



### **When do I need an Independent Contractor Agreement (ICA)?**

- An ICA is required any time you have a business or individual coming to your school or department to provide services that enhance instruction, compliment instruction, provide entertainment or other various types of services, either paid or unpaid.
- The ICA provides protection for the District; first and foremost, our students and staff.
- The ICA outlines the terms of the financial agreement as well as payment policies.

### **A few examples:**

- A speaker for an assembly or entertainment at an assembly.
- Author visit for reading week.
- An individual who provides art instruction in your classroom.
- A piano accompanist for your music programs.
- A choreographer for your school play.
- An adjudicator for band, orchestra or choir performances or competition.
- A person paints a mural at your school.
- A speaker comes in to provide professional development to your staff.
- A DJ.
- Entertainment or activities for your year-end celebration or graduation celebration.

### **What do I do now?**

- Access ICA packets on District website: Staff Tab/Board Policy and Administrative Regulations/Master Document List/Business and Finance/Accounts Payable-Receivable:
  - [AP-F006A Independent Contract Agreement Justification \(WCSD Internal Document\)](#)
  - [AP-F006B Independent Contract Agreement \(WCSD and Vendor Contract\)](#)
    - Attachment A – Only required for virtual services to students
- District staff should complete most of the information in each ICA packet (both are PDF fillable). **Pay close attention to each fillable field in both packets.**
  - Principal or department head signature is required on the IRS Contractor Screening, AP-F006A page 4, as well as the Fingerprint Screening/Verification AP-F006A page 5, (can be done electronically).
  - If fingerprinting is required, once it has been completed, the Fingerprint Office will forward this page back to the site and it can then be included as part of the AP-F006A packet.
  - The Public Disclosure Form, AP-F006A page 6, should be completed and signed by the WCSD staff person working with the vendor.
- Submit ICA (AP-F006B) to contractor/provider for signature (can be done electronically).
  - Vendor details and signature are required on ICA AP-F006B page 2.
  - The Public Disclosure Form, AP-F006B page 3, should be completed and signed by the contractor.
  - Attachment A, AP-F006B, should be completed and signed by the vendor if the services will be virtual and presented to students.
- Enter a purchase requisition (PR) in BusinessPLUS for all ICA's, regardless of amount, even if funded by an outside source, like SAF, PTO, etc.

- Please be sure to include the Req. Codes AT and IC.
- For free services, please enter an amount of \$1 for the PR. BusinessPLUS cannot move a \$0 (zero) dollar PR through the system.
- If funded by a school check, send check to Business using a Deposit Transmittal and indicate contractor name and PR # on purpose line of this form. Include this in your PR description “these services funded by a school check”.
- Attach both packets (AP-F006A, AP-F006B and Attachment A, when applicable), required insurance and W-9 to the PR. The ICA approval process will be handled by BusinessPLUS workflow.
- Authorized District individual will sign the final ICA AP-F006B (Superintendent, CFO or Director of Procurement). The fully approved packets will be sent back to site once a PO number is assigned.
- Services may begin AFTER the ICA packets and PO are in place. NO SERVICES MAY OCCUR IF THESE ARE NOT IN PLACE.
- After services are complete, receive on the PO in BusinessPLUS and forward invoice to Accounts Payable for payment.

### **ICA - Information Sheet**

1. Employees (to include subs, coaches, activity workers etc.) of the District may not hold independent contractor status with the District.
2. The only people authorized to enter into a financial agreement with any consultant or service provider are the Superintendent, the CFO and the Director of Procurement.
3. Contractors or service providers should never be paid directly with school funds. All payments should route through the Accounts Payable Office.
4. An Independent Contract Agreement (ICA), Independent Contract Justification, and a Purchase Order must be in place AND fully approved before services may begin.

### **Recent changes:**

- (effective 10/1/18) **Grant Funded ICA's:** If the ICA exceeds \$10,000 and utilizes federal funds, then the site will be required to get three (3) quotes and award to the lowest vendor, unless/until the site has filled out the sole source paperwork and it has been approved by Purchasing. For all procurements, including professional services (ICA's), the federal requirements are stricter than State law. Please allow sufficient time for processing.
- (effective 9/27/19) **Public Disclosure Forms:** Per NRS 281A.020, NRS 281A.400 and Board of Trustees Policy 4505. A form should be completed by the contractor as well as the employee requesting the contract.
- The ICA form has been split into two packets: AP-F006A Independent Contract Justification; and AP-F006B Independent Contract Agreement (with Attachment A, when applicable).

### **Upcoming changes:**

- Past employees providing services doing work that is similar to work they were doing when they were employed by WCSD, will not be eligible to be an independent contractor for a period of time (up to one year) after employment.

### **Common hold ups on processing an ICA:**

- Incomplete forms
- Non-compliant insurance certificates

### **Examples of unusual circumstances:**

- Prom requiring services off property paid with District Funds or Student Activity Funds – ICA IS REQUIRED.
- Offsite training for WCSD Employees exclusively – ICA IS REQUIRED.
- Offsite training that is held and multiple companies participate, not just WCSD – ICA IS NOT REQUIRED.
- Dogs or other animals coming on to District Property whether paid or not – ICA IS REQUIRED

### **Contacts:**

- Business Office Accounting Manage: 348-0317
- Business Office Account Technician: 348-0307
- Purchasing Assistant Supervisor: 850-8024
- Risk Manager: 348-3854