

Policy Title: CONTRACTS FOR SERVICES

Mid-State Technical College is committed to providing customized instruction and technical assistance on a contracted basis to business, industry, and other external public and private agencies and organizations. These services are generally derived from the education and training offered through traditional occupational programs, advanced training, seminars/workshops, and continuing education courses.

Workforce & Economic Development Managers are charged with the responsibilities for promoting, developing, pricing, negotiating and delivering contracted services. In doing so they shall comply with the rules, requirements, and guidelines outlined in this policy, and the plans, processes, procedures, and forms developed by the College.

SCOPE

Administrative Code TCS 8.04 establishes the required district policies and procedures within the Wisconsin Technical College System per WI s.38.14(3)(e). The *“Contracting Reporting Manual”* promulgates the rules and requirements of TCS 8.04.

Mid-State has prepared the necessary policies, process, procedures, and forms to carry out the intent of this policy. The Division of Workforce and Economic Development will provide direction in terms of services offered and delivered.

Revenues and expenditures for contracted services shall be accounted for in the Special Revenue Fund, a segregated fund. This fund is expected to be self-supporting. Occasionally net assets (fund balance) can be transferred to the General Fund, with approval of the Board, to support curriculum and program development at the recommendation of the Vice President of Workforce & Economic Development and the Vice President, Finance. Internal controls and monthly operating reports are available to ensure that business records and reporting is kept current.

REQUIREMENTS

It shall be a policy of the College to charge full costs, as calculated by the WTCS, unless exempt by established criteria in a business plan or pricing policy. The rationale for charging less than full costs, as calculated by the WTCS, shall be disclosed to the District Board with a request for their subsequent approval.

Other requirements include:

Adopted: August 19, 2019

Reviewed: August 19, 2019; September 21, 2020; October 17, 2022

Revised: November 16, 2020; December 19, 2022

1. When the service recipient is located within the boundaries of another Wisconsin technical college district, the Mid-State district shall notify the district where the recipient is located of the existence of the contract within thirty (30) days of execution of the contract. Managers shall consider the existence of alternative service providers prior to entering into an agreement for rendering services.
2. District residents may not be displaced from any program or course solely on the basis of a contract for services with a service recipient.
3. All payments received by a district from a service recipient must be deposited in the district treasury.
4. District employees shall be prohibited from accepting fees, gifts, salary, honorarium or reimbursement for contracted services rendered which are a part of the employee's current responsibilities.
5. Compensation for services rendered outside of normal working hours may be allowed, but shall require prior administrative approval. Individual salary payments for services rendered shall be paid to the employee by the District.
6. Services rendered by the College to a foreign government or a business or industry not operating within the state of Wisconsin must comply with Chapter 38.14(3)(c)(d).
7. Every service recipient of the college must certify that it does not discriminate on the basis of age, race, color, sex, creed, handicap, political persuasion, ancestry, or sexual orientation against;
 - a. Any employee or applicant for employment, in regard to hire, tenure, or term, condition or privilege of employment except where there is a bona fide occupational qualification.
 - b. Any student or any applicant for enrollment in regard to admission or privilege of enrollment.

WRITTEN CONTRACTS & EXAMPLES

It is the policy of the College to require a written contract for services rendered. This contract is approved by the Vice President of Workforce and Economic Development and reported to the Mid-State Technical College District Board at the next regularly scheduled meeting. The agenda shall contain a list of the contract number, type of service, and contract amount along with service recipient (at request of the Board).

Examples of services requiring written contracts may include:

- Contract to provide consulting services or technical assistance paid by business, industry, or external agencies and organizations – not paid by individuals.

- Contract for providing computer, fiscal, or management services to local units of government.
- Contracted instruction that is intended to be or is closed to the general eligible public.
- Contracted instructional, professional, and non-professional services to a high school district.
- Contracted accounting services to the Mid-State Foundation or other non-profit organizations.
- Contracted non-instructional food service to organizations or institutes such as nursing homes or hospitals.
- Contracted instructional services to federal or state correctional institutions.
- Contracted services provided indirectly to the federal government through a state or local agency.
- Contracted instruction or non-instructional services provided to another state, or sub-division of that state, such as a vocational district, technical college, or any other institute of higher education.
- Contracted instruction or non-instructional services provided to a Wisconsin State governmental agency or sub-unit.
- Contracted fiscal management services provided to a business and industry designed to assist the organization in question with the process of expanding its operation.

Administration has developed a model contract that shall be used when formalizing an agreement to provide services to an organization covered by this policy.

WTCS REPORTING REQUIREMENTS

Annually, at the time specified and in a format established by the Wisconsin Technical College System Board, the college shall report to the state the reimbursed and non-reimbursed costs for each accounting function, the type of service rendered under each contract, and if the contract involves instruction for credit, the number of students served under each contract and the total credits granted under each contract.

Annually, the Wisconsin Technical College System generates a report comparing contract cost to contract revenues, calculated according to a uniform statewide methodology.