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DA Goals and Objectives

DA

The board shall adhere to strict fiscal accounting procedures as outlined in board policies and rules. The board shall make an effort to secure goods and services from responsible merchants and vendors at a price and quality that will enable the staff to fulfill the district's educational goals.

Approved: Board of Education 11/13/17

KASB Recommendation - 4/07; 7/17

D Budget Planning

DB

(See DC and KBA)

A planned, systematically prepared budget is essential in the management of the district. The board delegates to the superintendent the authority to develop a budget for the board's consideration.

In planning the budget, sufficient moneys shall be allocated in a manner reasonably calculated such that all students may achieve the capacities set forth in K.S.A. 72-3218(c).

Needs Assessment

Each year, the board shall conduct an assessment of the educational needs of each attendance center in the district. Such assessment shall be published on the school district's website. Information obtained from the needs assessment shall be used by the board when approving the budget of the school district to ensure improvement in student academic performance.

The board shall annually review state assessment results and, as part of such review, shall document the following:

- The barriers that must be overcome to have all students achieve proficiency above level 2 for grade level academic expectations on such assessments;
- Any budget actions, including, but not limited to, recommendations on reallocation of resources that should be taken to address and remove such barriers; and
- The amount of time the board estimates it will take for all students to achieve proficiency above level 2 for grade level academic expectations on the state assessments if such budget actions are implemented.

The board shall also prepare a summary of the budget. The budget, the summary of the proposed budget, the needs assessment, and the state assessment documentation shall be on file at the administrative offices of the school district and available on the school district's website. Notice of the hearing on the budget shall include a statement that the budget(s), the summary of the proposed budget, the needs assessment, and state assessment documentation is on file at the administrative offices of the district and available on the school district's website.

Approved: 7/11/2022

KASB Recommendation - 4/07; 6/22

Annual Operating Budget

DC

(See DB and KBA)

The district budget shall be prepared by the superintendent in cooperation with selected district employees and shall reflect the district's educational goals, including improvement in student academic performance as described in board policy DB and state law.

The superintendent shall follow the adopted budget.

The district shall fund the operating budget according to approved fiscal and budgetary procedures required by the State of Kansas.

Budget Forms

Budget forms used shall be those prepared and recommended by the Kansas State Department of Education. Budget summary documents shall be prepared on forms provided by the Kansas State Department of Education.

Priorities

The board will establish priorities for the district on a short-term, intermediate, and long-range basis, taking into consideration the requirements for budgeting.

Deadlines and Schedules

Deadlines and time schedules shall be established by the board, unless otherwise provided by state law.

Encumbrances

An encumbrance shall be made when a purchase is made or when an approved purchase order is processed. All encumbrances shall be charged to a specific fund. All necessary encumbrances shall be made by the superintendent.

Recommendations

Recommendations of the superintendent and professional staff concerning the district's budget allocations will be presented to the board prior to submission of the tentative draft budget.

Preliminary Adoption Procedures

The superintendent will be responsible for developing the budget cover letter. It is recommended that the letter include a restatement of the goals and objectives of the district and a list of budget priorities. An explanation of line-item expenditures will be included in the letter. Fund expenditures and line categories will also be explained in terms of how the budget meets the goals and objectives of the district and enhances completion of priority programs. A preliminary draft of the district's budget will be

Annual Operating Budget

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submitted by the superintendent within a timeframe that allows the district to comply with all statutory deadlines.

Hearings and Reviews

The board shall conduct budget hearings according to state law. The minutes of the meeting at which the board approves its annual budget shall state a needs assessment was provided to the board in accordance with board policy DB and state law, the board evaluated such assessment, and the manner in which the board used such assessment in the approval of the district's budget.

District budgets, the summary of the proposed budget, the needs assessment, and the state assessment documentation described in board policy DB shall be on file at the administrative offices of the district and available on the district's website.

Budget Transparency

The district shall comply with the requirements of the Kansas Uniform Financial Accounting and Reporting Act and rules and regulations promulgated by the Kansas State Board of Education thereunder in maintaining, reporting, publishing on the district's website, and making available to the public specified budgetary records, forms, and information.

Management of District Assets/Accounts

The superintendent shall establish and maintain accurate, financial management systems to meet the district's fiscal obligations, produce useful information for financial reports, and safeguard district resources. The superintendent shall ensure the district's accounting system provides ongoing internal controls. The superintendent shall review the accounting system with the board.

Approved: 7/11/2022

KASB Recommendation - 7/03; 4/07; 6/07; 6/09; 6/15; 6/18; 6/21; 6/22

The board has established this anti-fraud policy to enforce fiscal controls and to aid in the prevention and detection of fraud and theft. This policy applies to any fraud and theft, or suspected fraud and theft, involving any employee, a consultant, vendor, agent, contractor, outside agency, or person doing business with the district or in any other relationship with the district. The board does not tolerate any type of fraud or theft, including but not limited to such action that benefits the district. The board's policy is to promote consistent, legal, and ethical organizational behavior by:

- assigning responsibility for reporting fraud and theft;
- providing guidelines to conduct investigations;
- requiring each employee to be periodically trained in fraud awareness.

Failure to comply with this policy subjects an employee to disciplinary action, up to and including termination. Failure to comply by non-employees could result in cancellation of the business or other relationship between the entity and the district and reporting to any bonding companies or law enforcement.

The term employee includes but is not limited to employees in Administration positions. The term Administration includes superintendent, principals, directors, treasurer, clerk/deputy clerk to the board, supervisors, and any other employee who has authority to sign another employee's performance evaluation. Administration is responsible for knowing the fraud risks in their areas and for detecting such behavior.

Definitions and Examples of Fraud and Theft

Fraud is defined as an intentional deception designed to obtain a benefit or advantage or to cause some benefit that is due to be denied. Some examples of fraud include:

- Forgery or alteration of a check, bank draft, or any other financial document;
- Theft of a check or other diversion of a taxpayer payment;
- Misappropriation of funds, securities, supplies, or other assets;
- Impropriety in the handling or reporting of money or financial transactions;
- Profiteering as a result of insider knowledge of district operations;
- An employee with access to confidential personal information who sells this information or uses it in the conduct of an outside business activity;
- Falsifying records that would lead someone to rely on such record to approve expenditures that otherwise would not be approved;
- Creating expenditures that do not meet the public purpose of district funds.

Fraud can also include abuse and theft. Abuse is the intentional, wrongful, or grossly improper use of resources or misuse of rank, position, or authority that causes the loss or misuse of resources, such as tools, vehicles, computers, copy machines, etc. An example of abuse includes using district equipment, supplies or labor to conduct personal business. Theft is defined as the act of taking something unlawfully. An example of theft is taking home a printer belonging to the district and keeping it for personal use. Actions which are

wasteful, negligent or less than best business practices are not covered by this policy.

Definition of Ethics Committee

The ethics committee shall generally be comprised three board members. However, for any particular report, the investigation may be delegated to a three-member committee selected by the board president or to the board attorney.

Responsibility to Report Suspected Fraud

Each employee is required to report any suspected fraud to the employee's supervisor or to the ethics committee. Administration is required to report suspected fraud, including reports from employees or other individuals, to the ethics committee. Administration does not have the authority to determine the merits of a report of suspected fraud; the ethics committee makes this determination.

Guidelines for Handling a Report of Suspected Fraud

Whether the initial report is made to administration or to the ethics committee, the reporting individual should receive the following instructions and information:

- Do not contact the suspected individual regarding the suspicion.
- Allow the ethics committee to conduct the investigation. Do not further investigate the allegations.
- Observe strict confidentiality. Do not discuss the case, facts, suspicions, or allegations with anyone unless specifically asked to do so by the ethics committee, the police department, or the board attorney.

- Retaliation will not be tolerated. The board will not tolerate any form of retaliation against individuals providing information concerning fraud or suspected fraud.
- Precautions will be taken to protect the rights and the reputations of everyone involved, including the individual who in good faith alleges perceived misconduct as well as the alleged violator(s).
- The identity of an employee or other individual who reports suspected fraud will be protected to the full extent allowed by law.
- Suspicion of fraud may be directly reported to the district's auditor's (Swindoll, Janzen, Hawk, and Loyd at (888)241-1826).

Responsibility of Ethics Committee

Upon receiving a report of suspected fraud, the ethics committee shall document the contact and conduct a preliminary investigation to determine the credibility of the report and the applicability of this policy. Wrongful conduct will not necessarily trigger this policy, only fraud, abuse, and/or theft as defined herein. If the report is credible and is covered by this policy, the ethics committee shall follow the investigation guidelines provided below.

The ethics committee shall take precautions to protect the rights and the reputations of everyone involved in a report of suspected fraud, including the individual(s) who in good faith alleges perceived misconduct, as well as the alleged violator(s). The ethics committee also shall endeavor to protect the identity of a person who in good faith reported the suspected fraud. However, disciplinary action may be taken as provided by this policy if a report is made in bad faith. Upon determining that a report is not credible or is not fraud, the ethics committee shall document this determination. The ethics committee will

refer questions as to whether an action constitutes criminal fraud to the board attorney or the police department. The ethics committee is responsible for the administration, revision, interpretation, and application of this policy subject to approval by the board.

Guidelines for the Investigation of Suspected Fraud

The ethics committee shall be comprised of three board members. However, for any particular report, the investigation of which may be delegated to a three-member committee selected by the board president or to the board attorney.

The investigative committee shall then report, as directed by the ethics committee on the progress and findings of any such investigation. If because of the nature of the allegations the board president should not be involved in the investigation, the vice-president can select the particular investigative committee, In the event a report concerns conduct involving the board as a whole, the board attorney shall be informed of the allegations for referral to the appropriate outside agency. As used herein, ethics committee shall mean either the ethics committee or the investigative committee appointed for the particular matter to investigate, as the context requires.

The ethics committee has primary responsibility for the investigation of all suspected fraud and for coordinating investigative activities with the board attorney and the police department. Each employee involved in an investigation of suspected fraud shall keep the content of the investigation strictly confidential to the full extent provided by law. Investigation results shall not be disclosed or discussed with anyone other than those who have a legitimate need to know. Any required investigative activity shall be conducted without regard

to the suspected wrongdoer's length of service, position/title, and relationship to the district, or any other perceived mitigating circumstance.

The ethics committee shall maintain appropriate documentation regarding incidents of fraud. The ethics committee shall develop and maintain guidelines for access to and security of this documentation.

If an investigation substantiates fraudulent activities, the ethics committee will prepare an incident report for the superintendent, board president, and the board attorney. The ethics committee shall prepare the report as soon as possible after the fraud is confirmed and shall document the content of the investigation, the findings, and any disciplinary action taken or recommended as a result of the finding.

Any inquiries from the suspected individual, his or her attorney/representative, or any other inquirer shall be directed to the board attorney.

Disciplinary Action

Disciplinary action for an employee who fails to comply with any part of this policy; has engaged in any form of fraud; suspects or discovers fraudulent activity and fails to report his or her suspicions as required by this policy; or intentionally reports false or misleading information is subject to disciplinary action, including termination. The board shall also refer those cases reasonably believed to constitute crime to the police department and shall cooperate with any further investigation and prosecution.

Fraud Awareness Training

Each employee is required to attend at least periodic fraud awareness training. After attending the training, the employee must sign a form indicating attendance at the training and understanding of its content.

Annual report incidents of suspected fraud determined by the ethics committee to have merit shall be reported to the board attorney, the superintendent and board president on an annual basis. The annual summary report shall include: whether the report was from an employee; the determination of merit; a full investigation was conducted and, if so, the results of the investigation; the disciplinary action, if any, resulting from the investigation; whether the report was referred to an outside entity, and, if so, the current status or final results of the referral.

Approved: Board of Education 11/13/17

KASB Recommendation – 7/17

DCB Accounting and Audit Guidelines

DCB

It is the board's policy to employ a person with the requisite skill, knowledge, and experience who shall be charged with overseeing the preparation of external financial statements and notes thereto free of material misstatement. Once the external financial statements and notes are prepared, the clerk shall be responsible for reviewing them. The district's auditor shall also be allowed to assist in the preparation of the external financial statements and related notes as a non-audit service.

Approved: Board of Education 11/13/17

KASB Recommendations – 7/17

DFAA Grants and other Outside Financial Resources

DFAA

The board encourages the superintendent to secure federal, state and private grants, or other alternative funding sources for use in curriculum development, staff development, instructional or activity programs and other areas as directed by the board.

The board shall approve all grant applications before their submission.

Approved: Board of Education 11/13/17

KASB Recommendation – 6/04; 4/07; 7/17

Standard of Conduct for Federally Funded Contracts

DFAB

The following standard of conduct shall be followed by board members, district employees, officers, and their agents in an effort to eliminate conflicts of interest and to govern actions while engaged in the selection, award, and administration of contracts on behalf of the district.

No board member, employee, officer, or agent may participate in the selection, award, or administration of a contract supported by Federal funds if he or she has a real or apparent conflict of interest concerning the contract.

For the purposes of this policy, a conflict of interest would include any instance when a board member, employee, officer, or agent; any member of his or her immediate family; his or her partner; or an organization which employs or is about to employ any of the parties indicated herein has a financial or other interest in or receives or would receive a tangible personal benefit from a firm considered for a contract.

Unless otherwise provided herein, no board member, employee, officer, or agent of the district may solicit or accept gratuities, favors, or anything of monetary value from vendors, contractors, or parties to subcontracts. Therefore, these individuals would be prohibited from accepting offers for free entertainment which would otherwise cost the individual, lodging, transportation, gifts, or meals. However, accepting meals offered by a sponsor and consumed by such individual at school, a school sponsored activity, or a related event and/or accepting free product samples having a retail value no greater than \$100.00 will not be a violation of this policy or standard of conduct.

Employees, officers, and agents of the district found to be in violation of this policy and standard of conduct shall be subject to disciplinary action, up to and including suspension or termination for employees and denial of access to district property and activities and/or the severing of the officer or agency relationship with the district, as appropriate.

Approved: 7/11/2022

KASB Recommendation – 12/16; 6/22

Federal Fiscal Compliance

DFAC

(See CN, DFAA, and DFAB)

The board shall ensure federal funds received by the district are administered in accordance with federal requirements, including but not limited to the federal Uniform Grant Guidance. This policy outlines the district's responsibilities when federal funding is considered. The board designates the _____ as the federal programs coordinator and district contact for all federal programs and funding.

The _____ shall establish and maintain a sound fiscal management system to include internal controls and federal grant management standards covering the receipt of both direct and state-administered federal grants and to track costs and expenditures of funds associated with grant awards. The superintendent, to assist in the proper administration of federal funds and implementation of this policy, may recommend additional procedures and regulations be adopted to supplement this policy.

The district's fiscal management system shall be designed with strong internal controls, a high level of transparency and accountability, and documented procedures to ensure that all fiscal management system requirements are met. Fiscal management standards and procedures shall assure that the following responsibilities are fulfilled:

- Identification – The district must identify, in its accounts, all federal awards received and expended and the federal programs under which they were received.
- Financial Reporting – Accurate, current, and complete disclosure of the financial results of each federal award or program must be made in accordance with the financial reporting requirements of the Education Department General Administrative Regulations (EDGAR).
- Accounting Records – The district must maintain records which adequately identify the source and application of funds provided for federally-assisted activities.
- Internal Controls – Effective control and accountability must be maintained for all federal funds, real and personal property purchased therewith, and other assets acquired with federal funding. The district must adequately safeguard all such property and must assure that it is used solely for authorized purposes.
- Budget Control – Actual expenditures or outlays must be compared with budgeted amounts for each federal award. Procedures shall be developed to establish determination for allowability of costs for federal funds.
- Cash Management – The district shall maintain written procedures to implement the cash management requirements found in EDGAR.
- Allowability of Costs – The district shall ensure that allowability of all costs charged to each federal award is accurately determined and documented.

Time and Effort Reporting by Employees

All district employees paid with federal funds shall document the time they expend in work performed in support of each federal program, in accordance with law. Time and effort reporting requirements do not apply to contracted individuals.

Recordkeeping

The district shall develop and maintain a records management plan and related board policy, administrative regulations, and/or procedures for the retention, retrieval, and disposition of print and electronic records, including emails.

The district shall ensure the proper maintenance of federal fiscal records documenting:

- Amount of federal funds,
- How funds are used,
- Total cost of each project,
- Share of total cost of each project provided from other sources,
- Other records to facilitate an effective audit,
- Other records to show compliance with federal program requirements, and
- Significant project experiences and results.

All records must be retrievable and available for programmatic or financial audit.

The district shall provide the federal awarding agency, Inspectors General, the Comptroller General of the United States, and the pass-through entity, or any of their authorized representatives, the right of access to any documents, papers, or other district records which are pertinent to the federal award. The district shall also permit timely and reasonable access to the district's personnel for interview and discussion related to such documents.

Records shall be retained for a minimum of three (3) years from the date on which the final Financial Status Report is submitted, or as otherwise specified in federal law or in the requirements of the federal award, unless a written extension is provided by the awarding agency, cognizant agency for audit, oversight agency for audit, or cognizant agency for indirect costs. If any litigation, claim or audit is started before the expiration of the standard record retention period, the records shall be retained until all litigation, claims or audits have been resolved and final action has been taken.

The district shall ensure that all personally identifiable data protected by statute or regulation is handled in accordance with the requirements of applicable law, regulations, board policy, administrative regulations, and procedures.

Subrecipient Monitoring

If the district awards subgrants, the district shall establish procedures to:

- Assess the risk of noncompliance.
- Monitor grant subrecipients to ensure compliance with federal, state, and local laws and board policy, regulations, and procedures.
- Ensure the district's records are adjusted to cure recordkeeping issues discovered through the subrecipient's audits, on-site reviews, or other monitoring.

Compliance Violations

Employees and contractors involved in federally funded programs and subrecipients shall be made aware that failure to comply with federal law, regulations, or terms and conditions of a federal award may result in the federal awarding agency or pass-through entity imposing additional conditions or terminating the award in whole or in part.

Approved: 7/11/2022

KASB Recommendation – 6/17; 6/22

Procurement – Federal Programs

This document is intended to integrate standard district purchasing procedures with additional requirements applicable to procurements that are subject to the federal Uniform Grant Guidance regulations concerning the use of federal funds and/or U.S. Department of Agriculture (USDA) regulations governing school food service programs. The district maintains the following purchasing procedures, in accordance with federal and state laws, regulations, and board policy to aid in making purchases with federal funds. (2 CFR 200.318-200.325; 7 CFR 210.16, 210.19, 210.21, 215.14a, 220.16; K.S.A. 72-1151; board policies DFAB, DFAC, DJE, DJEB, DJED, DJEE, DJEF, DJEG, DJEJ, DJFA, and DJFAB)

201721 Procurement Thresholds		
Kansas Bid Threshold	\$20,000	For construction, reconstruction or remodeling or for the purchase of materials, goods or wares
Federal Micro-Purchase Threshold	<u>\$10,000</u>	Adjusted periodically and published in Federal Register (48 CFR Subpart 2.1)
Federal Simplified Acquisition Threshold	<u>\$250,000</u>	Adjusted periodically and published in Federal Register (48 CFR Subpart 2.1)

*Please review this Procurement attachment annually and update amounts accordingly

Responsibility for Purchasing

The board has outlined standard district purchasing responsibility, methods of purchasing, price quotations and bid, requirements in the following board policies and their accompanying administrative regulations and/or procedures:

DFAB: Standard of Conduct for Federally Funded Contracts

DFAC: Federal Fiscal Compliance

DJE: Purchasing

DJEB: Quality Control

DJED: Bids and Quotations Requirements

DJEE: Local Purchasing

DJEF: Requisitions

DJEG: Purchase Orders and Contracts

DJEJ: Payment Procedures

DJFA: Purchasing Authority

DJFAB: Administrative Leeway

Purchase Methods

When a request for expenses for construction, reconstruction, or remodeling or for the purchase of materials, goods, or wares has been submitted and approved as outlined below, the procurement method to be used will be determined based on the type of purchase and the total cost of the purchase as further outlined below. This procedure outlines how the cost thresholds for determining when the quote or formal bidding procedures that are required by state law as reflected in Policy DJED must be modified when making purchases for federally funded purposes to which the Uniform Grant Guidance or USDA regulations apply to comply with both state and federal requirements. At each point where requirements for food service-related procurement under USDA regulations differ, a note will refer to the Food Service Program Notes at the end of this procedure. Final determination of which purchasing procedures are to be applied is delegated to the { } *Purchasing Agent* { } *Superintendent* { } *Business Manager* under the authority of the Board.

Standard Procurement Documents and Purchase Request Process

The district shall use { } *purchase orders* { } *requisitions* for purchase requests in accordance with the applicable purchase method.

The district shall use { } *paper* { } *electronic* purchasing records, which are pre-numbered and are accessible to designated purchasing staff in { } *the district office* { } *the business office* { } *Purchasing Agent's office* { } *Other* _____.

Purchase requests by an employee must be submitted to the building administrator or immediate supervisor. Purchase of all budgeted items or items approved by an administrator or supervisor must be initiated by use of a purchase order or requisition submitted to the purchasing agent.

Purchase orders and requisitions shall contain information including, but not necessarily limited to:

1. Description of the services to be performed or goods to be purchased;
2. Location of where services will be performed or goods will be delivered;
3. Appropriate dates of service or delivery;
4. { } *Other (describe)* _____.

Documentation on purchase orders and requisitions shall be maintained in accordance with the district's Public Records policy (CN) and Federal Fiscal Compliance policy (DFAC).

Contracts shall be reviewed by the { } *Board Clerk* { } *Business Manager* { } *Superintendent* { } *Board's Attorney* prior to submission to the board for approval.

Contracts to which the Uniform Grant Guidance apply shall contain the clauses specified in Appendix II to 2 CFR Part 200 (Contract Provisions for Non-Federal Entity Contracts Under Federal Awards), when applicable.

[See Food Service Program Notes below for specific clauses required by USDA regulations to be included in cost reimbursable procurement contracts.]

Micro-Purchases Not Requiring Quotes or Bidding

For purposes of this procedure, **micro-purchase** means a purchase of supplies or services for use in federally funded programs using simplified acquisition procedures, the aggregate amount of which does not exceed a base amount of \$10,000. The micro-purchase dollar threshold is adjusted periodically by the federal government, and the threshold most recently established and published in the Federal Register shall apply if other than \$10,000.(48 CFR Subpart 2.1)

Note: The micro-purchase maximum for federal purposes is lower than the amount below which the Policy DJED allows purchase for nonfederal purposes to be made without using formal competitive bidding.

The micro-purchase method is used to expedite the completion of its lowest dollar small purchase transactions and minimize the associated administrative burden and cost. Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold.

To the extent practicable, the district distributes micro-purchases equitably among qualified suppliers when the same or materially interchangeable products are identified and such suppliers offer effectively equivalent rates, prices, and other terms. The { } *Superintendent* { } *Business Manager* { } *Purchasing Agent* { } *Board Clerk* { } *Board Treasurer* will be responsible to determine the equitable distribution of micro-purchases.

Micro-purchases may be awarded without soliciting competitive quotations if the district considers the price to be reasonable. The district will maintain evidence of this reasonableness in the records of all micro-purchases. **Reasonable** means that sound business practices were followed, and the purchase is comparable to market prices for the geographic area. Such determinations of reasonableness may include comparison of the price to previous purchases of the same item or comparison of the price of items similar to the item being purchased.

Even if the cost of a purchase qualifies it as a micro-purchase, bidding or small purchase procedures may be used optionally when those procedures may result in cost savings.

Small Purchase Procedures

For purposes of this procedure, **small purchase procedures** are those relatively simple and informal procurement methods for securing materials, goods, or wares or for completing construction, reconstruction, or remodeling that cost more than the amount qualifying as a micro-purchase and do not cost \$20,000 or more, or in the case of services other than construction, reconstruction or remodeling, where the total cost does not exceed the \$250,000 federal Simplified Acquisition Threshold

at which formal competitive bidding or competitive proposals are required. Small purchase procedures cannot be used for construction, reconstruction or remodeling costing \$20,000 or more or for the purchase of materials, goods or wares costing \$20,000 or more because the board policy and Kansas law requires formal competitive bidding at that level of cost.

The base amount at which bidding is required under state law for construction, reconstruction or remodeling or for the purchase of materials, goods or wares is \$20,000. (K.S.A. 72-1151)

The federal Simplified Acquisition Threshold at which competitive bidding or competitive proposals are required is adjusted periodically by the federal government, and the threshold most recently established and published in the Federal Register shall apply if other than \$250,000. (48 CFR Subpart 2.1)

Because state law does not require **competitive** bidding for the purchase of services other than for construction, reconstruction or remodeling with a cost in excess of \$20,000, small purchase procedures, including a request for proposal (RFP) procedure, may be used for procurement of such other services except when the estimated total cost will be at or over the federal threshold at which formal competitive bidding or competitive proposals are required (\$250,000).

[See Food Service Program Notes below for exemption from bidding for purchases of perishable food items costing less than \$250,000.]

Formal Competitive Bidding

Publicly Solicited Sealed Competitive Bids:

For construction, reconstruction, or remodeling or for the purchase of materials, goods or wares, sealed competitive bids are publicly solicited and awarded to the lowest responsible bidder as provided in Policy DJED when the total cost is estimated to be \$20,000 or more.

Note: The amount at which formal competitive bidding or competitive proposals are required by federal regulations is much higher than the base amount at which the policy and state law requires competitive bidding. Therefore, the lower base amount specified by Policy DJED will be used for purchases of equipment or supplies, or for obtaining services for construction, reconstruction or remodeling costing \$20,000 or more.

State law does not require bidding for the purchase of services other than for construction, reconstruction or remodeling regardless of total cost. For procurement of such other services for federally funded purposes to which the Uniform Grant Guidance applies, formal competitive bidding or competitive proposals will be used when the estimated total cost will be at or over the federal threshold of \$250,000.

The federal Simplified Acquisition Threshold at which competitive bidding or competitive proposals are required is adjusted periodically by the federal government, and the threshold most recently established and published in the Federal Register shall apply if other than \$250,000. (48 CFR Subpart 2.1)

For procurement of services costing at or over the \$250,000 federal threshold other than for construction, reconstruction or remodeling, the use of competitive sealed bidding is considered feasible and appropriate when:

1. A complete, adequate, and realistic specification or purchase description is available;
2. Two (2) or more responsible bidders are willing and able to compete effectively for the business; and
3. The procurement lends itself to a firm fixed-price contract, and the selection of the successful bidder can be made principally on the basis of price.

Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of. Any or all bids may be rejected if there is a sound documented reason.

[See Food Service Program Notes below for reference to state requirements regarding contracts with food service management companies and contractors of pre-plated meals.]

Competitive Proposals

State law does not require public school entities to solicit competitive bids for services other than for construction, reconstruction or remodeling, for which competitive bidding is required if the cost will be a base amount of \$20,000 or more.

Federal regulations allow the use of competitive proposals as an alternative to formal competitive bidding when conditions are not appropriate for the use of sealed bids.

In the case of services other than for construction, reconstruction or remodeling costing less than that threshold, the district may use small purchase procedures or micro-purchase procedures as applicable based on total cost. A request for proposal (RFP) process can also meet or exceed the small purchase competition requirements under state law and Policy DJED for the acquisition of services other than for construction, reconstruction or remodeling, and can be used if the total cost will be less than [\\$250,000](#).

When permitted, the technique of competitive proposals is normally conducted with more than one (1) source submitting an offer, and either a fixed price or cost-reimbursement type contract is awarded. Competitors' qualifications are evaluated, and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The district shall comply with other applicable state and federal law and regulations, board policy and administrative regulations or procedures regarding purchasing; the district may consult with the school solicitor or other qualified counsel in determining the required process for purchasing through competitive proposals when necessary.

If this method is used, the following requirements apply:

1. Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered to the maximum extent practical.
2. Proposals must be solicited from an adequate number of qualified sources.
3. There must be a written method for conducting technical evaluations of the proposals received and for selecting recipients.
4. Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered.

5. Competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified is selected, subject to negotiation of fair and reasonable compensation, are allowed. The method where price is not used as a selection factor can only be used in procurement of A/E professional services and cannot be used to purchase other services through A/E firms.

Competitive proposals shall be evaluated by the { } *Superintendent* { } *Business Manager* { } *Federal Programs Coordinator* based on factors including but not limited to:

1. Cost.
 - { } *Experience of contractor.*
 - { } *Availability.*
 - { } *Personnel qualifications.*
 - { } *Financial stability.*
 - { } *Minority business, women's business enterprise, or labor surplus area firm status.*
 - { } *Project management expertise.*
 - { } *Understanding of district needs.*
 - { } *Other* _____.

Evaluations shall be completed in a timely manner, documented and shall be reviewed by the { } *Board* { } *Superintendent* { } *Business Manager* { } *Federal Programs Coordinator* { } *school solicitor*.

Contract/Price Analysis

The district performs a cost or price analysis in connection with every procurement action in excess of \$250,000, including contract modifications. (2 CFR Sec. 200.323(a)).

A **cost analysis** generally means evaluating the separate cost elements that make up the total price, while a **price analysis** means evaluating the total price, without looking at the individual cost elements.

The method and degree of analysis is dependent on the facts surrounding the particular procurement situation; however, the { } *Superintendent* { } *Business Manager* { } *Federal Programs Coordinator* must come to an independent estimate prior to receiving bids or proposals. (2 CFR Sec. 200.323(a)). As part of the analysis, the _____ will enact established business practices which may include evaluation of similar prior procurements and a review process.

Negotiated Profit

In any procurement in which there has been no price competition, or in which a cost-analysis is performed, profit must be negotiated separately as an element of price. Accordingly, solicitations of bids, proposals or quotes shall require that bids, proposals or quotes be limited to costs other than profit, and exclude profit.

To establish a fair and reasonable profit, consideration is given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work. (2 CFR Sec. 200.323(b)).

When profit must be negotiated as a separate element of the total price, it shall be negotiated by the { } Superintendent { } Business Manager { } Federal Programs Coordinator.

Noncompetitive Proposals (Sole Sourcing)

Procurement by noncompetitive proposals means procurement through solicitation of a proposal from only one (1) source and may be used only when one or more of the following circumstances apply:

1. The item is available only from a single source.
2. The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation. An **emergency** exists whenever the time required for the board to act in accordance with regular procedures would endanger life or property or threaten continuance of existing school classes.
3. The federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the district.
4. After solicitation of a number of sources, the district determines the competition is inadequate.

In addition to standard procurement policy and procedures, the district will document the grounds for using the noncompetitive method in lieu of an otherwise required competitive method of procurement, which may include written confirmation from the contractor as the sole source of the item. Documentation must be submitted to and maintained by the district office. All noncompetitive proposals will ultimately be approved by the board. The district may utilize legal advice regarding noncompetitive proposals.

Profit must be negotiated separately for noncompetitive proposals, and a cost or price analysis will also be performed for noncompetitive proposals when the price exceeds \$250,000.

Purchase Cards

The district approves the use of procurement cards for permissible purchases by designated employees to improve the efficiency of purchasing activities, reduce processing expenses, improve controls for small-dollar purchases, and streamline contractor payment.

Procurement cards may be used for purchases under federal programs.

Full and Open Competition

All procurement transactions must be conducted in a manner providing full and open competition consistent with 2 CFR Sec. 200.319. In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements. Some of the situations considered to be restrictive of competition include but are not limited to:

1. Placing unreasonable requirements on firms in order for them to qualify to do business.

2. Requiring unnecessary experience and excessive bonding.
3. Noncompetitive pricing practices between firms or between affiliated companies.
4. Noncompetitive contracts to consultants that are on retainer contracts.
5. Organizational conflicts of interest.
6. Specifying only a “brand name” product instead of allowing “an equal” product to be offered and describing the performance or other relevant requirements of the procurement.
7. Any arbitrary action in the procurement process.

Minority Businesses, Women’s Business Enterprises, Labor Surplus Area Firms

The district must take necessary affirmative steps to assure that minority businesses, women’s business enterprises, and labor surplus area firms are used when possible. Affirmative steps must include: (2 CFR Sec. 200.321)

1. Placing qualified small and minority business and women’s business enterprises on solicitation lists.
2. Assuring that small and minority businesses, and women’s business enterprises are solicited whenever they are potential sources.
3. Dividing total purchasing requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority business and women’s business enterprises.
4. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses and women’s business enterprises.
5. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce.
6. Requiring the prime contractor, if subcontracts are let, to take the affirmative steps listed above.

Geographical Preferences Prohibited

The district must conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state, local, or tribal geographical preferences in the evaluation of bids or proposals for purchases made with federal funds, except in those cases where applicable federal statutes expressly mandate or encourage geographic preference. When contracting for architectural and engineering (A/E) services, geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

[See Food Service Program Notes below for permissibility of geographic preferences and “Buy American” practices in purchasing certain food products]

Prequalified Lists

The district must ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition. Also, the district must not preclude potential bidders from qualifying during the solicitation period.

[See Food Service Program Notes below for reference to state requirements regarding contracts with food service management companies and contractors of pre-plated meals.]

Solicitation Language

The district must ensure that all solicitations incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description must not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, must set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications should be avoided if possible.

When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a “brand name or equivalent” description may be used to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offers must be clearly stated; and identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.

Avoiding Acquisition of Unnecessary or Duplicative Items

The district must avoid the acquisition of unnecessary or duplicative items. Additionally, consideration must be given to consolidating or breaking out procurements to obtain a more economical purchase; and, where appropriate, an analysis must be made of leases versus purchase alternatives, and any other appropriate analysis to determine the most economical approach.

These considerations are given as part of the process to determine the allowability of each purchase made with federal funds. Such considerations are accessible in the procedure to Policy DFAC: Allowability of Costs – Federal Programs.

Use of Intergovernmental Agreements and Cooperative Purchasing

To foster greater economy and efficiency, the district enters into state and local intergovernmental agreements where appropriate for cooperative purchasing or use of common or shared goods and services, as permitted by the Intergovernmental Cooperation Act.

When procuring supplies or services for federally funded purposes to which the Uniform Grant Guidance applies, the district shall verify that the organization conducting the procurement pursuant to such agreements complies with the applicable procurement methods, requirements, and standards of the Uniform Grant Guidance as outlined in this procedure.

Use of Federal Excess and Surplus Property

The district considers the use of federal excess and surplus property in lieu of purchasing new equipment and property whenever such use is feasible and reduces project costs.

Debarment and Suspension

The district awards contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to

such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.

[See Food Service Program Notes below for reference to state requirements regarding contracts with food service management companies and contractors of pre-plated meals.]

The district may not subcontract with or award subgrants to any person or company who is debarred or suspended. For all contracts over \$25,000 the district verifies that the contractor with whom the district intends to do business is not excluded or disqualified. (2 CFR Part 200, Appendix II, and 2 CFR Sec. 180.220 and 180.300).

All successful contractors must provide written certification that they have not been suspended or debarred from federal projects. The { } *Business Manager* { } *Federal Programs Coordinator* will be responsible for verification. Such verification may include accessing the online federal System for Award Management (SAM) to determine whether any relevant party is subject to any suspension or debarment restrictions.

Maintenance of Procurement Records

The district must maintain records sufficient to detail the history of all procurements. These records will include, but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, the basis for the contract price (including a cost or price analysis), and verification that the contractor is not suspended or debarred.

Maintenance of records of procurement will be governed by board Policies CN and DFAC.

Time and Materials Contracts

The district may use a time and materials type contract only: (1) after a determination that no other contract is suitable; and (2) if the contract includes a ceiling price that the contractor exceeds at its own risk. **Time and materials type contract** means a contract whose cost to the district is the sum of: the actual costs of materials, and direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.

Since this formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency. Therefore, each contract must set a ceiling price that the contractor exceeds at its own risk. Further, the district must assert a high degree of oversight to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.

Settlements of Issues Arising Out of Procurements

The district alone is responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the district of any contractual responsibilities under its contracts. Violations of law will be referred to the local, state, or federal authority having proper jurisdiction.

Protest Procedures to Resolve Dispute

The district maintains protest procedures to handle and resolve disputes relating to procurements and, in all instances, discloses information regarding the protest to the awarding agency. Protest procedures will be acted on in accordance with current state law and regulations, board policy and administrative regulations and procedures, and the advice of the board's legal counsel.

Food Service Program Notes:

Exemption from Bidding for Perishable Food Items -

Kansas law exempts purchases of food and foodstuffs necessary for the implementation or operation of any child nutrition program from bidding requirements. Bidding for such items is required only if the cost would be at or over the federal threshold at which formal competitive bidding is required (\$250,000). Small purchase procedures may be used for purchases below \$250,000, or micro-purchase procedures for purchases below \$10,000. Use of bidding should be considered as an option if it is feasible and likely to result in cost savings.

Geographic Preferences -

The district is permitted to apply a geographic preference when procuring unprocessed, locally grown or locally raised agricultural products. When a geographic preference is applied, the district has discretion to determine the local area to which the geographic preference option will be applied.

Unprocessed locally grown or locally raised agricultural products means only those agricultural products that retain their inherent character. The effects of the following food handling and preservation techniques shall not be considered as changing an agricultural product into a product of a different kind or character: cooling; refrigerating; freezing; size adjustment made by peeling, slicing, dicing, cutting, chopping, shucking, and grinding; forming ground products into patties without any additives or fillers; drying/dehydration; washing; packaging (such as placing eggs in cartons), vacuum packing and bagging (such as placing vegetables in bags or combining two (2) or more types of vegetables or fruits in a single package); the addition of ascorbic acid or other preservatives to prevent oxidation of produce; butchering livestock and poultry; cleaning fish; and the pasteurization of milk. (7 CFR Sec. 210.21, 215.14a, 220.16)

Buy American -

The district shall purchase, to the maximum extent practicable, domestic commodities or products for food service purposes. The term **domestic commodity or product** means: (7 CFR Sec. 210.21, 220.16)

1. An agricultural commodity that is produced in the United States; and
2. A food product that is processed in the United States substantially using agricultural commodities that are produced in the United States.

Mandatory Contract Clauses -

The following provisions shall be included in all cost reimbursable contracts for food services purchases, including contracts with cost reimbursable provisions, and in solicitation documents prepared to obtain offers for such contracts: (7 CFR Sec. 210.21, 215.14a, 220.16)

1. Allowable costs will be paid from the nonprofit school food service account to the contractor net of all discounts, rebates and other applicable credits accruing to or received by the contractor or any assignee under the contract, to the extent those credits are allocable to the allowable portion of the costs billed to the school food authority;
2. (a) The contractor must separately identify for each cost submitted for payment to the school food authority the amount of that cost that is allowable (can be paid from the nonprofit school food service account) and the amount that is unallowable (cannot be paid from the nonprofit school food service account); or
(b) The contractor must exclude all unallowable costs from its billing documents and certify that only allowable costs are submitted for payment and records have been established that maintain the visibility of unallowable costs, including directly associated costs in a manner suitable for contract cost determination and verification;
3. The contractor's determination of its allowable costs must be made in compliance with the applicable departmental and program regulations and Office of Management and Budget cost circulars;
4. The contractor must identify the amount of each discount, rebate and other applicable credit on bills and invoices presented to the school food authority for payment and individually identify the amount as a discount, rebate, or in the case of other applicable credits, the nature of the credit. If approved by the state agency, the school food authority may permit the contractor to report this information on a less frequent basis than monthly, but no less frequently than annually;
5. The contractor must identify the method by which it will report discounts, rebates and other applicable credits allocable to the contract that are not reported prior to conclusion of the contract; and
6. The contractor must maintain documentation of costs and discounts, rebates and other applicable credits, and must furnish such documentation upon request to the school food authority, the state agency, or the department.

Contracts with Food Service Management Companies -

Procedures for selecting and contracting with a food service management company (FSMC) shall comply with guidance provided by the Kansas State Department of Education, Division of Child Nutrition and Wellness, including standard forms, procedures and timelines for solicitation, selection and approval of proposals and contracts. (7 CFR Sec. 210.16, 210.19, 210.21, 215.14a, 220.16)

Pre-Plated Meals -

Procedures for selecting and contracting with contractors of pre-plated meals shall comply with guidance provided by the Kansas State Department of Education, Division of Child Nutrition and Wellness, including standard forms, procedures and timelines for solicitation, selection and approval of proposals and contracts. (7 CFR Sec. 210.16, 210.19, 210.21, 220.16)

Approved: 7/21

KASB Recommendation – 6/17; 6/18; 6/21

DFE Investment of Funds DFE

The investment of school district monies shall be the responsibility of the superintendent, business manager and/or the district treasurer.

Any monies not immediately required for the purposes for which the monies were collected or received, shall be invested as provided by current statute.

Posting Securities

All investments of district monies shall be secured by F.D.I.C. coverage, a pledge of direct federal obligations or direct guaranteed federal agency deposits in accordance with requirements of state law. Exceptions to the required posting of securities shall be only as provided by law and approval of the board.

All offerings of monies for investment shall state the amount to be invested and the maturity date of each investment.

All banks and savings and loan associations (hereafter "financial institution(s)") with main or branch offices located within the district and the county or counties in which part of the district is located shall be given an opportunity to bid on all monies offered for investment. All bids shall be specified on the basis of simple interest.

Distribution of monies for investment shall be as follows:

The treasurer or other person designated by the board shall inform each eligible bank and savings and loan association of the total amount of money to be invested on a specified date and the maturity date of the investment.

Each bank or savings and loan association bidding shall submit a single bid of the rate of interest it would pay on all or part of the funds to be invested.

Monies shall be invested with the highest bidder in such amount as the bidder will accept, and any remaining amounts shall be invested with the next highest bidders in order of interest rate offered. No bidder shall be eligible to receive any funds in the same offering at a rate lower than its single bid.

No bid less than the most recently determined investment rate as determined by the state treasurer shall be accepted. No funds will be invested for maturities of more than two years.

Any monies not otherwise invested in eligible banks and savings and loans located in the district due to their inability, for whatever reason, to accept the funds, shall be invested in secured deposits in banks or savings and loans which have offices located in counties in which a part of the school district is located or in adjoining counties.

Any monies not invested in banks and savings and loans in the district or located in counties in which a part of the school district is located may be invested in the municipal investment pool fund or United States Treasury bills or notes as authorized by Kansas law.

Monies available for reinvestment as a result of maturities may be reinvested with the bank or association holding such monies provided the bank or savings and loan association agrees to pay the same or higher rate as that offered by the highest bidder at the time of re-offer.

In the event of identical high bids, the allocation of monies to be invested between the high bidders shall be at the discretion of the superintendent.

DFE Investment of Funds

DFE-3

The treasurer shall record the following information: the date of each offering; the name of each bank or savings and loan association notified; the name of the officer notified; the bid, carried to five decimal places (.11111); the amount of monies the bank or savings and loan association is willing to accept at the rate bid.

To be eligible to receive invested funds or deposits from the district, any otherwise eligible bank or savings and loan association shall have on file in the office of the district treasurer a letter requesting its inclusion in the bidding process and providing proper assurance of compliance with requirements of applicable laws and board policy relating to maintenance of proper security and assurance of its membership in good standing consistent with current federal regulations. The superintendent shall report monthly to the board on the district's investments.

Approved: Board of Education 7/20

KASB recommendation 6/06; 4/07; 7/17; 6/20

DFG **Fees, Payments and Rentals** (See KG)

DFG

Proceeds from fees for building or equipment use or rental will be credited to the general fund.

Approved: Board of Education 11/13/17

KASB Recommendation - 4/07; 7/17

DFK Gifts and Bequests

DFK

Income derived from gifts and bequests will be credited, if possible, as specified by the board.

Approved: Board of Education 11/13/17

KASB Recommendation - 4/07; 7/17

DFM Equipment and Supplies Sales (See KK)

DFM

Excess or unusable district-owned equipment and supplies will be disposed of at the discretion of the board.

Approved: Board of Education 11/13/17

KASB Recommendation - 4/07; 7/17

DH Bonded Employees

DH

The board shall purchase a blanket fidelity bond for school employees. The amount of the bond shall be determined by the board.

A position bond in the amount of \$50,000.00 is required for the treasurer, clerk, and superintendent. A position bond may be purchased by the board for district employees as follows:

- High school and middle school principals, assistant principals, and secretaries in the amount of \$20,000;
- Elementary principals, elementary secretaries, the superintendent's secretary, and food service cashiers in the amount of \$10,000;
- Other employees in amounts as the board may direct.

Approved: Board of Education 11/13/17

KASB Recommendation – 9/04; 4/07; 7/17

DIC Inventories

DIC

An accounting will be made annually for all district-owned property, real and personal.

An inventory record system shall be developed by the superintendent. All inventory records shall be annually updated showing deletions and additions, the estimated value, original cost (where available), date of purchase, serial numbers (where available) and location and condition of each piece of district-owned property.

Each building principal shall take an annual inventory of district-owned property under the direction of the superintendent. Inventory forms shall be developed by the superintendent. One copy of each inventory taken in an attendance center shall be filed in that building, and one copy shall be filed in the central office with the clerk.

Approved: Board of Education 11/13/17

KASB Recommendation - 4/07; 7/17

DJB **Petty Cash Accounts**

DJB

The board may establish petty cash accounts by resolution. An annual report of all petty cash funds shall be included in the board's regular July agenda. The board shall also receive monthly reports.

(See attachment)

Approved: Board of Education 11/13/17

KASB Recommendation - 4/07; 7/17

DJE **Purchasing**

DJE

The purchasing, receiving, storing and distribution of supplies, equipment and services for use in the district shall be managed efficiently and economically. School employees are not allowed to purchase personal items from vendors using district accounts.

Purchasing Authority

The board shall appoint a purchasing agent for the district.

Approved: Board of Education 12/13/21

KASB Recommendation - 4/07; 12/21

DJEB Quality Control

DJEB

The board reserves the right to establish the specifications for and quality of goods or services purchased by the district.

Specifications

It is the responsibility of the originator of a purchase request to see that all specifications requested are complete.

Standardization

Whenever possible, standard lists of supplies and equipment shall be developed in all budget areas.

Quantity Purchasing

Quantity purchasing is encouraged.

Cost Control

The board reserves the right to maintain cost control authority over any goods or services.

Approved: Board of Education 11/13/17

KASB Recommendation - 4/07; 7/17

DJED Bids and Quotations Requirements

DJED

All purchases requiring competitive bids shall be made in accordance with current statutes.

The purchasing agent shall develop and maintain lists of potential suppliers. Bid lists shall be used to notify potential bidders.

Any supplier may be included in the list upon request. All bid lists shall be reviewed annually by the purchasing agent.

A copy of this policy shall be given to all bidders upon request.

All bids and supporting documentation shall be retained in the district office with the clerk for a period of three years after bids have been opened.

Bid Specifications

All bid specifications shall be written by the district's purchasing agent. Specifications shall include, when necessary: required performance, surety, bid and statutory bond information; compliance with preferential bid law; financial statements; the board's right to reject any or all bids; compliance with all federal, state and local laws, ordinances and regulations; the date, time and place for the opening of bids; and other items as the board directs.

The board shall avoid negotiation of bid specifications after bids have been accepted and shall correct specifications if they are inadequately written and request new bids. If an error is discovered in the bid specifications all bids shall be returned unopened and the project shall be rebid using corrected and/or amended specifications.

Procedure

All bids must be submitted to the clerk in sealed envelopes with the name of the bidder and the date of the bid opening plainly marked in the lower

left-hand corner of the envelope. All bids shall be opened publicly on the stated day and time. All bidders and other interested persons may be present when the bids are opened.

Bids may be opened by the purchasing agent or other person designated by the board and such opening shall be witnessed by one other district employee. The bids shall then be arranged in order from low to high before they are presented to the board for action.

Responsible Bidder

All bids shall be awarded to the lowest responsible bidder. The board remains the sole judge of whether or not a bidder is “responsible.” Criteria that may be used to judge “responsible,” by way of illustration and not limitation, are: financial standing, reputation, experience, resources, facilities, judgment and efficiency.

The board may investigate the “responsibleness” of any bidder by using information at hand to form an intelligent judgment, such as the district’s architect, previous clients of the bidder, their own investigation, or an outside investigation agency.

Withdrawal of Bids

Any bid may be withdrawn and/or corrected prior to the scheduled time for opening of bids and no later than two days after the bids have been opened if a non-judgmental error has been made.

Any bid received after the publicized date and time shall not be considered by the board.

Rejection of Bids

The board reserves the right to reject any and all bids and to ask for new bids. This reservation shall be specified in the publication or notification of bid letting.

The board reserves the right to waive any informalities in, or reject any parts of a bid.

Multi-State Purchasing Pools

The board may participate in multi-state purchasing pools.

Approved: Board of Education 11/13/17

KASB Recommendation – 7/03; 4/07; 7/17

DJEE Local Purchasing

DJEE

The purchasing agent shall make purchases from local vendors when the price, availability of the product and service are competitive with outside vendors for purchases not subject to the bidding law. The board shall not grant preferential bid percentages to local contractors or businesses except as provided by statute.

Approved: Board of Education 11/13/17

KASB Recommendation - 4/07; 7/17

DJEF Requisitions

DJEF

The purchasing agent shall develop a requisition form to be used by staff members requesting that certain goods be purchased for the district.

All requisitions shall be submitted to the purchasing agent by the designated deadline. After a purchase order has been issued, the number of the purchase order shall be recorded on the requisition, and the number of the requisition shall be recorded on the purchase order. After processing, the original copy of the requisition shall be filed in the office of the purchasing agent in numerical sequence.

School letterhead shall not be used in ordering supplies and equipment for the personal use or purchase by employees.

Approved: Board of Education 11/13/17

KASB Recommendation - 4/07; 6/16; 7/17

The purchasing agent shall develop an order form compatible with the requisition form to be used in purchasing goods, and shall be authorized to sign all purchase orders.

Each purchase order shall include a specification of the item which adequately describes the characteristics and the quality standards; a quoted, firm, net, delivered price, whenever possible, and prices shown both per unit and as extended; clear delivery instructions which include time and place; a signature of the purchasing agent and budget account code number; and the appropriate address and telephone number.

All purchase orders shall be numbered in sequence; sufficient copies will be made to meet distribution requirements.

A verbal order, subject to subsequent confirmation by a written purchase order, may be issued only in cases where a bona fide emergency exists. Whenever possible, a purchase order number should be given to the supplier. A confirming requisition/purchase order shall be issued immediately thereafter and clearly marked as such.

Approved: Board of Education 11/13/17

KASB Recommendation - 4/07; 7/17

DJEJ **Payment Procedures** (See DJEG and DJFAB)

DJEJ

Payment of bills shall be considered by the board at regular board meetings upon the recommendation of the superintendent.

Upon receipt of a request for payment by a district vendor, and upon receipt of all goods or satisfactory completion of all services from said vendor, the district will authorize payment to said vendor.

The board may designate the superintendent or designee to pay bills in advance of any board meeting in order to avoid a penalty for late payment or to take advantage of any early payment discount.

Approved: Board of Education 11/13/17

KASB Recommendation - 4/07; 7/17

DJFA Purchasing Authority

DJFA

The superintendent is authorized to execute contracts on behalf of the district for the purchase of goods and services if the amount is less than \$20,000. The board shall receive reports on any contracts.

Approved: Board of Education 11/13/17

KASB Recommendation - 6/01; 6/06; 4/07; 7/17

Administrative Leeway

DJFAB

(See DJEG and DJEJ)

In an emergency, the superintendent shall have the authority to make expenditures necessary to prevent additional damage to district property, to keep the schools open or to reopen schools. Emergency purchases shall be ratified by the board at the next regular or special board meeting.

Approved: 7/11/2022

KASB Recommendation - 4/07; 6/22

DK **Student Activity Fund Management** (See JGHB, JH and JL)

DK

Any activity which involves the expenditure of activity funds shall be subject to prior approval of the principal.

Activity Fund Management

The building principals shall maintain an accurate record of all student activity funds in the respective attendance centers. No funds shall be expended from these accounts except in support of the student activity program. No activity account shall have a negative balance.

The board shall receive a monthly report on all activity accounts.

All student activity funds will be audited annually at the same time as the general fund budget.

All payments from student activity funds shall be made from purchase orders signed by the employee responsible for the fund.

Receipts shall be kept for all revenue deposited into the activity fund of each attendance center. All payments from the activity fund shall be by checks provided for that purpose.

Activity Fund Deposits

Activity funds from gate receipts or other sources may be deposited directly into a bank account maintained for this purpose.

Inactive Activity Funds (See JH)

The board will assume control of all inactive activity funds and disburse those funds to other activity accounts or expend the funds as directed by the board.

Each student activity fund shall have an employee in charge of the fund.

DK Student Activity Fund Management

DK-2

The employee shall be responsible for making a monthly report to the superintendent and the board.

The monthly student activity report shall show opening and closing balances of each fund. The report shall also show the total amount of deposits and an itemized list of expenditures.

(See attachment)

Approved: Board of Education 11/13/17

KASB Recommendation - 4/07; 7/17

Unpaid Fees and Negative Account Balances

Unpaid or overdue accounts disrupt accounting practices within the district. All persons who owe overdue fees or have negative account balances with the district shall be notified of the delinquency up to three times in not less than ten day increments by the superintendent or superintendent's designee via letter sent by U.S. First Class Mail providing that the individual owes the district fees or that a specified account has insufficient funds or a negative balance and the reason for the fees or account withdrawals.

If, within ten days after the second notice was mailed, the debt is not paid in full or arrangements have not been made with the superintendent or superintendent's designee to pay it, a third and final notice shall be sent to the debtor by mail. Postage and stationary costs may be added to the original bill.

If full payment is not received by the clerk within ten days after mailing of the final notice, authorization for the enforcement of collection may be obtained through the local small claims court in compliance with Kansas statutes or the superintendent or superintendent's designee may turn the matter over to legal counsel to commence debt collection proceedings on behalf of the district.

Insufficient Funds Checks

The superintendent or the superintendent's designee is authorized to request charges to be filed against a person or persons giving worthless or insufficient fund checks to the school district. In addition, the board adopts the following procedures for dealing with returned checks in the school setting.

Once the person is notified of the first returned check via U.S. First Class Mail, if restitution is made within five working days from the notification being mailed, there will be no charge for a returned check. If after a second notification is sent, restitution is not made within an additional five working days, a fee of \$10.00 will be charged.

- If a person has a second returned check, he/she will be notified and assessed a \$15.00 fee, providing restitution is made within five working days. After the second notification is mailed concerning the second returned check, a fee of \$20.00 will be assessed.
- For a third returned check, the person will be notified, assessed a \$30.00 fee, and informed that the district and its schools will not accept any future checks from such person. All future payments to the district or individual schools would then need to be in the form of cash, cashier's check, or credit/debit card payment.
- If restitution of the third check is not made within five working days from mailing the final notification, the superintendent or superintendent's designee will be notified, and the superintendent or superintendent's designee may turn the matter over to the county attorney for legal action.

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KASB Recommendation – 12/16; 7/17