

PURCHASING PROCEDURES

The board of education wishes to establish and carry out a careful system of purchasing and accounting to help provide an effective program of education while guarding against loss due to carelessness, inefficiency, theft, or improper maintenance of records.

The duties of purchasing are to be centralized under the Business Administrator/Board Secretary, who shall be familiar with and perform all his/her activities within the limitations prescribed by law, board policy and legal opinions.

The board of education encourages the administration to seek advantages in savings through joint agreements for the purchase of work, materials or supplies with the governing body(ies) of other contracting units within this county or adjoining counties or by other cooperative pricing arrangements. The administration shall also evaluate any savings which may result from the purchase of any materials, supplies or equipment under contracts entered into by the state treasury department, division of purchase and property.

The board may use competitive contracting instead of public bidding for purchasing specialized goods and services, the price of which exceeds the bid threshold, for the purposes and with the conditions specified in law.

All purchases shall be approved by resolution of the board.

Nothing is to be ordered independently by school personnel.

The board of education shall not knowingly enter into contract with any company that does not subscribe to and implement a policy of non-discrimination. The board secretary shall be responsible for so informing all prospective suppliers of work or materials.

**Date:**            **Reviewed: June 20, 2001; May 15, 2002; January 19, 2011**  
                         **Readopted: June 20, 2001; January 21, 2004; March 23, 2011**

Legal References:    Use legal reference sheet.

Cross References:    List your appropriate policies. See legal reference sheet for possibilities.

Key Words

Purchasing Procedures, "Set Aside" Contracts, Nondiscrimination, Affirmative Action, Vendors

Legal References

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**Monitored:**

Indicator 7.2

**Other Reasons:**

N.J.S.A. 10:5-1 et seq. and N.J.A.C. 6A:7-1.8(b) forbid boards of education to do business with employers that discriminate in employment practices or provision of services or benefits.

N.J.S.A. 52:32-44 requires all business organizations that do business with a local board of education to be registered with the State and provide proof of that registration to the board before the board may enter into a contract with the business.

N.J.A.C. 6A:23-2.6 addresses purchase of certain food supplies.

**Recommendation:**

A policy naming either the chief school administrator or business official as purchasing executive and directing him/her to develop/oversee an efficient purchasing system within the parameters of law. The policy should address affirmative action requirements and should include "set-aside" provisions if the board wishes to do this. While legal references set many of the parameters for purchasing, the policy statement establishes the board's intent to establish efficient, effective district fiscal procedures.

**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:18A-1 et seq.

Public Schools Contracts Law

N.J.S.A. 18A:19-1 et seq.

Expenditure of Funds; Audit and Payment of Claims

N.J.S.A. 52:32-44

Business registration for providers of goods and services (definitions)

N.J.A.C. 6A:7-1.8

Equity in employment and contract practices

N.J.A.C. 6A:23-1.2

Definitions

N.J.A.C. 6A:23-2.6

Supplies and equipment

N.J.A.C. 6A:23-6.1 et seq.

Purchase and Loan of Textbooks

N.J.A.C. 6A:23-7.1 et seq.

Management of Public School Contracts

N.J.A.C. 6A:27-9.1 et seq.

Contracting for Transportation Services

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

5/06  
3320lr

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Legal References (continued)

20 U.S.C.A. 1681 et seq. - Title IX of the Education Amendments of 1972

42 U.S.C.A. 2000e et seq. - Title VII of the Civil Rights Act of 1964 as amended by the Equal Employment Opportunities Act of 1972

29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973

Manual for the Evaluation of Local School Districts

**Possible**

**Cross References:** \*2224 Nondiscrimination/affirmative action  
3300 Expenditures/expending authority  
\*3326 Payment for goods and services  
\*3327 Relations with vendors  
\*3570 District records and reports  
3571 Financial reports

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