

PARTICIPATION BY HISTORICALLY UNDERUTILIZED BUSINESSES

Policy Code: **6402**

1 The Transylvania County Board of Education (the “board”) affirms the State’s commitment to
2 ~~encourage~~ **encouraging the** participation of historically underutilized businesses, **as defined by**
3 **G.S. 143-128.4, and small businesses** in the school system’s purchase of goods and services.
4 **The board aspires for ____ percent of the total annual value of the school system’s purchase of**
5 **goods and services to come from contracts with minority-owned businesses, female-owned**
6 **businesses, disabled-owned businesses, disabled business enterprises, or non-profit work centers**
7 **for the blind and severely disabled.**

8
9 **Notwithstanding the board’s intent to promote the participation of the types of businesses**
10 **described above, t**~~The board of education prohibits discrimination against any person or business~~
11 **on the basis of will purchase goods and services without regard to race, color, creed, national**
12 **ethnic origin, sex, age, disability, or religion.**

13
14 ~~The board has adopted the following verifiable percentage goals for participation in the school~~
15 ~~system’s contracts by women and minority-owned businesses:~~

16
17 ~~Four percent (4%) participation by minority owned, female owned, disabled owned,~~
18 ~~disabled business enterprises, or non profit work centers for the blind and severely~~
19 ~~disabled in the total annual value of all purchases of goods and services.~~

20
21 **A. SCHOOL SYSTEM GOOD FAITH EFFORTS**

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23 The board ~~has adopted~~ **establishes** the following guidelines to ensure that the school
24 system will make good faith efforts to reach diverse suppliers of goods and services and
25 to encourage participation in the school system’s purchasing ~~progress~~ **program** by such
26 suppliers. **Employees responsible for the purchasing function shall** ~~The school system~~
27 ~~will:~~

- 28
29 1. make information about the school system’s purchasing procedures and bidding
30 process readily available;
- 31
32 2. advertise for bids in media that reaches **historically underutilized minority**
33 **businesses;**
- 34
35 3. ensure access to bidding documents needed for making bids on projects; and
- 36
37 4. provide information ~~to HUBs~~ on how to ~~have~~ **become Historically Underutilized**
38 **Business (HUB)-certified and/or North Carolina Small Business Enterprise**
39 **(NCSBE)-certified and how to register in the North Carolina electronic Vendor**
40 **Portal** ~~a company name included on lists maintained by the Division of Purchase~~
41 ~~and Contracts at the State Department of Administration.~~

42
43 **B. DOCUMENTATION AND REPORTING**

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45 The superintendent ~~or and his or her~~ designee ~~will~~ shall submit all legally required reports
46 on the use of historically underutilized businesses, **disabled business enterprises, and**
47 **nonprofit work centers for the blind and the severely disabled** and ~~will~~ shall document the
48 use of **such** businesses ~~qualifying as historically underutilized businesses~~ as necessary to
49 comply with applicable laws.
50

51 Legal References: *City of Richmond v. J.A. Croson Co.*, 488 U.S. 469 (1989); G.S. 143-48, ~~143-~~
52 ~~128~~ **48.4, -128.4; 01 N.C.A.C. 05B .0301**
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54 Cross References: Vendor Lists (policy 6442), Participation by Minority Businesses (policy
55 9125)
56

57 Adopted: March 20, 2017; **[DATE]**

REVISED