

# Evaluating Contracts: Tools for Accountability

*Strengthening Oversight, Protecting Mission, and Ensuring Value*

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# PURPOSE OF SESSION

- Contracts are governance tools – not just legal documents
- Strong contracts protect **mission, finances, and students**
- Boards have a fiduciary duty to understand and monitor contracts

***A signed contract is not the END of oversight – it is the BEGINNING of accountability***



# GOVERNANCE ROLE IN CONTRACT OVERSIGHT

Board	Management
Approves major contracts	Manages day-to-day vendor relationships
Ensures alignment with mission and strategic goals	If own contract, implements the services
Monitors performance and compliance	Provides performance data to the board

## **Fiduciary Lens:**

- Duty of Care = informed decisions
- Duty of Loyalty = avoiding conflicts
- Duty of Good Faith = mission-aligned agreements

# TYPES OF CONTRACTS BOARDS SHOULD MONITOR

## **Vendor Contracts:**

- ESP Agreements
- Transportation
- Food service
- Technology
- Facilities/leases
- Professional services

## **Charter Contract:**

- Performance framework
- Compliance expectations
- Reporting requirements
- Term and renewal conditions

# CONTRACT REVIEW: FOUR-LENS FRAMEWORK



# UNDERSTANDING THE CHARTER CONTRACT

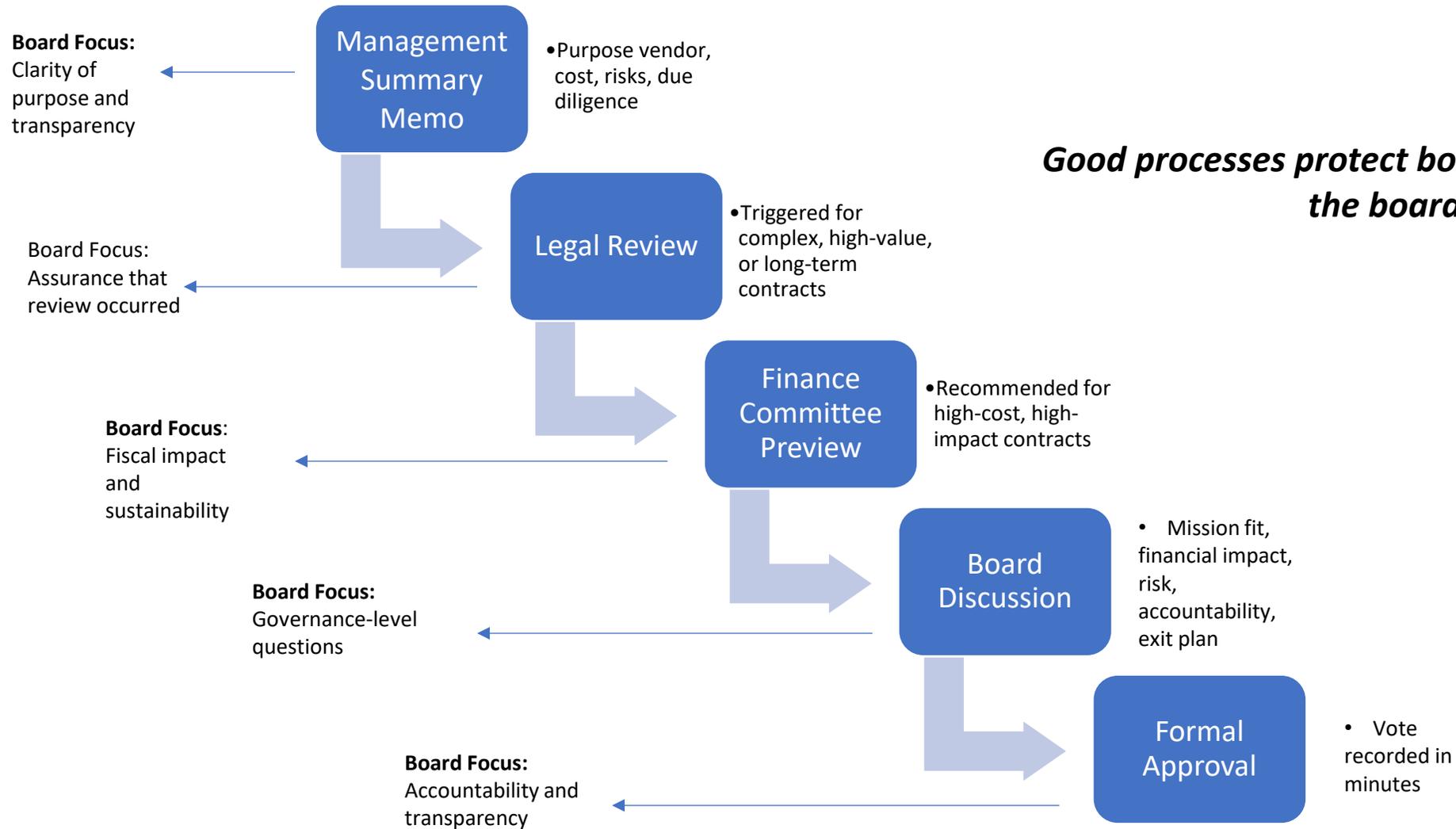
## The Charter Contract: *Your Accountability Compass*



**Board Role: Monitor • Align Decisions • Protect Renewal Prospects**

*"Every board decision should strengthen the school's position for renewal."*

# PRACTICAL REVIEW PROTOCOL



# RED FLAGS AND COMMON CONTRACT PITFALLS

COMMON PITFALLS	RED FLAGS
Auto-renewals without review	Rushed approvals
Vague deliverables	Pressure to sign quickly
Long terms with limited exit options	Lack of competitive bids (when and as appropriate)
Vendor-friendly termination clauses	Unclear scope of work
Signing without legal review	Multi-year commitments without clear benefit
“We’ve always done it this way” decisions	

# REFLECTION AND DISCUSSION

- *Have we ever approved a contract we later regretted?*
- *What would better due diligence have looked like?*
- *How do we ensure consistent review practices?*

# CRITICAL TAKEAWAYS

- Ask thoughtful questions
- Focus on alignment and risk
- Trust management but verify process
- Protect both mission and resources

**Good contracts don't just protect the school – they protect the students you serve!**

# THANK YOU!



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