



# Consultant Agreement Procedures

Consultant Agreements are necessary for services provided by companies and individuals who will be compensated by SLOCOE but are not employed by SLOCOE or public schools in California, following IRS criteria. A template for the [Consultant Agreement](#) may be used as a beginning point for recording specific terms of the agreement. The consultant agreement is accompanied by other forms which are necessary for ensuring the safety of students, reporting of taxes, budgeting and processing payment.

## **Step-by-Step Instructions and Key Elements**

- 1.** Initiate agreements at least 3 weeks prior to requested services in order to allow time for the review and approval process.
- 2.** Customize the agreement template, being sure to include an Exhibit A that provides specific details on deliverables, dates for deliverables, consultant remuneration, and scope of service. For additional guidance, see [How to Write Exhibit A for Consultant Agreements](#).
- 3.** Prepare and gather all necessary components.
  - [Classification Criteria for Employee vs. Independent Contractor](#) completed by Program Director.
  - [Department of Justice Exemption from Fingerprinting](#), signed by the Program Director and Department Head or Assistant Superintendent. The DOJ waiver is used when the consultant will have no unsupervised access to students. Otherwise, an affidavit of fingerprint clearance must be provided.
  - [W-9 Form](#) for tax reporting purposes, which will be mailed to the consultant along with 1099 Information reporting memo. If needed, a [W9 Form – Spanish](#) is also available. NOTE: A W9 form may already be on file for your consultant or service provider. To find out, call x214 or x218. If the form is already on file the consultant will not need to complete it again.
  - [California Form 590 to Determine Residency](#) or [California Form 887 for California Non-Residents](#) as applicable.
  - Consultants must answer the question at the bottom of the third page of the Consultant Agreement regarding employment with SLOCOE or a school district within SLO County (including Cuesta College).
- 4.** Route the agreement for review and approvals.
  - **Originator/Program Assistant** ensures a complete package with all required parts is compiled and ready for review.
  - **Program Director** completes [Classification Criteria for Employee vs. Independent Contractor](#) and approves the Program Account/s on page 4.
  - **Assistant Superintendent / Division Head** reviews and initials approval on page 3.
  - **Executive Assistant in Business Office** receives complete agreement packet and tracks approvals in the Business Office, where it is reviewed/approved by the Fiscal Director and Assistant Superintendent for Business Services.
  - **County Superintendent** reviews and signs the agreement.
- 5.** The approved agreement is sent to the consultant with all appropriate forms.
- 6.** When all forms are completed and returned, a requisition may be submitted for a Purchase Order to cover payments. The originator and consultant receive copies of the Purchase Order. Accounts Payable receives all original, signed paperwork.
- 7.** Upon completion of services, the Consultant sends an invoice for payment.