

Policy Title: **CONTRACTS TO PROVIDE EDUCATIONAL SERVICES**

Section 38.14(3), Wis. Stats., authorizes technical college districts to contract to provide educational services to public and private entities.

Wisconsin Technical College System (WTCS) Board Policy 321 encourages technical college districts to advance the economic development mission of the System by offering customized training and technical assistance. This is frequently accomplished through a variety of contracts for service.

Per the *WTCS Contracts for Services and Contract Reporting System Manual*, contracts are limited to the types of activities outlined below:

- *Customized Instruction* – Any contract intended to provide instruction resulting in the submission of course records to the system office under the Client Reporting System. All instruction must be done under system office approved course numbers.
- *Technical Assistance* – Non-instructional activities (non-credit generating) which help a service recipient accomplish an organizational purpose, goal or mission. Examples of this are the design of a production line or employee testing.
- *Fiscal and Management Services* – Contract activities of a fiscal or management nature which are not intended to result in the service recipient acquiring the skills necessary to conduct these activities in the future. Examples are bookkeeping, accounting and data processing.

### **Contract Authorization**

The Fox Valley Technical College District Boards must approve all contracts for services. This is done via a summary report at regular Board of Trustees meetings. Several provisions exist to guide the development and approval of contracts.

- Contracts must comply with Chapter TCS 8, Wis. Admin. Code, which establishes specific contracting requirements for technical colleges, and the *WTCS Contracts for Services and Contract Reporting System Manual*, which requires technical college districts to establish a plan and policies for contracting.
- District personnel authorized to develop and sign contracts for educational services are approved by the vice presidents for instruction and finance. Designated contract writers are authorized to sign contract agreements with face values up to \$5,000. Contract agreements in the amount of \$5,000 or more, out-of-state contracts and foreign contracts are reviewed, authorized and signed by the Executive Vice President.
- Contracts for educational services must be reviewed and signed by authorized District personnel prior to their execution ensuring consistent application of District policies and approved pricing.

### **Contract Pricing and Cost Recovery**

Contract pricing for training, technical assistance and facility usage will be reviewed and established annually by the District Board of Trustees in February or March for the following fiscal year. This price list is made available via appropriate communication methods.

The methodology specified in the *WTCS Contracts for Services and Contract Reporting System Manual* will be used to determine the full cost of a contract. The District Board of Trustees will be provided quarterly reports on contracts not meeting full cost recovery including the full cost of each contract, the amount charged and the rationale for charging less than full cost.

- As required by s. 38.14(3)(c)(2), Wis. Stats., all out-of-state and foreign contracts must be delivered at full cost recovery to ensure that no direct or indirect costs associated with the contract are funded by the District.
- Any pricing exceptions must be reviewed and authorized by the Executive Vice President for Instructional Services before a contract is finalized.

### **Services Outside District**

When contracting with a service recipient located outside the District, but within the state, follow the current *WTCS Protocol for Delivery of Contracted Services Over College District Boundaries*. The College shall notify the district where the service recipient is located of the existence of the contract within 30 days of execution of the contract. This protocol communication is developed and monitored by the Business and Industry Services Office and handled through a communication between contract protocol contacts.

### **Related Policies:**

WTCS Board Policy #409

Wisc. Stats. 38.001 (2) (b)

Wisc. Stats. 38.001 (3) (a)

Wisc. Stats. 38.04 (14) (a) 4

Wisc. Stats. 38.14 (3)

WTCS Administrative Code TCS 8

*Adopted: 06/24/97*

*Reviewed: 12/19/18*

*Revised: 12/22/15*