



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

- An ICA is required when you have a business or individual coming to your school to provide services that enhance instruction, complement instruction, provide entertainment or other various types of services, either paid or unpaid. An ICA may also be required for non-school sites if the services do not meet the below criteria.
- *An ICA is not required if all three of the following criteria are met:*
 1. *the contractor is performing services offsite (not at a school);*
 2. *the contractor does not come in to contact with students or student education records; and*
 3. *the cost is less than \$20,000.*
 - *A purchase requisition can simply be submitted.*
- 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 visits 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,
- Entertainment or activities for your year-end celebration or graduation celebration,
- A DJ, a photo booth, or other similar vendors,
- A food truck.
- *ICA's can be required for paid services and FREE services.*

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 \(WCSD and Vendor Contract\)](#)
- District staff should complete AP-F006A (can be done electronically).
 - Pay close attention to each fillable field and use the checklist at the beginning of this form to double check your work.
- The Vendor should complete and sign the AP-F006B (can be done electronically).
 - Use the checklist at the beginning of the AP-F006A form to double check the required items.
- *An ICA form is not required if the contractor is performing services offsite (not at a school), does not come in to contact with students, or student education records, and the cost is less than \$20,000. A purchase requisition can simply be submitted.*
- 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 the amount of \$1 for the PR. BusinessPLUS cannot move a \$0 (zero) dollar PR through the system.
 - If funded by an SAF account, send a school check to Accounts Payable using a Deposit Transmittal and indicate contractor name and PR # on purpose line of this form. Include this additional wording in your PR description "these services funded by a school check".
 - Attach both packets (AP-F006A, AP-F006B), 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 the 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, ap@washoeschools.net.

ICA reminders

- 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.
- Contractors or service providers should never be paid directly with school funds (SAF). All payments should route through BusinessPLUS and the Accounts Payable Office to facilitate IRS 1099 reporting at the end of the year.
- An Independent Contract Agreement (ICA), Independent Contract Justification, and a Purchase Order must be in place AND fully approved before services may begin. *(An ICA form is not required if the contractor is performing services offsite (not at a school), does not come in to contact with students, or student education records, and the cost is less than \$20,000. A purchase requisition can simply be submitted.)*

Recent changes

- An ICA form is not required if the contractor is performing services offsite (not at a school), does not come in to contact with students, or student education records, and the cost is less than \$20,000. A purchase requisition can simply be submitted.
- There are exceptions to the auto liability insurance requirement, noted in the AP-F006B form.
- Current WCSD employees, providing contracted services doing work that is similar to work they currently perform at WCSD, are not eligible to be an independent contractor with WCSD.
- (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 many Procurements, including professional services (ICAs), the federal requirements are stricter than State Law and the Purchasing Department must follow the stricter of the two any time federal funds are used.
 - Please contact the Grants Department for assistance with grant funded ICA's. 775-348-0254
- (effective 9/27/19) Public Disclosure Form: Per NRS 281A.020, NRS 281A.400 and Board of Trustees Policy 4505. A form should be completed by the employee requesting the contract, this is incorporated in the AP-F006A form.

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 - for services such as a DJ, decorating, photo booth, etc. No ICA is needed for venue rental, but that may require Document Review.
- Offsite (not at a school) training for WCSD employees exclusively, under \$20,000– ICA IS NOT REQUIRED - under new rules.
- Dogs, horses, birds of prey, or other animals coming onto District Property whether paid or not – ICA IS REQUIRED.

Contacts

Director of Procurement and Contracts 775-850-8056
 Risk Management 775-348-0343
 Assistant Controller 775-348-0317
 Accounts Payable Supervisor 775-348-0274
 Accounts Payable Account Technician 775-348-0307
 Grants Department 775-348-0254
 Business Process Trainer 775-789-3438