, public hearing of the Board.
2. Makes a finding that the electronic product or service is or would be an integral component of the education of students.
3. Makes a finding that the district cannot afford to provide the electronic product or service unless it contracts to permit dissemination of advertising to students.
4. As part of the organization's normal, ongoing communication to parents/guardians, provides written notice that the advertising will be used in the classroom or other learning center.
5. Offers parents/guardians the opportunity to request in writing that their child not be exposed to the program that contains the advertising. Any request shall be honored for the school year in which it is submitted, or longer if specified, but may be withdrawn by the parents/guardians at any time.