

Section 600 Finances
Status New/Review
Code 610.1
Title: Business Diversity in the Procurement of Materials and Contracted Services

Purpose

The Board is committed to promoting equitable opportunity to do business with the William Penn School District (“District”) under contract awards relating to, among other things, facilities, professional services, goods, and supplies. The Board recognizes that the District’s support for supplier diversity initiatives and engagement in minority/women-owned business development helps to create a more diverse workforce that will enhance opportunities for employment for the District’s diverse student population and their families.

It is the intent of the Board and the District that the District and all contractors, vendors, consultants, and entities contracting with the District and by extension their subcontractors (collectively “Vendors”), shall not discriminate against any person in regard to race, color, age, creed, religion, sex, sexual orientation, ancestry, national origin, handicap/disability, gender identify, or genetic information. **The Board also recognizes that state and federal procurement and bidding laws and regulations will always be followed. [1][2][3][4][5][6][7][8]**

Authority

The Pennsylvania Public School Code authorizes the Board to adopt policies and procedures and to make rules and regulations to manage school affairs and the fiscal well-being of the District, including with respect to procurements and vendor responsibility. [9]

Delegation of Responsibility

The Board authorizes the Superintendent, through the Business Office, to develop administrative procedures to establish processes for requiring diversity inclusion in advertising and procurement:

Mandatory Regulatory Guidelines

The District shall:

- Take proactive steps through its procurement and contracting processes to encourage the inclusion and active participation of qualified and certified Minority

and Women-owned Business Enterprises (“M/WBEs”), among small and other disadvantaged business enterprises to advance and promote employment opportunities for a diverse workforce;

- Support the development and participation of M/WBE’s, while ensuring District business is conducted in accordance with the District’s best interests concerning value, capacity, expertise, business dealings, and available resources of potential Vendors; and
- Require Vendors to adhere to District equitable opportunity and anti-discrimination policies through the life of District agreements. District vendors shall provide a full and fair opportunity for the participation of disadvantaged businesses, such as M/WBEs, in the procurement and contracting processes of their subcontractors.

The District will ensure that all vendors take good faith actions to achieve the District’s diversity expectation in order to offer the maximum practicable opportunity for qualified and certified M/WBEs, small, and other disadvantaged enterprises through all phases of the contract and any subsequent contract amendment. Vendors must demonstrate that the participation of M/WBEs and other disadvantaged businesses is meaningful and substantial.

Diversity contracting and compliance information shall be a matter of public record consistent with the Pennsylvania Right-to-Know Law. [10]

The District shall not enter into any agreements that would undermine the objectives contained in this policy. Awarding of bids pursuant to the School Code and applicable bidding laws shall not constitute a violation of this policy. District employees at all levels are responsible and accountable for resources under their control, and all employees must adhere to this policy and its administrative procedures.

The Superintendent or designee through the Business Office shall monitor (i) adherence to the policy throughout all applicable offices in the District, and (ii) vendors’ obligations and performance consistent with this Policy. The Superintendent or designee, through the Business Office, will provide the Board upon request with annual reports reflecting the District’s efforts to achieve the goals of this policy.

Legal References:

43 P.S. §§ 951,
20 U.S.C. §§ 1681,
29 U.S.C. §§ 621,
29 U.S.C. § 794 5. 42 U.S.C. §§ 12101,
42 U.S.C. §§ 1981,
42 U.S.C. §§ 2000e,

24 P.S. § 7-751 9. 24 P.S. § 5-510 10. 65 P.S. §§ 67.101