

Business and Non-instructional Operations Board Policy 3600 (a)

CONSULTANTS

The Board of Education and Superintendent authorizes the use of consultants to provide expert professional advice or specialized technical or training services which are not needed on a continuing basis and which cannot be provided by district staff because of limitations of time, experience or knowledge.

As part of the contract process, the Superintendent or designee shall determine, in accordance with Internal Revenue Service guidelines, that the consultant is properly classified as an independent contractor. Office of Education employees who perform extra-duty consultant services shall not be retained as independent contractors. They shall be considered employees for all purposes, even if the additional services are not related to their regular duties.

Consultants are designated positions under the Office of Education's Conflict of Interest Code and must complete disclosure statements. However, the Superintendent may determine in writing that a consultant's duties are of a limited scope; and, therefore, the consultant is not required to fully comply with disclosure requirements.

The Superintendent shall not hire as a consultant any entity in which he/she has a financial interest.

If the Superintendent enters into a consultant contract for twenty-five thousand dollars (\$25,000) or more, and the contract constitutes a budget revision, it shall be incorporated in the next interim financial report or other board report when the report is submitted to the Board of Education for discussion and approval at a regularly scheduled meeting of the board. (Education Code 1281)

Legal reference

EDUCATION CODE

- 1042 Additional powers of boards
- 1281 Consultant contract requirements
- 1300 Consultant contracts with retired certificated employees
- 10400-10407 Cooperative improvement programs
- 17596 Limit on continuing contracts
- 35010 Control of districts; prescription and enforcement of rules
- 35172(a) Promotional activities
- 35204 Contract with attorney
- 44925 Part-time readers employed as independent contractors
- 45103.5 Contracts for food service consulting services
- 45134-45135 Employment of retired classified employee
- 45256 Merit system districts; classified service; positions established for professional experts on a temporary basis

GOVERNMENT CODE

- 1126 Incompatible activities: public officers and employees

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53060 Contract for special services and advice
INTERNAL REVENUE SERVICE PUBLICATIONS
15-A Employer's Supplemental Tax Guide

Policy
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Humboldt County Office of Education
Eureka, California