

**WHEATLAND SCHOOL DISTRICT  
BOARD AGENDA ITEM**

CONSENT  
 ACTION  
 REPORT/INFORMATION

**BOARD MEETING DATE:** September 14, 2023  
**BOARD AGENDA NUMBER:** 4.7  
**BOARD AGENDA ITEM:** Contract with Together Behavior Solutions  
**DEPARTMENT:** Superintendent's Office  
**CONTACT PERSON:** Craig M. Guensler

**REPORT/PROPOSAL**

Approve is needed for the contract with Together Behavior Solutions for Behavior Consultation including Functional Behavior Assessments, Behavior Intervention Plans, IEP meeting attendance, staff consultations, small group or direct contact and staff training, behavior aide support, and professional development

**SUPERINTENDENT'S RECOMMENDATION:**

Approve

## **Agreement for Contracted Services**

This agreement is entered into by and between Together Behavior Solutions, Inc. [Company] and Wheatland School District [Contracting Agency] for the provision of services by Together Behavior Solutions Inc. as an independent agent and not an employee of the Contracting Agency. Together Behavior Solutions makes no claim to any rights and/or benefits other than compensation put forth in this agreement.

### **Dates of Service**

This contract is in effect from Aug 17, 2023 to June 10, 2024.

### **Scope of Work**

**Consultation:** Special education related services (Behavior Consultation); Functional Behavior Assessments, Behavior Intervention Plans, IEP meeting attendance, staff consultations, small group or direct contact and staff training, behavior aide support, and professional development. Not to exceed \$32,400.

### **Payment & Billing**

Wheatland School District agrees to pay Together Behavior Solutions for consultation services at the rate of \$135 per hour.

- Based on current estimated need, Wheatland School District has secured Together Behavior Solutions to provide up to 240 hours, not to exceed \$32,400.
- Together Behavior Solutions will contact Wheatland School District for approval before providing additional services.
- Together Behavior Solutions will invoice Wheatland School District for service hours performed by the end of each calendar month.

### **Records**

Together Behavior Solutions Inc. will provide records, with a reasonable time, these records for review. Together Behavior Solutions employees make no claim to the benefits Wheatland School District provides to employees of Wheatland School District. Status of Consultant This is not an employment agreement. Together Behavior Solutions is an independent contractor and is responsible for all federal, state and local payroll taxes for and on behalf of Together Behavior Solutions and those employed by Together Behavior Solutions. Wheatland School District shall not provide worker's compensation insurance coverage for Together Behavior Solutions employees.

### **Cancellation**

This agreement may be canceled by Together Behavior Solutions Inc. or Wheatland School District upon giving a 30-day advanced written notice. In the event of cancellation Together Behavior Solutions shall be paid for all services rendered. Cancellation of the contract prior to the first day school begins places the cancellation date, for purposes of this contract, on the first day of school Hold Harmless and Indemnification Each party agrees to indemnify and hold the

other party harmless from all liability for damage, actual or alleged, to persons or property arising out of or resulting from negligent acts or omissions of the indemnifying party.

**Attorney Fees**

If any litigation is initiated to enforce or interpret this agreement, the prevailing party shall be entitled to reasonable attorney's fees and costs. Severability: Together Behavior Solutions Inc.– Agreement for Contracted Services In the event that any portion of this agreement is determined by a court of competent jurisdiction to be invalid or deemed unenforceable, the provision will be deemed void and the remainder of the agreement will continue in full force and effect.

 \_\_\_\_\_ Date: 8/17/2023  
Together Behavior Solutions, Inc. –  
Eve Dineen Behavior Analyst/ Contractor/Owner

\_\_\_\_\_ Date: \_\_\_\_\_  
Wheatland School District  
Craig Guensler, Superintendent