POLICY

The Board of Education is committed to fair and equal employment opportunities for all persons. Affirmative Action policies and procedures govern the hiring of district staff. By this policy, the Board requires major vendors to adopt and implement similar policies as a condition of doing business with the District.

PROCEDURE

1. Definitions

   In this policy:

   a. "Target group individuals" means women, individuals who identify themselves as of Hispanic, African, Asian or American Indian descent, and handicapped individuals as defined in S.111.32(8) with-staff Wis. Stats.

   b. "Vendor" means a person who sells, or offers to sell, goods or services to the Madison Metropolitan School District through a negotiated or bidding process in an aggregate amount of $25,000 per year or more, and who employs at least fifteen persons.
c. Good faith effort means action that is taken by a Vendor to meet the District's contract requirements as set forth in Paragraph 3 of this policy.

2. Plan Required; Filing to be Adopted, Filed and Certified

Each vendor shall adopt a plan to employ target group individuals consistent with their availability in the relevant labor market. This plan shall include a reasonable grouping of jobs in the vendor's workforce, an analysis of the availability of members of each target group for each job group, an analysis of the utilization of target group members in the vendor's workforce and steps which are being, or will be taken to remedy any underutilization shown by this analysis. The plan shall also include an analysis as to whether or not the employment goals in the plan have been met. This plan shall be filed with and certified by at least one of the following agencies: State of Wisconsin Department of Administration, Development or Transportation; County of Dane or Milwaukee; City of Milwaukee; Milwaukee Metropolitan Sewerage District; Milwaukee Joint Certification Program; or City of Madison or the Madison Metropolitan School District.

3. Bid Contract Requirements

Whenever a vendor submits a bid or enters into negotiations for the sale of goods or services to the School District, it shall indicate (1) with what agency the plan is on file, (2) whether or not the plan is
certified and (3) whether the employment goal(s) stated in the plan has/have been achieved. If a Vendor has not met each one of the above stated 3 enumerated requirements, the Vendor shall submit a statement and documentation which demonstrates that the Vendor has made a good faith effort to meet each one of the requirements that has not been met. A Vendor may be prequalified to meet the requirements set forth herein.

whether-the-employment-goals-of-its-plan-have-been-achieved.---If-not, bidders-shall-submit-a-statement-and-documentation-of-a-good-faith-effort-to-achieve-the-employment-goals-stated-in-its-plan. Instructions for being prequalified and for providing the necessary documentation shall be included in the Request for Proposals, Request for Information, or other solicitation issued by the District. A and any vendor may request and receive technical assistance from the District as to what is required by this Policy, including what constitutes a good faith effort.

At a minimum, a good faith effort requires timely advertising with respect to employment opportunities and media likely to reach target group individuals.

4. Reporting

Purchasing officials of the District may require reports from vendors awarded contracts to determine whether they are in compliance with their plans and/or good faith efforts. Vendors shall maintain and submit records at the request of the District for purposes of compliance review. The District shall follow established Office of Federal Contract Compliance Programs and Equal Employment Opportunity Commission
procedures for on-site visits, desk audits, project reviews and other compliance and reporting requirements.

Employment goals for construction contracts shall be measured in total hours expended on the projects by target group individuals by job group, broken out for race, sex, and handicapping condition. All other employment goals shall be reported by showing the number of employees by position, broken out for race, sex and handicapping condition.

5. Noncompliance; Penalties

If a vendor fails to file a plan as required by this procedure, fails to comply with that plan, or fails to make a good faith effort to which the vendor commits in-its-bid-package, the Board of Education may, after hearing the vendor's defense or justification, declare the vendor ineligible for future District contracts until such noncompliance is remedied, and may take any other action it deems appropriate.

6. Records and Reports

Purchasing officers of the District shall maintain records of the District's activities under this policy, including:

a. Operating procedures for notifying potential vendors of the requirements of this policy.
b. Technical assistance forms.

c. List of District vendors.

d. Assessment data on vendor compliance with their plans.

e. Staff direction, program policies and priorities, and problem areas.

f. An annual report to the Board of Education, Superintendent and Assistant Superintendent for Business on activities undertaken by staff and in furtherance of this policy.

7. This policy shall take effect January 1, 1991.