

CONTRACTS BY INDIVIDUAL SCHOOLS

EACH INDIVIDUAL SCHOOL SHALL HAVE THE AUTHORITY TO SELECT THE VENDOR OF ITS CHOICE FOR SUCH ITEMS AS ARE ENUMERATED IN FLORIDA STATE BOARD OF EDUCATION ADMINISTRATIVE RULES (E.G., CLASS JEWELRY, SCHOOL ANNUALS, SCHOOL PICTURES, GRADUATION ANNOUNCEMENTS AND INVITATIONS, CAPS AND GOWNS, SCHOOL UNIFORMS).

ALL CONTRACTS FOR SUCH ITEMS SHALL STIPULATE A PRIVILEGE TO CANCEL WHEN, IN THE OPINION OF THE PRINCIPAL, MERCHANDISE OR SERVICE IS NOT WHAT IT WAS REPRESENTED TO BE.

AUTHORITY: F.S. 230.22 (1) (2)

Policy Adopted: 4/10/69;9/5/74;7/18/85; 12/19/95

Policy Adopted: 4/4/00

RULES FOR NONPROFIT PURCHASES (E.G. CLASS JEWELRY, GRADUATION ANNOUNCEMENTS AND INVITATIONS, CAPS AND GOWNS, AND SCHOOL UNIFORMS).

1. Sales for Nonprofit (profits to be retained by the vendor) - Contracts for class jewelry, graduation announcements and invitations, caps and gowns, and school uniforms not sold for profit through the school to the students shall be negotiated with vendors pursuant to the provisions in the Administrative Procedures after documenting, in writing, attempts to receive three proposals. Contracts shall be for a single year, with the school being granted two 1-year renewal options. The Evaluation Committee shall annually provide the principal a recommendation regarding the exercise of any renewal option. The nonprofit items to be purchased which are listed above shall be publicly advertised in a display advertisement in a local newspaper having a countywide distribution. Insofar as possible, items to be sold for nonprofit should be at a sales price within the paying ability of the majority of the students.
2. Principal's Responsibility - The school principal shall assume the responsibility of insuring that the purchases of such items are in the best interest of students with regard to price, quality, service, reliability and reputation of the vendor and the vendor's agent. The principal shall not arbitrarily exclude any vendor from submitting a proposal or from the opportunity of discussing the vendor's product(s) with the Evaluation Committee, bearing in mind that the loss of valuable school time by either students or faculty members must be kept to a minimum.
3. Vendor's Responsibility and Gifts - A vendor shall not offer nor shall a Board employee, or an Evaluation Committee member, as defined herein, either directly or indirectly, accept a gratuity, gift or favor that might influence professional judgment or violate any applicable State Statutes, State Board of Education Rules and Regulations, School Board policies, or Administrative Procedures during the proposal selection process. A vendor violating this provision shall be disqualified from receiving further consideration and shall be removed from consideration for doing any business with the School Board for a period of two years. When a vendor takes orders directly from students, collects payments from them, and/or makes delivery directly to students without involving school personnel in these transactions, a copy of the official receipt issued to students and a record of the sum of the total monies collected shall be filed by the vendor with the individual school's bookkeeper. Vendors shall be responsible for amending their contracts so that they are in conformance with standard contract language authorized by the School Board.
4. An Evaluation Committee to evaluate the proposals received from vendors for nonprofit items other than school uniforms shall consist of between two (2) and four (4) members of the faculty, i.e. the class advisor and a faculty member selected by the students of the appropriate class, a parent/guardian from the parent leadership group (see the Administrative Procedures issued by the Superintendent of Schools), and a minimum of eight (8) students, at least three (3) of which will be officers of the appropriate class. With the exception of the class advisor, the members of the faculty and the parent may not serve on the Committee more than two years in any four year period. The Committee Members shall conduct themselves in accordance with all applicable rules and regulations in State Statutes and the State Board of Education Rules and Regulations. An Evaluation Committee to evaluate the proposals received from vendors for school uniforms shall consist of the following members:
 - a. School uniform proposals received by elementary schools, middle schools and centers shall be evaluated by an Evaluation Committee consisting of the persons identified in Policy 5309, Rule 1.b., as currently enacted or as amended from time to time.

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- b. School uniform proposals received by high schools shall be evaluated by an Evaluation Committee as described above for other nonprofit items.
 - c. Vendors submitting a proposal shall be informed in writing by the principal of the time, date and place to show their merchandise after the proposals are opened.
 - d. The Evaluation Committee shall use the evaluation criteria contained in the school's Request for Proposal (RFP) in their evaluation of proposals received for items to be purchased.
 - e. Decisions as to design and supplier shall be made by majority vote of the Committee.
 - f. The Evaluation Committee shall make a single award recommendation to the principal.
 - g. The principal shall accept the final decision of the Committee unless the principal asserts, in writing, to the Superintendent or his/her designee that the decision of the Committee is not in the best interest of the students. The Superintendent or his/her designee will make the final decision on the appropriate course of action concerning the award.
5. The Board authorizes the Superintendent of Schools to develop administrative procedures for the purpose of implementing the intent of this policy.

RULES FOR FOR-PROFIT PURCHASES (E.G. SCHOOL ANNUALS AND SCHOOL PICTURES)

1. Contracts for school annuals and school pictures shall be based upon an RFP and shall be negotiated with proposers by the principal or his/her designee after documenting, in writing, attempts to receive at least three proposals. Contracts shall be for a single year, with the school being granted two 1-year renewal options. The principal shall annually make a determination regarding the exercise of any renewal option. The for profit items to be purchased which are listed above shall be publicly advertised in a display advertisement in a local newspaper having a countywide distribution. A school-allied organization (e.g., PTA/PTO) which administers for a school the purchase of any type item covered by this policy will use their own procedures and documents in lieu of the procedures described herein.
2. **Principal's Responsibility** - The school principal shall assume the responsibility of insuring that the purchases of such items are in the best interest of students with regard to price, quality, service, reliability and reputation of the vendor and the vendor's agent. The principal shall not arbitrarily exclude any vendor from submitting a proposal and from the opportunity of discussing the vendor's product(s).
3. **Vendor's Responsibility and Gifts** - A vendor shall not offer or shall a Board employee, or an Evaluation Committee member, as defined herein, either directly or indirectly, accept a gratuity, gift or favor that might influence professional judgment or violate any applicable State Statutes, State Board of Education Rules and Regulations, School Board policies, or Administrative Procedures during the proposal selection process. A vendor violating this provision shall be disqualified from receiving further consideration and shall be removed from consideration for doing any business with the School Board for a period of two years. When a vendor takes orders directly from students, collects payments from them, and/or makes delivery directly to students without involving school personnel in these transactions, a copy of the official receipt issued to students and a record of the sum of the total monies collected shall be filed by the vendor with the individual school's bookkeeper. Vendors shall be responsible for amending their contracts so that they are in conformance with standard contract language authorized by the School Board.
4. The Board authorizes the Superintendent of Schools to develop administrative procedures for the purpose of implementing the intent of this policy.

AUTHORITY: F.S. 230.22 (1) (2)

Rules Adopted: 1/15/74;7/18/85

Rules Readopted: 9/5/74

Rules Amended: 12/19/74; 4/14/77; 12/19/95

2081

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Effective Date: 5/8/77

2081

Amended Rules Adopted: 4/4/00