

**Policy**

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RELATIONS WITH VENDORS

The board of education wishes to maintain good working relations with vendors who supply materials and services to the school system. Constructive efforts by the administration to seek the advice and counsel of vendors about how to improve such relationships are encouraged.

In the schools, vendors shall be seen by appointment only. Vendors who call upon a school shall be governed by policy #1250. Teachers or supervisors of instruction who have invited vendors to call should notify the principal's office in advance so that proper courtesies may be extended.

No agents, canvassers, or vendors shall have access to teachers during their classes. No business concern which solicits or gains business through the school system shall use school facilities for this purpose.

Nondiscrimination

All vendors shall supply assurances that they do not practice discrimination as described in the administrative code. All vendors shall be informed that harassment of any kind of district pupils or employees by their representatives is prohibited.

Honest and Ethical Relations with Vendors; Pay-to-Play Restrictions

The district shall maintain honest and ethical relations with vendors and shall guard against favoritism, improvidence, extravagance and corruption in its contracting processes and practices. The school board will not vote upon or award a contract in the amount of \$17,500 or greater to any business entity which has made a reportable contribution to a member of the district board of education during the previous one-year period. Such contributions, to any member of the school board, from any entity doing business with the district are prohibited during the term of the contract, including contributions by a vendor's spouse or child, or contributions by any person having an interest in the business entity. Disclosure of contributions shall be made when contracts are required by law to be publicly bid. However, these limitations do not apply when a district emergency requires the immediate delivery of goods or services.

Strategies to Avoid Excessive Professional Services Expenditures

The board will seek to avoid excessive professional services expenditures, such as by:

- A. Establishing a maximum dollar limit, for budgetary purposes;
- B. Following state legal requirements and procedures to obtain the highest quality services at a fair and competitive price; and
- C. Limiting professional services contracts to non-recurring or specialized work for which the district does not possess adequate in-house resources or expertise.

Prudent Use of Legal Services

To ensure the prudent and cost-effective use of legal services, the district will limit and designate the persons with the authority to request services or advice from contracted legal counsel. Legal counsel will not be used unnecessarily to make management decisions or to obtain readily available information such as district policies. Contact logs and records shall be kept and reviewed to determine that the requests for legal advice are

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necessary. Advance payments for legal services are prohibited. Services shall be described in detail and invoices for payment shall be itemized. Payment shall only be for services actually provided.

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**Review/Update by NJSBA:** September 11, 2008

**Comment:** Accountability Regulation update highlighted.

Key Words

Vendors, Sexual Harassment, Harassment, Nondiscrimination, Affirmative Action

**Legal References:** N.J.S.A. 10:5-1 et seq. Law Against Discrimination  
 See particularly:  
N.J.S.A. 10:5-31  
 through -35  
N.J.S.A. 18A:6-8 Interest of school officers, etc., in sale of textbooks  
 or supplies, royalties  
N.J.S.A. 18A:11-1 General mandatory powers and duties  
N.J.S.A. 18A:12-2 Inconsistent interests or office prohibited  
N.J.S.A. 18A:12-21 et seq. School Ethics Act  
N.J.S.A. 18A:18A-1 et seq. Public Schools Contracts Law  
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)  
N.J.S.A. 52:32-44 Business registration for providers of goods and  
 services  
N.J.A.C. 6A:7-1.8 Equality in employment and contract practices  
N.J.A.C. 6A:23A-6.3 Accountability regulations  
N.J.A.C. 6A:28-1.1 et seq. School Ethics Commission  
N.J.A.C. 6A:30-1.1 et seq. Evaluation of the Performance of School Districts  
N.J.A.C. 6A:32-14.1 Review of mandated programs and services

Manual for the Evaluation of Local School Districts

Comprehensive Equity Plan, New Jersey State Department of Education

**Possible**

**Cross References:** \*1250 Visitors  
 1313 Gifts to district employees  
 \*1330 Use of school facilities  
 \*2224 Nondiscrimination/affirmative action  
 \*3320 Purchasing procedures  
 \*4119.21 Conflict of interest  
 \*4219.21 Conflict of interest  
 \*9270 Conflict of interest

\*Indicates policy is included in the Critical Policy Reference Manual.

**Comments:**

*This policy has been updated and brought into legal compliance with the current standard requirements that govern this topic.*

RELATIONS WITH VENDORS (continued)