

Note: Pursuant to A.S. 14.14.060 and 14.14.065, city and borough school districts may establish their own procedures for purchase of supplies and equipment. A.S. 14.08.101 empowers regional school boards to establish their own fiscal procedures, including the purchase of supplies and equipment. All contracts made under Federal awards must comply with the Office of Management and Budget's procurement procedures found in 2 CFR 200.317-326. A model internal procurement procedure reflecting the federal procedures can be found in E 3310. This model procedure may be modified and incorporated into existing policy as desired. The following sample policy may be revised to reflect district practice and needs.

The School Board desires to ensure that maximum value is received for money spent by the district and that records are kept in accordance with law. The Superintendent or designee may issue and sign purchase.

No employee, officer, or agent of the District may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents of the District may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, non-substantial gifts of nominal value may be accepted if the item is non-solicited.

(cf. 3300 - Expenditures/Expending Authority)
(cf. 3400 - Management of District Assets)
(cf. 3460 - Financial Reports and Accountability)
(cf. 9270 - Conflict of Interest)

Note: A.S. 36.15.050 establishes a preference for purchasing Alaskan agricultural and fisheries products. A.S. 14.03.085 makes school districts, except REAA's, subject to A.S. 29.71.050, which establishes a preference for purchasing recycled Alaska products.

The School Board encourages the selection of Alaskan products when such products meet the needs of the district and shall adhere to state law regarding purchasing preferences for Alaskan products.

(cf. 3311 - Bids)
(cf. 3312 - Contracts)

Note: A U.S. Supreme Court decision (City of Richmond v. J. A. Croson Co.) indicates that before enacting an affirmative action purchasing program, the district would have to have strong evidence of past district discrimination against minority contractors and the district's program would have to be narrowly tailored to accomplish its remedial purpose.

Legal Reference:

ALASKA STATUTES

14.08.101 Powers (Regional school boards)

14.14.060 Relationship between borough school district and borough

14.14.065 Relationship between city school district and city

29.71.050 Procurement preferences for recycled Alaska products

36.30. State Procurement Code

37.05 Fiscal Procedures Act

CODE OF FEDERAL REGULATIONS

2 C.F.R. 200.317-326, Procurement Standards

City of Richmond v. J.A. Croson Co., 488 U.S. 469 (1989)

Revised: 9/97, 07/12, 3/18