

INTERNATIONAL AMERICAN EDUCATION FEDERATION, INC.  
DBA  
INTERNATIONAL LEADERSHIP OF TEXAS  
BOARD POLICY MANUAL  
POLICY GROUP – FISCAL MANAGEMENT  
GUIDELINE FMPS  
PURCHASING AND CONTRACTING FOR PROFESSIONAL SERVICES

**Sec. 1. Purpose of Policy.**

The Board of Directors (hereafter, the “Board”) and Superintendent of International American Education Federation, Inc. doing business as International Leadership of Texas (hereafter, the “District”) shall endeavor to maximize the use of District funds to purchase professional services to further the District’s mission and facilitate the implementation of the charter program. Through this policy, the Board shall address the legal requirements, as applicable, promulgated at:

- (a) Texas Education Code Section 12.1053(b)(2); and
- (b) Texas Government Code Chapter 2254, Subchapter A.

**Sec. 2. Applicability of Policy.**

This policy pertains to the purchase of professional services and does **not** apply:

- (a) To the purchase of general goods and services from state funds;
- (b) To the purchase of general goods and services from federal funds; or
- (c) To the purchase of goods and services for the construction, renovation, or repair of a structure, road, highway, or other improvement or addition to real property (hereafter, “real property improvements”).
- (d) aWith respect to (a), (b) and (c) above, the policy for Purchasing and Contracting from State Funds for General Services, Personal Property, Materials and Supplies (FMPG), Purchasing and Contracting from Federal Funds for General Services, Personal Property, Materials and Supplies (FMPF) and Purchasing and Contracting for Public Works (Policy FMPW) shall apply, respectively.

**Sec. 3. Designee(s).**

In this policy, where the Superintendent is authorized to delegate authority to a designee (as denoted by the phrase “or designee”), the Superintendent may delegate such authority to a designee. If the Superintendent delegates authority to a designee, the Superintendent shall do so in writing through an administrative procedure, job description or internal memorandum. The Superintendent’s delegation of authority to a designee must be specific and must cite the policy section from which it is derived. Any delegation of authority to a designee not documented as set forth in this section shall be null and void.

**Sec. 4. Professional Services Defined.**

“Professional services” means services:

- (a) Within the scope of the practice, as defined by state law, of:
  - (1) Accounting;
  - (2) Architecture;
  - (3) Landscape architecture;
  - (4) Land surveying;

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- (5) Medicine;
  - (6) Optometry;
  - (7) Professional engineering;
  - (8) Real estate appraising; or
  - (9) Professional nursing; or
- (b) Provided in connection with the professional employment or practice of a person who is licensed or registered as:
- (1) A certified public accountant;
  - (2) An architect;
  - (3) A landscape architect;
  - (4) A land surveyor;
  - (5) A physician, including a surgeon;
  - (6) An optometrist;
  - (7) A professional engineer;
  - (8) A state certified or state licensed real estate appraiser; or
  - (9) A registered nurse.

**Sec. 5. Other Services Defined.**

“Other services” or simply “services” means any service not specifically identified as a professional service.

**Sec. 6. Selection of Provider.**

The Board and Superintendent or designee shall not select a provider of professional services or a group or association of providers or award a contract for professional services on the basis of competitive bids submitted for the contract or for the professional services. Instead, the Board and Superintendent or designee shall select the provider for the professional service to be procured based on the following criteria:

- (a) The provider’s demonstrated competence and qualifications to perform the services; and
- (b) The fairness and reasonableness of the provider’s price.

**Sec. 7. Limitation on Fees.**

A provider may not charge a fee for professional services that exceeds any maximum provided by law.

**Sec. 8. Monitoring of Provider Performance.**

The Superintendent or designee shall monitor the services and work of all professional services providers. In developing a system for monitoring the service provider’s performance, the Superintendent or designee shall consider the inclusion of deliverables and other measureable outcomes that demonstrate the delivery of the professional services procured from the service provider and that enable the Superintendent or designee to evaluate the quality of the professional services rendered and satisfactory performance of the provider.

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**Sec. 9. Administrative Procedures.**

The Superintendent or designee shall prepare and formally adopt administrative procedures as reasonably necessary to properly administer this policy and to adhere to applicable law.