

CONTRACT INSTRUCTOR GUIDELINES AND PROCEDURES

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Instructor recruitment

The City can recruit a new contract instructor at any time. The recreation coordinator may choose a targeted or broad approach to find a qualified instructor. There may be a specific type of class we would like to offer in our program portfolio. We could approach individuals or companies who are currently teaching those types of classes at another location or another city and see if they would be interested in contracting with the City of Menlo Park. Placing ads in the activity guide or on Craigslist (or other similar sites) may also be a technique to find potential contractors for a more broad approach.

While contractors can be added at any time, it is more desirable that they start when their information can be included in the activity guide. If they have missed the deadline for the activity guide submission, then the recommendation would be to wait until the next session. In some cases contractors can start without being in the activity guide if other marketing efforts are used to promote the class.

Individuals often approach the City directly and inquire about becoming a contractor. Depending on the type of class or the facility they would like to use, the contractor should be directed to the correct supervisor. It is the discretion of the recreation coordinator to recruit contractors who offer a similar or competitive program to other existing contractors. Any potential contractor must fill out the new contractor application. Based on the application, the supervisor will decide if the contractor will be desirable for the City of Menlo Park.

Contractor Application

A potential contract class instructor must complete an application that include:

1. Contractor contact information
2. Previous experience of instruction
3. Class description
4. Class outline
5. Participant ages
6. Class requirements (facilities, equipment, class min/max, etc.)
7. Proposed fees
8. Three (3) references
9. Attached resume of previous experience

Interview Process

If you would like to proceed with investigating a potential contractor, it is required that you follow up an in-person interview to determine if it is a good fit and inquire more about the class proposals.

Potential questions may include:

- What classes are you proposing?
- Why do you think these classes would do well offered through our city?
- What need of our community does this class satisfy?
- What experience/expertise do you have in this area?
- Have you taught these classes previously? If so, were they successful? If not, what is your motivation for teaching them now?
- Will you be doing any additional marketing/advertising on your own to promote your classes? If so, what do you plan to do?
- Are there other organizations/instructors locally offering the same or a similar service? If so, what do you plan to do to differentiate your program from theirs?
- Why should we offer this class through our city?

Orientation

After the application and the in-person interview has been completed and when the recreation coordinator has decided to utilize the contractors services, the contractor will need to complete additional paperwork, get fingerprinted, and receive an orientation to becoming a contractor. It is recommended this orientation is presented in written and verbal format to the new contractor. Many of these items are listed below. In addition, it is recommended to include in the orientation with the contractor; a facility tour, a review of equipment, general expectations, etc. Annual reminders and contractor orientation to all of the contractors regardless of their years of service may be a useful tool for contract management.

Required paperwork

Contract

- All sites should use only the instructor contract that has been approved by the city attorney. Any changes to the boiler plate require Community Services manager and director approval and possible city attorney review.
- The only item on the contract that can be changed (unless receiving prior approval) is the insurance clause. Depending on the activity, the contract will either state “recommended” or “required”.
- Contracts are for the term of the class session but typically are for the entire calendar year (January - December) if the instructor teaches year round.
- Class supplements provide the detailed contract information for class times, dates, locations, and fees. The class supplements are required at the beginning of each session.
- All new instructors need to have the signed contract on file before starting any classes.
- All returning instructors should receive the new contract for the following year in November or December. It must be signed and returned to the recreation coordinator before their winter session class starts.
- Once signed by the department director or their designee, a digital and hard copy of the contract should be sent to the Arrillaga family recreation center for record keeping.
- A copy of the contract should also be kept at the program location as well. It is recommended the signed contract is scanned and put into electronic files as well as a hard copy file.
- The standard contract instructor revenue split is approved by city council during the annual master fee schedule process. This is currently 60% of the resident fees is provided to the contractor and 40% of the resident fees is kept by the city. This revenue split includes any drop-in fees. The non-resident fee is also approved in the master fee schedule and cannot be adjusted. The fees are currently 35% more than the resident rate and these fees are retained by the city of Menlo Park.
- All fees are collected by the city of Menlo Park and paid to the contractor. (There may be some exceptions.)
- In some cases with approval by department director or their designee, the revenue split can be adjusted or special arrangements for the contractor to pay the city can be made.

W9

The W9 form is for tax information. The form should be completed prior to starting with the city and should be updated if any information changes. The form can be for a business or individual. The same name should be on the tax form, insurance, and contract. Finance sends all of the contractor the W2 forms in February of each year.

Fingerprinting

- All contractors, any assistant, or volunteers involved with the program need to be fingerprinted. For exceptions, see the City volunteer policy
- If the contractor is a business with multiple staff, they need to write a formal letter or show some documentation describing they require all of their staff fingerprinted
- The process for fingerprinting contractors is the same as all city employment
- The fingerprinting fees are paid by the City and the respective program budget
- The complete Live Scan fingerprint form needs to be submitted to personnel within 24 hours
- Fingerprinting must take place before starting any class for the City of Menlo Park
- The recreation coordinator must keep a copy on file or have a master list with all of the contractors and dates for fingerprinting
- If you have long-term contractors with no records of their fingerprint information, they will need to re-do their fingerprints

TB Test Requirement

Contract instructors who work with children are required to present a valid TB test within the last two years from their health care provider or obtain a clear TB test result or chest scan prior to teaching a class. Instructors are to provide at their own expense but may be covered by the City in certain circumstances as approved by the department director or their designee.

Insurance

- As contractors, they may be responsible and personally liable for any issues occurring during or related to their class
- The City of Menlo Park requires \$1M certificate of liability insurance for high risk activities.
- We encourage all instructors to obtain insurance for their own protection
- The certificate of liability insurance must list the City of Menlo Park as the additional insured and span the time period in which they are offering classes at a City facility
- The certificate of liability insurance must be kept on file and also scanned/stored electronically
- Review of insurance expiration dates and request for renewals must be overseen by the recreation coordinator
- If obtaining insurance is determined to be an unreasonable hardship for the contract instructor, the insurance requirement may be waived in certain circumstances as determined by the department director

Orientation Packet/Contractor “Handbook”

In addition to the contract, W9, fingerprints, and insurance, it is strongly recommended you provide all contract instructors with written orientation information that covers the contractor basics. This includes best practices, operational information, emergency information, contact information, etc.

E-Gov class registration software

All contract instructors will be provided a user name and password to E-Gov when they become a new contractor. The account can be set up with the appropriate account permissions by the recreation coordinator. The instructors will be able to access their class enrollment numbers, rosters, attendance sheets, and participant contact information. We encourage them to use these services online as much as possible. The instructors can access information for their class(es) only. Any use of the class or participant confidential information for solicitation and other unintended uses is not authorized and requires prior approval from the City. Providing the contractor with a few simple E-Gov tips is also recommended to help navigate the software.

Setting up online access:

1. Ensure that the contractor has been added in E-Gov as an instructor
2. Go into Security & Add User
3. Input the following information: first name, last name, username-typically first initial then last name such as jsmith for Jane Smith or for a larger business it could be kidscarpentry, and a generic password - usually menlopark
4. Select “Create”
5. Select “User Permissions” then “Copy Permissions” and copy from an existing contractor that already has the same desired permissions
6. Select “Save Changes”
7. Go back into “Classes/Instructors” and find the new contractor under “Associated Admin User” select the contractor
8. Select “Save Changes”
9. Attempt to sign in under their new login to determine whether or not the account is working

Instructor Payments

The instructor payments should be paid no later than two weeks after last class of the session. The total payment amount is listed in the E-Gov “Instructor Payment Report.” For classes ending in December, payments need to be submitted to the instructor before the end of the calendar year. If bi-session payments are requested by the instructor, approval can be granted. Recreation coordinators will be responsible for tracking all instructor payments and ensure the contractor has been paid correctly and in a timely manner. For drop in classes, ensure all payments have been processed into E-Gov prior to submitting a check request, otherwise it will result in an adjustment on a future check or needing to issue a smaller check for the difference.

Activity Guide

The City of Menlo Park produces 3 Activity Guides per year and is mailed out to all residents within the city limits. The timeline for Activity Guide submittals and production is created by the Activity Guide coordinator. The class information is gathered from the contractors using the Class Supplements. The city holidays, facility closures, and other information for that session should be included with the Class Supplements. The recreation coordinator is responsible for working with the contractors to ensure their information is submitted on time and is accurate. Failure to submit the information on time may result in not being listed in the Activity Guide and not offering classes for those sessions. Proofreading all information submitted by the contractor and reviewing the corresponding facility schedule is the responsibility of the recreation coordinator. The recreation coordinator must keep the completed Class Supplement in your files as an addendum to the annual contract. Unless otherwise agreed upon, the City of Menlo Park reserves the right to modify and shorten class descriptions, add or not include contract logos, and retain complete control over the layout and artistic design of the activity guide.

Class Management

Registration

The general registration dates for the session is set by the Activity Guide coordinator. If the contractor would like to adjust the registration date, the recreation coordinator will need to be informed to make the adjustment in E-Gov. Unless approved, all class registrations will be processed through the City’s E-Gov registration software. Participants can register in person, online, mail-in, or fax-in.

Rosters

E-Gov rosters are available to the contractors online or at the front desk of the City facility in which they are holding their class. The instructor is responsible for ensuring all of the students in the class are registered and on the class rosters.

<p>Canceling</p> <p>If it is the first day of the session and the class does not meet the minimum enrollment requirement, it can be cancelled by the instructor. However, the instructor must provide a minimum of 48-hour notice to the City. The City will call the participants and process refunds if needed. If for any reason during the session the instructor needs to cancel a class, the contract instructor must contact the recreation coordinator or the front desk staff person immediately. Instructors should work with City staff in contacting enrolled individuals to notify them of the cancellation and inform them of how they can obtain a partial refund or when a make-up class will be scheduled (if applicable). If the instructor cancels the class after the first day of class and full refunds are processed, the contractor will not be paid for the hours provide that session. Any class can be cancelled by City staff for any reason. If the City staff cancels the class, the City will be responsible for notifying participants and processing refunds.</p>
<p>Late</p> <p>If the instructor is running late for a class, the instructor should call the recreation coordinator and/or the front desk staff person immediately. The instructor should make up that time if possible or provide a possible refund. If tardiness for the class is a reoccurring issue, the contract may be terminated.</p>
<p>Contacting Site Supervisor</p> <p>The recreation coordinator should provide the contractor with their direct phone number and the number for the front desk or alternate. For urgent matters, the contractor should attempt to call the site supervisor and the front desk of the facility. For emergencies during class, the contractor should make any City staff aware of the emergency and should call 911 if needed.</p>
<p>Customer complaints</p> <p>If a customer complains about the class to the front desk staff or recreation coordinator, the recreation coordinator will discuss the concern with the contractor directly. If the customer complains to the contractor, the contractor should relay the complaint to the recreation coordinator. The recreation coordinator will work on remedying the complaint if possible and is responsible for ensuring customer satisfaction and quality instruction. The recreation coordinator should record all customer issues in the contractor file. If numerous complaints are recorded and unresolved, the contract may be terminated. Ask the customer to document the incident/complaint by completing a customer service evaluation.</p>
<p>Parents or siblings in classrooms</p> <p>It is the discretion of the contractor to allow parents in the classroom during instruction. If the contractor does not wish to allow parents or other children in the class, the City will assist in enforcing this restriction.</p>
<p>Parent pick-up</p> <p>If the parent or guardian is late, the contractor is responsible for waiting with the child until the parent or guardian arrives. If the contractor is unable to do so, the contractor must immediately inform the recreation coordinator or facility attendant. The contractor may request the front desk staff call the parent or guardian if needed.</p>
<p>Suspicion of child abuse</p> <p>While contractors are not mandated reporters like City staff, all contractors will be asked to report any suspicion of child abuse of any kind to the recreation coordinator immediately.</p>
<p>Music</p> <p>For classes requiring music, the City will provide approval on a case by case basis. The music volume must be at a level that is appropriate to the participants in the class as well as the other staff/participants/patrons of the facility. If AV equipment is available in the room, it can be used by the contractor with prior approval. If AV equipment is not available in the room, the contractor will be responsible for providing it on their own.</p>
<p>Cash Handling</p> <p>All class registration or drop-in fees must be processed by City staff directly. All checks are made to the City of Menlo Park (there may be some exceptions). Only the material fees can be given to the contractor directly and are the responsibility of the contractor. All checks are made to the individual contractor or business name.</p>
<p>Refunds/Prorating</p> <p>The City maintains a 100% customer satisfaction guarantee policy and unless specified by the contractor, the City provides refunds to the participant for any reason. For refunds, customers will be charged a processing fee which is retained by the City from the class fee. If the balance is kept on the customer account, no processing fee is charged. Based on the number of sessions attended, the participant will received a prorated refund. Unless specified by the contractor, if the participant starts the class after the first day of the class, the class amount will be prorated based on the number of classes left in the session. The participant must fill out a transfer/refund form in order for a refund to be processed. The instructor payment will be based on the prorated amount. If there was a significant customer service issue or unusual circumstances, the recreation coordinator has the discretion to provide a full refund regardless of the number of sessions attended by the participant. The recreation coordinator is responsible for communicating the reason for refunding the participant to the contractor. If there is any dispute by the contractor, the recreation coordinator also has the discretion to provide full or partial payment to the contractor for this type of refund.</p>

Facility management
<p>Equipment The contractors are responsible for their own set up and tear down of equipment unless otherwise agreed upon with the recreation coordinator. The contractor is encouraged to bring any personal equipment to help with their instruction of the class. The City also reserves the right to deny any equipment for any reason within the facility. Unless approved or space is rented, the contractor may not store any personal equipment at the facility. The equipment must be brought directly before the class and removed directly after the class. By permission, the contractors may use City equipment for classroom instruction. The equipment is not for the sole use of any particular contractor and cannot be reserved. If any damage occurs to City equipment, the contractor will be responsible for the repair or replacement costs.</p>
<p>Room Scheduling Room schedules are completed by the recreation coordinator. The contractor may request a particular room within the facility. No room assignment is guaranteed. The City reserves the right to make changes to the facility assignments before and during any session.</p>
<p>Storage If available and approval is provided, the contractor may store items at the facility. Storage fees may be applied. The City is not responsible for any damages or loss to the contractor equipment or supplies. The City reserves the right to request the contractor remove items at any time with proper notice. If approved, the City may designate a lock to the contractor for supplies however it's required that a key for the designated lock be on site and labeled at all times. At the discretion of the recreation coordinator, the contractor may be given a copy of the key, otherwise the contractor would need to ask staff for access to their cabinet when desired.</p>
<p>Use of facility for non-class activities If a contractor would like to use a City facility during non-scheduled class times, the contractor will need to fill out the rental form and submit it to the recreation coordinator for the respective site. Contractors are not allowed to use rooms for non-class activities solely because the classroom is empty.</p>
<p>Damage The contractor will be responsible for any damages to the facility or city equipment.</p>
<p>Keys Contractors shall never be allowed to be in the facility alone. City staff must always be present. No facility keys or security codes shall be given to contractors.</p>
<p>Safety Any accidents or safety concerns should be reported to the recreation coordinator immediately.</p>
Class Evaluation
<p>A random selection of classes will be chosen to survey. The instructor may be asked to hand out surveys and return them to the recreation coordinator. Online surveys may also be sent to participants. Contractors may receive the results of the surveys if desired. The recreation coordinator shall conduct classroom observations to ensure program quality. The recreation coordinator can also use attendance trends to evaluate the class performance. The recreation coordinator may solicit formal or informal instructor feedback at any time.</p>
Termination of Contract
<p>The City may terminate the instructor contract at any time for any reason with appropriate notice. The common reasons for termination are consistent low enrollment, poor instructor performance, significant customer complaints, and facility scheduling conflicts. The recreation coordinator should inform the contractor of the contract termination with a formal written letter within 10 days' notice.</p>
Recognition
<p>It is recommended that the recreation coordinators create some method recognizing the dedication and efforts made by contractors. Such recognition may include a thank you luncheon, holiday cards, email blasts, thank you gifts, instructor profiles at facility bulletin board, etc.</p>

Recommended Best Practices
<p>Marketing Due to limited budgets and restrictions, the recreation coordinator should provide some marketing tips for contractors to help boost enrollment if needed.</p>
<p>Safety While no specific training is required, the recreation coordinator should provide contractors will a list of recommended safety tips/training including:</p> <ul style="list-style-type: none"> • 1st Aid/CPR/AED training • Location of first aid kit and AED • Janitor closet and supplies available • Evacuation Plan awareness • Emergency Action Plan awareness • Location of call out list for emergencies
<p>Class Management</p> <ul style="list-style-type: none"> • Difficult child • Difficult parent • Challenges with another contractor
<p>Expertise/Training for class instruction Contractors are recommended to maintain any certification or training need to provide quality and safe instruction to the public. If the recreation coordinator receives any copies of certificate, they may update the contractor folder at any time.</p>
File Management
<p>General Instructor Information U Drive/Facility Name/Type of Admin Item (i.e. Forms, Instructor Numbers, Orientation)</p>
<p>Individual Instructor General Information U Drive/Facility Name/Instructor Last Name or Business Name</p> <ul style="list-style-type: none"> • Forms <ul style="list-style-type: none"> • W9 • Fingerprints • Insurance • Contracts <ul style="list-style-type: none"> • By Year • Supplements <ul style="list-style-type: none"> • By Year (2010, 2011) <ul style="list-style-type: none"> • By Session (W10, SP10, SU10, FA10) • Marketing
<p>Instructor Payments U Drive/Facility Name/Instructor Payments/Instructor Last Name or Business Name/Year/Check Request Date</p>