

## FISCAL MANAGEMENT

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### PURCHASING PROCEDURES FOR CONTRACTUAL SERVICES

#### Certification Regarding Sex Offenses

As a condition of awarding a contract for the provision of services that require the contractor or his employees to have direct contact with students on school property during regular school hours or during school-sponsored activities, the school board will require the contractor 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 or sexual abuse or rape of a child.

This requirement does 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

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

The School Board shall include the following provisions in every contract of more than \$10,000:

- I. During the performance of this contract, the contractor agrees as follows:
  - a. 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 employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause.
  - b. 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.

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- c. 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.

2. The contractor will include the provisions of the foregoing paragraph a, b, and c in every subcontract or purchase order of over \$10,000, so that the provisions will be binding upon each subcontractor or vendor.

Adopted: May 20, 2004  
Revised: August 16, 2007  
Revised: June 19, 2008  
Revised: June 16, 2011  
Reviewed: June 27, 2016

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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