

Prospective Vendors Policy

Requesting a Business: A prospective vendor must be requested by a CWCS parent and sponsored by a CWCS staff member. Parents can obtain the request form link from their Education Specialist (ES) and must review the proposed services or products with their ES to ensure that educational goals can be met.

Eligible Vendor: If the prospective vendor meets all of the educational and business eligibility criteria, the prospective vendor will receive a vendor agreement packet by email. Once all required documents listed in the vendor packet are submitted back to Vendor Relations—including all CWCS instructor(s) clearances and a signed contract agreement—the business' contact person, referring CWCS parent, and sponsoring staff member will receive a "New Vendor Welcome" email stating PO(s) can be submitted by the family's ES. Services rendered prior to the date of the 'official' notification will not be paid by the school.

Non-Eligible Vendor: If a prospective vendor does not meet the required criteria, the request will be denied. The referring parent and sponsoring staff member will be notified by email from a Business Services Vendor Relations assistant, outlining the reasons for the denial. The prospective vendor has the opportunity to reapply once all the applicable criteria requirements are met.

Please note: *Connecting Waters Charter Schools does not contract for synchronous (live) instruction provided by instructors residing outside of California. Only asynchronous (recorded) instruction may be considered, subject to approval.*

Effective January 1, 2020, [CA Assembly Bill 5 \(AB 5\)](#) revised Employment and Labor Codes for classifying an Independent Contractor. Mistakenly classifying an individual as an Independent Contractor can result in the school being fined significantly by the IRS. If an individual does not meet the CA Independent Contractor AB 5 Employment and Labor Law requirements to be classified as an Independent Contractor, they cannot become a vendor, but may be eligible to work as a small

group instructor (SGI) employee. SGI eligibility would be determined through Connecting Waters Human Resource Department, please contact personnel@cwcharter.org to request eligibility criteria and to find out how to apply as a Small Group Instructor / Tutor employee. Please note: In the event that a city or county agency does not require a business license, a copy of a Schedule C Form 1040 Profit and Loss may be requested by Vendor Relations in place of the license, however, a business license or permit to sell does NOT necessarily meet AB 5 (ABC test) requirements.

Effective January 1, 2022, [CA Legislature AB 130](#) amended Education Code section §45125.1 to require that any business contracted with a local education agency must ensure that all employees who interact with students —whether in person or online— have received state and federal criminal background clearances through the California Department of Justice (DOJ). Businesses must also promptly report any subsequent arrests of these employees to the contracting agency.
Note: At its discretion, Connecting Waters Charter Schools may allow a prospective vendor to clear its employees using the school's BCIA 8016, REQUEST FOR LIVE SCAN SERVICE form. The business will be responsible for all fingerprinting costs and must use a certified fingerprint roller or qualified law enforcement personnel.

Effective January 1, 2015, and in accordance with [Education Code §§49406](#) and [87408.6](#), and Health and Safety Code §§1597.055, 121525, 121545, and 121555:
Prospective vendors must certify and provide a date their employees either:

- Completed a tuberculosis (TB) risk assessment showing no risk factors, or
- Were tested for TB using a CDC-recommended and FDA-approved method (eg., intradermal tuberculin test or other approved test).

Any individual providing in-person services to Connecting Waters Charter Schools students must have TB clearance documentation on file with the school dated within the past four years.

Liability Insurance requirement for an Independent Contractor: All independent contractors providing in-person or online services must maintain liability insurance and provide Connecting Waters Charter Schools with a Certificate of Insurance (COI) evidencing a minimum of \$1,000,000.00 per occurrence and \$2,000,000.00 aggregate. An Additional Insured Endorsement naming Connecting Waters Charter Schools as an additional insured must also be included.

Residential Services: Services provided from a residence will be evaluated on a case-by-case basis. If all eligibility criteria are met, the CWCS Executive Director or designee will conduct an in-person or virtual site visit. The CWCS In-Home Vendor Checklist will be provided in advance of the scheduled visit. At a minimum, the checklist will be reviewed annually; however, CWCS may conduct additional site visits throughout the school year.