

CONTRACTS

Certificated Staff Contracts

The NWESD 189 will write contracts for certificated staff for a period not to exceed one (1) year. Upon recommendation of the superintendent and approval by a majority of the board of directors, the NWESD 189 will offer a certificated staff contract to the recommended and approved applicant. Such contract will state the salary to be paid based upon the applicable salary schedule, the number of days of service, effective date, and term of the contract.

The NWESD 189 will issue a “provisional contract” to first, second, and third year certificated teaching staff and other non-supervisory certificated staff who are “provisional employees,” subject to non-renewal of employment as provided by law.

Contracts with retire-rehires and persons replacing certificated staff on leave are not subject to the continuing contract law, and will include the following rider: “It is understood and agreed that the staff member is employed pursuant to the provisions of RCW 28A.405.900. In accordance with the provisions of RCW 28A.405.900, this contract expires automatically at the end of the contract terms set forth herein and is not subject to the provisions of RCW 28A.405.210.”

Classified Staff Contracts

Upon the recommendation of the superintendent, contracts for selected classified staff may be in writing and/or for a specific period of time not to exceed one (1) year. Otherwise, the employment of classified staff will be on a month-to-month basis commencing from the first day of work.

Supplemental Contracts

The NWESD 189 may issue separate supplemental employment contracts, which are not subject to the continuing contract statute, for services to be rendered in addition to a staff member’s normal “full-time” assignment. Supplemental contracts will not exceed one (1) year and if not renewed will not constitute an adverse change in contract status.

Consultants

The NWESD 189 may obtain staff consultant services when unique knowledge or technical skills are needed. A description of desired services and an estimate of time and costs will be submitted to the superintendent or designee for action. The superintendent or designee will determine compensation, but normally compensation may not exceed that paid to a regular staff member with comparable duties. The superintendent or designee determines the honorarium paid to a consultant, taking into account cost incurred and benefits derived therefrom. The NWESD 189 will determine the compensation classification of a consultant on a personal services contract or payroll in compliance with the guidelines of the Internal Revenue Service.

Paraeducators

All paraeducators must be 18 years of age, must hold a high school diploma or a recognized equivalent, and must have done one of the following:

- 1) Earned 72 quarter credits or 48 semester credits at an institution of higher learning;
- 2) Obtained at least an associate's degree;
- 3) Received a passing grade on the education testing service paraeducator assessment; or
- 4) Completed a registered apprenticeship program.

Contracts for Services

Contracts for services must have the following steps followed to ensure the related business has provided evidence it meets legal requirements to operate as a contractor and the individuals performing the service are "independent" and, therefore, do not qualify as NWESD 189 employees. Contracts for services can be issued by the NWESD 189 under the following conditions, unless the Superintendent determines an exception is appropriate:

- 1) All contracts are to be approved by the superintendent or designee prior to commencement of services.
- 2) Contracts for services should not be issued to a contractor unless he/she is performing services that cannot be performed by an employee.
- 3) Contracts for services should not be issued to any NWESD 189 employee. When an exception warrants using such a contract, the services required are to be performed outside of the normal work day and outside of the employee's normal work requirements.
- 4) Prior to drafting a contract for services, the responsible NWESD 189 staff member must work with the Human Resources staff to confirm and document legal qualification as an independent contractor (not as a NWESD 189 employee), under Internal Revenue Service (IRS) rules.
- 5) All contracts for services and contractual arrangements must be processed through the purchase order system (see Procedure 6210P).
- 6) If the services do not involve any contact with child(ren) and the expected cost of the services is two hundred fifty dollars (\$250) or less, a purchase order may be used without a formal contract for services. If this option is chosen, the appropriate terms on the Contract Clause Checklist Form 5050F1 must be identified and included on the purchase order.
- 7) Contracts for services are required to utilize the Contract Clauses Checklist Form 5050F1 and appropriate contract template for all contracts involving more than two hundred fifty dollars (\$250).

NORTHWEST EDUCATIONAL SERVICE DISTRICT 189

POLICY 5050

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