



Policy Title	Original Adoption Date	Policy Number
Contracts to Provide Educational Services Policy	9/15/2017	IS-276
Responsible College Division/Department	Responsible College Manager Title	
Instruction	Vice-President of Instruction	
<p style="text-align: center;">Policy Statement</p> <p>Lakeshore Technical College will, under Wis. Stats. 38.04 and 38.14(3), contract to provide educational services to public and private entities. Per <i>WTCS Contract for Services and Contract Reporting System Manual</i>, entities include business and industry; public and private education institutions; Wisconsin local government units; State of Wisconsin; Federal Government; and out-of-state contracts. Contracts are limited to three types of activities:</p> <ul style="list-style-type: none"> • Customized Instruction (done under approved course numbers and under Client Reporting System) • Technical Assistance (non-instructional, non-credit generating activities/services) • Fiscal and Management Services (non-skill building services of a fiscal or management nature; not applicable to business and industry or out-of-state contracts) <p><u>Contract Reporting and Authorization</u></p> <p>Lakeshore Technical College District Board will approve all contacts for educational services, transacted at the monthly board meeting via the Monthly Contract Summary Report to the District Board. The Controller, on behalf of the District Board, will file the Annual State Contract Report with the WTCS Board by November 30 of each year. Fully executed contract copies must be on file in the Financial Services Office for records retention and future audit purposes.</p> <p>The Board delegates authority to initiate contracts under stipulations in the college <i>Contract for Providing Educational Services Procedures</i>. Those district employees include training directors, business and industry assessment manager, and dual credit manager, each of whom follow Admin. Code TCS 8 to determine the scope and service plan for each contract as well as the full-cost recovery, profit margin, and indirect cost factor (ICF).</p> <p>Corresponding vice presidents, as well as the Financial Services controller, will ensure costing consistencies following the WTCSB Financial Accounting Manual, and sign-off before advancing contracts to the college president for approval. Contracts are signed by all authorized district employees and the customer prior to execution of services.</p> <p><u>Contract Pricing and Cost Recovery</u></p> <p>Contract pricing to provide educational services under Wis. Stats. 38.14 will be reviewed and established annually in March or April by the District Board for the following fiscal year. Contracts are written for full cost recovery, with exceptions authorized by the college president before the contract is finalized. All out-of-state contracts are delivered at full-cost recovery to ensure no direct or indirect costs are funded by the District.</p> <p>All payments received by the District for any educational services contract will be deposited in the District Treasury and adhere to District policy.</p>		



Employees fulfilling educational services under a 38.14 contract will adhere to and be compensated according to provisions in the college Employee Handbook and the Organizational Payment Standards.

Contract Language Stipulations

All 38.14 Contracts shall contain the following language:

Lakeshore Technical College employees performing under the contract remain under the control of the district. [The contracting company/organization] certifies that it does not discriminate against employees, applicants, or students on the basis of age, race, color, gender, creed, handicap, political persuasion, ancestry, or sexual orientation except where there is a bona fide occupational qualification. [The contracting company/organization] certifies that it will provide an environment free of sexual harassment and/or assault in accordance with the laws of the United States and the state of Wisconsin, including but not limited to provisions of the 1989 WI Act 177.

According to the authority delegated by the District Board to [the College President] to initiate service agreements, Lakeshore Technical College agrees to provide services stated in this agreement subject to the conditions of the agreement. Fiscal and programmatic modifications may be made as mutually agreed to by the parties involved.

Notwithstanding any other provision of this agreement, neither the college nor the staff representative providing the service under this contract shall be liable to client for any special, indirect, incidental, exemplary, or consequential damages, loss or profits or loss of goodwill resulting from, or relating to, the services provided under this agreement and/or the negligence of the college or the staff representative providing the service. The sole and exclusive remedy available to the client for a breach of this agreement or any other claim or cause of action related to the provision of services pursuant to this contract shall be limited to the recovery of actual damages, which in no event shall exceed the amounts paid to the college under this agreement.

Services Outside District Boundaries

Services outside the District, but within the state, follow the current *WTCS Protocol for Delivery of Contracted Services Over College District Boundaries*. This protocol communication is provided through and monitored by Contract Protocol contacts in Business & Industry offices at each college.

Reason for Policy

WI Stats. Section 38.14(3) 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 colleges to advance the economic development mission of the System by offering customized training and technical assistance. All contracts must comply with Chapter TCS 8.04, Wis. Administrative Code which established specific contracting requirements for technical colleges, as well as filing and reporting of all policies and procedures to the WTCS Board. Per the *WTCS Contract for Services and Contract Reporting System Manual*, contracts are limited to customized instruction, technical assistance, and fiscal and management services.

Historical Data, Cross References and Legal Review

Reviewed/Revised: 09/15/17, 1/26/18, 10/22/2018, 09/23/2019



Lakeshore Technical College
Official Policy

Cross Reference: Wis. Stats. 38.04(14)(a), 38.14(3), 38.001(1), 38.001(2)(b), 38.001(3)(a); WTCS Board Policy #409; WTCS Board Policy #321; Administrative Code TCS 8; LTC Policy FS-565; Employee Handbook

Legal Counsel Review and Approval: N/A

Board Policy: III.A General Executive Constraint

Definitions

Wisconsin local government units, under TCS 8.02(7), includes Indian Tribal governments and Economic Development Corporations.