

**MITCH Charter School**  
Personal Services  
Contracts

MITCH Charter school may enter into personal services contracts with qualified professionals as provided by ORS 279A.055. Personal services contracts, as used in this policy, means contracts for specialized skills, knowledge and resources in the application of highly technical or scientific expertise or the exercise of professional, artistic or management discretion or judgment. MITCH may enter into a personal services contract with a current employee only when the individual meets independent contractor status in accordance with state, Public Employees Retirement System (PERS) and Internal Revenue Service (IRS) requirements.

MITCH adopts the *Attorney General's Model Public Contract Rules* OAR 137 Division 47 to govern the procurement of personal services contracts (other than the services of an architect, engineer, land surveyor or related services), except as modified by public charter school's administrative regulations (DJCA-AR).

MITCH adopts the *Attorney General's Model Public Contract Rules* OAR 137 Division 48 to govern the procurement of personal services contracts for the services of an architect, engineer, land surveyor or related services (as defined in ORS 279C.100), except as modified by MITCH's administrative regulations (DJCA-AR).

Selection of a personal services contractor will be based primarily on qualifications and performance history, expertise, knowledge and creativity and the ability to exercise sound professional judgment.

All personal services contracts shall be based on demonstrated qualifications and competence to perform the required services, encourage competition, discourage favoritism and obtain services at a fair and reasonable price.

Contracts for personal services in excess of \$2,000 shall require prior Board approval.

The public charter school shall follow the selection procedure as set forth in its administrative regulations, Personal Services Contracts (DJCA-AR), which may modify OAR 137 as necessary to implement this policy.

**END OF POLICY**

Legal Reference(s): ORS 670.600; ORS 279 Chapters 279A, 279B and 279C; OAR 459-010-0030; ORS 338.115 (e); INTERNAL REVENUE SERVICE, PUBLICATION 1779: INDEPENDENT CONTRACTOR OR EMPLOYEE.

Cross Reference: DJC G1- Bidding Requirements