

## PURCHASING PROCEDURES

All procurements made by the school division are in accordance with the Virginia Public Procurement Act, or the Public-Private Education Facilities and Infrastructure Act (PPEA) of 2002, as outlined in Policy DJFA.

### **Certification Regarding Felonies and Sex Offense Convictions**

In accordance with the Code of Virginia § 22.1-296.1, as a condition of awarding a contract for the provision of services that require the contractor or its employees to have direct contact with students on school property during regular school hours or during school-sponsored activities, the School Board requires the contractor to provide certification that all persons who will provide such services have not been convicted of a felony or any offense involving the sexual molestation or physical or sexual abuse or rape of a child.

This requirement does not apply to a contractor or its employees providing services to a school division in an emergency or exceptional situation, such as when student health or safety is endangered or when repairs are needed on an urgent basis to ensure that school facilities are safe and habitable, when it is reasonably anticipated that the contractor or its employees will have no direct contact with students.

### **Immigration Reform and Control Act**

The School Board shall stipulate in all written contracts a requirement for contractors to comply with the federal [Immigration Reform and Control Act of 1986](#) as it relates to the employment of individuals or subcontracting agreements.

### **Discrimination by Contractor Prohibited**

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

1. During the performance of this contract, the contractor agrees as follows:
  - a. The contractor will not discriminate against any employee or applicant for employment because of age, race, national origin, ancestry, disability, religion, gender, gender identity, gender expression, sex, sexual orientation, genetic information, pregnancy, marital status, status as a parent, political affiliation or other basis prohibited by state law relating to discrimination in employment, except where there is a bona fide occupational qualification reasonably necessary to the normal operation of the contractor. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this non-discrimination clause.
  - b. The contractor, in all solicitations or advertisements for employees placed by or on behalf of the contractor, will state that such contractor is an equal opportunity employer.

- c. Notices, advertisements, and solicitations placed in accordance with federal law, rule, or regulation shall be deemed sufficient for the purpose of meeting the requirements of this section.
- 2. The contractor will include the provisions of the foregoing paragraphs a, b, and c in every subcontract or purchase order of over \$10,000, so that the provisions will be binding on each subcontractor or vendor.

Adopted: October 24, 1996  
Amended: April 4, 2002  
Amended: January 29, 2004  
Amended: July 2, 2007  
Amended: May 29, 2008  
Amended: April 21, 2016

Legal Refs.: Code of Virginia, 1950, as amended, §§ 2.2-4300 et seq., 2.2-4311, 2.2-4311.1, 22.1-296.1

Cross Refs.: DJFA Purchasing Procedures – Public-Private Construction Services  
GBA/JFHA Sexual Harassment/Harassment Based On Race, National Origin, Disability, Religion, Gender, Gender Identity, Gender Expression and Sexual Orientation  
GCDA Effect of Criminal Conviction  
IGBGA Online Courses and Virtual School Programs  
KN Sex Offender Registry Notification