

FISCAL MANAGEMENT

File: DJF-R

PURCHASING PROCEDURES FOR CONTRACTUAL SERVICES

Certification Regarding Sex Offenses

1. The School Board shall require any contractor who provides services that require the contractor or his/her employees to have direct contact with students on school property during regular school hours or during school-sponsored activities to provide certification for all persons who will provide such services have not been convicted of a felony or any offense involving the sexual molestation or physical sexual abuse or rape of a child.
2. This requirement shall be written in any contract that is issued between a contractor and the school division.
3. This requirement shall not apply to a contractor or his employees providing services to a school division in an emergency or exceptional situation, such as when student health or safety is endangered or when repairs are needed on an urgent basis to ensure that school facilities are safe and habitable, when it is reasonably anticipated that the contractor or his employees will have no direct contact with students.

Unauthorized Aliens

1. The School Board shall provide in every written contract that the contractor does not, and shall not during the performance of the contract for goods and services in Virginia, knowingly employ an authorized alien as defined in the federal Immigration Reform and Control Act of 1986.

Discrimination by Contractor Prohibited

1. The School Board shall include the following provisions in every contract of more than \$10,000:
 - A. During the performance of this contract, the contractor agrees as follows:
 - i. The contract will not discriminate against any employee or applicant for employment because of race, religion, color, sex, national origin, age, disability, sexual orientation, or other basis prohibited by state law relating to discrimination in employment, except where there is a bona fide occupational qualification reasonably necessary to the normal operation of the contractor. The contractor agrees to post in conspicuous places, available to

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employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause.

- ii. The contract, in all solicitations or advertisements for employees placed by or on behalf of the contractor, will state that such contractor is an equal opportunity employer.
- iii. Notices, advertisements, and solicitations placed in accordance with federal law, rule or regulations shall be deemed sufficient for the purpose of meeting the requirements of this section.

- B. The contractor will include the provisions of the foregoing paragraph i ii, and iii in every subcontract or purchase order of over \$10,000, so that the provisions will be binding upon each subcontractor or vendor.

Issued: August 17, 2009
Revised: July 5, 0211

Legal Reference: Code of Virginia, 1950, as amended, §§ 2.2-4300 et seq., 2.2-4311, 2.2-3411, 2.2-4311.1, 22.1-296.1.

Cross Reference: GCDA Effect of Criminal Conviction
IGBGA Online Courses and Virtual School Programs
KN Sex Offender Registry Notification

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