

- Student Learning and Achievement
- Health and Safety of Students and Schools
- Credibility and Communication
- Fiscal Solvency, Accountability and Integrity

- Consent
- Action/Discussion
- Information/Discussion
- Public Hearing

SUBJECT: Contract with Positive Behavior Supports Corp. (PBS)

DATE: June 2, 2022

PERSON(S) RESPONSIBLE: Clare Davies, Director of Student Services

RECOMMENDATION:

The District Administration recommends the Board review and consent the Contract for Services between Pacific Grove Unified School District and Positive Behavioral Supports Corporation (PBS).

BACKGROUND:

During school board meeting conducted on April 7, 2022 the board reviewed and approved the Master Contract between Pacific Grove Unified School District and Positive Behavioral Supports, Corp. The district has an urgent need to provide paraprofessional support for students during our Extended School Year (ESY) programs. Given this, we would like to extend our contract with PBS, a nonpublic agency, to provide the staff needed to fill vacancies for the ESY program from June 1-30, 2022.

INFORMATION:

Positive Behavior Supports Corp. will provide four Behavior Technicians and supervision by a Board Certified Behavior Analyst (BCBA) to fill the district’s paraprofessional vacancies needed for Extended School Year (ESY).

FISCAL IMPACT:

\$22,680	4 Behavior Technicians 4.5 hours daily for 21 days, at a rate of \$60/hr.
\$2,400	1 Board Certified Behavior Analyst, 6.0 hours weekly for 4 weeks, at a rate of \$100/hr.
\$25,080	Total

Funding Source-Contracted Services
Redirect unused funding from unfilled vacancies to contracted services

435 Hillcrest Avenue
Pacific Grove, CA 93950

CONTRACT FOR SERVICES

(To be used for provision of services involving **no** potential for liability exposure for District)

This contract is an agreement between the Pacific Grove Unified School District and

Positive Behavior Supports Corporation for services rendered as specified below.

1. Scope of Service:

To provide 4 Behavior Technicians to support the needs of several students on Individualized Education Plans (IEPs) that require paraprofessional support to fill the district's vacancies needed for Extended School Year (ESY). Contract with Positive Behavior Supports Corp. requires supervision by a Board Certified Behavior Analyst (BCBA).

2. Expected outcome(s)

Students will receive paraprofessional support as per their IEPs.

3. Dates of Service:

June 1, 2022- June 30, 2022 *June 20 Holiday, No Service

4. Financial Arrangements:

Up to \$25,080

\$22,680

4 Behavior Technicians 4.5 hours daily for 21 days, rate \$60/hr

\$2,400

1 Board Certified Behavior Analyst 6.0 hours weekly supervision for 4 Weeks, rate \$100/hr.

School Funding Source: 01-6500-0-5750-1180-5800-00-000-2375-0740

Consultant: Nicole Postma, Positive Behavior Supports Corporation

Address: 7108 South Kanner Hwy Stuart FL 34997

Signed _____ Date _____

District Employee Independent Consultant *

Signed _____ Date _____

Site/Program Administrator – (Check appropriate box below)

Contracted work was assigned using District's normal employment recruitment process.

X Contracted work was not assigned using District's normal employment recruitment process.

Attached Criteria Page (REQUIRED) identifies reason.

Signed _____ Date _____

Director of Human Resources

Signed _____ Date _____

Asst. Supt./Supt.

ALL SIGNATURES MUST BE OBTAINED BEFORE SERVICES ARE PROVIDED.

*Independent Consultant must sign and submit a W-9 to District prior to providing service.

Contract for Services Criteria

District/Site Administrator – Please circle criteria that applies and sign below.

- (1) There is a specifically documented cost savings relative to using district employment. (The documentation requirements are specified and must be attached).
- (2) The contract is for new school district functions and the Legislature has specifically mandated or authorized the performance of the work by independent contractors.
- (3) **X** The services contracted are not available within the district, cannot be performed satisfactorily by school district employees, or are of such a highly specialized or technical nature that the necessary expert knowledge, experience, and ability are not available through the school district.
- (4) The services are incidental to a contract for the purchase or lease of real or personal property. Contracts under this criterion, known as "service agreements," shall include, but not be limited to, agreements to service or maintain office equipment or computers that are leased or rented.
- (5) The policy, administrative, or legal goals and purposes of the district cannot be accomplished through the utilization of persons selected pursuant to the regular or ordinary school district hiring process. Contracts are permissible under this criterion to protect against a conflict of interest or to ensure independent and unbiased findings in cases where there is a clear need for a different, outside perspective. These contracts shall include, but not be limited to, obtaining expert witnesses in litigation.
- (6) The nature of the work is such that the criteria for emergency appointments apply. "Emergency appointment" means an appointment made for a period not to exceed 60 working days either during an actual emergency to prevent the stoppage of public business or because of the limited duration of the work. The method of selection and the qualification standards for an emergency employee shall be determined by the district. The frequency of appointment, length of employment, and the circumstances appropriate for the appointment of firms or individuals under emergency appointments shall be restricted so as to prevent the use of emergency appointments to circumvent the regular or ordinary hiring process.
- (7) The contractor will provide equipment, materials, facilities, or support services that could not feasibly be provided by the school district in the location where the services are to be performed.
- (8) The services are of such an urgent, temporary, or occasional nature that the delay incumbent in their implementation under the district's regular or ordinary hiring process would frustrate their very purpose.

District/Site Administrator

Date