

# Miami-Dade County Public Schools



## *Internal Audit Report Audit of Draft Phase 2 Disparity Study Report Dated March 27, 2018*



Our audit found that the numerical information contained in the audited tables of the Draft Phase 2 Disparity Study Report was accurate and supported the conclusions reached in the Study.

Although the information was accurate, we recommended that some errors identified by us during the audit be corrected.

**SEPTEMBER 2018**

**THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA**

Ms. Perla Tabares Hantman, Chair

Dr. Martin Karp, Vice Chair

Dr. Dorothy Bendross-Mindingall

Ms. Susie V. Castillo

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**Superintendent of Schools**

Mr. Alberto M. Carvalho

**Office of Management and Compliance Audits**

Ms. Maria T. Gonzalez, CPA

Chief Auditor

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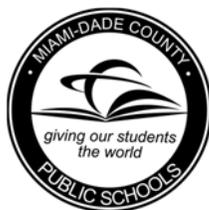
Audit Supervised by:

Mr. Trevor L. Williams, CPA

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Ms. Tamara Wain, CPA

Mr. Trevor L. Williams, CPA





# Miami-Dade County Public Schools

*giving our students the world*

**Superintendent of Schools**  
Alberto M. Carvalho

**Chief Auditor**  
Maria T. Gonzalez, CPA

**Miami-Dade County School Board**  
Perla Tabares Hantman, Chair  
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Dr. Steve Gallon III  
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Mari Tere Rojas

August 29, 2018

The Honorable Chair and Members of The School Board of Miami-Dade County, Florida  
Members of The School Board Audit and Budget Advisory Committee  
Mr. Alberto M. Carvalho, Superintendent of Schools

Ladies and Gentlemen:

At the request of the Administration, we performed an audit of the draft Phase 2 Disparity Study ("Disparity Study" or "Study") report, dated March 27, 2018, and prepared by Miller<sup>3</sup> Consulting, Inc. ("Miller<sup>3</sup>").

The scope of our audit was limited to selected information contained in the draft Study report. The audit objectives were to verify the accuracy of said information contained in the Disparity Study and to evaluate the general assumptions used by Miller<sup>3</sup> in performing the Disparity Study for reasonableness.

Based on our audit, we found that the numerical information contained in the tables audited was accurate. Accordingly, in our opinion, the tables audited provide an objective basis of support for the Study. In addition, in our opinion, based on the accuracy of the numerical information and the underlying data that was tested, the general assumptions and methodology based on the statistical analysis of the Disparity Study are appropriate and reasonable.

We would like to thank Miller<sup>3</sup> Consulting, Inc. and the Office of Economic Opportunity for the cooperation and courtesies extended to staff during the audit.

Sincerely,

Maria T. Gonzalez, CPA  
Chief Auditor  
Office of Management and Compliance Audits



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## **EXECUTIVE SUMMARY**

A study to determine disparity in construction and construction-related professional services contracting at M-DCPS among designated minorities was completed in September 2014. As a follow-up to that disparity study, on May 11, 2016, the School Board of Miami-Dade County, Florida (“School Board” or “Board”) commissioned Miller<sup>3</sup> to perform a similar study pertaining to goods/supplies, services, and maintenance and maintenance-related services contracts issued by the School Board during fiscal years 2013, 2014, and 2015.

The Administration requested the Office of Management and Compliance Audits (“OMCA”) to perform an audit of the draft Phase 2 Disparity Study report for review and comment. We reviewed selected information contained in the draft report for accuracy, and to identify material errors that could impact the Study’s conclusions.

We judgmentally selected 52 of 130 tables (40 percent) displayed in Chapters 4 through 8 and Appendix A of the Study and tested these for accuracy. The tables selected were those we deemed to contain information that was relevant and directly pertinent to the conclusions reached by the Study. To test the accuracy of the underlying data, we selected a random sample of 25 bids or contracts (10.6 percent) out of the 236 discrete awards placed on the agenda of the School Board’s regularly scheduled meetings held during the Study period of July 1, 2012, to June 30, 2015. We performed various specific auditing procedures to our sample to satisfy our audit objectives.

Of the 52 tables tested, the information contained in 47 tables was verified without exception. While some errors were found with one or more individual elements contained in the five<sup>1</sup> remaining tables which were material to those specific elements, those errors were not significant to change either the theme of the related table or the associated conclusions. Furthermore, our test of the accuracy of the underlying data based on the 25 sampled bids or contracts disclosed no significant errors.

Based on our audit, we concluded that overall, the numerical information contained in the tables audited and the underlying data was accurate. Accordingly, in our opinion, the tables audited provide an objective basis of support for the conclusions reached in the Study. In addition, in our opinion, based on the accuracy of the numerical information and the underlying data that was tested, the general assumptions and methodology based on the statistical analysis of the Disparity Study are appropriate and reasonable.

We have communicated these matters to the Administration and Miller<sup>3</sup>. Both parties concurred with our findings, and with our recommendation to make the necessary changes to the tables.

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<sup>1</sup> The five tables included Tables E.5 and 6.29 which are identical. Similarly, Tables E.6 and 6.30 are identical. Therefore, errors appear on three (3) separate tables.

## **BACKGROUND**

### **The Disparity Study**

As a follow-up to the Phase I Disparity Study<sup>2</sup>, which was commissioned by the School Board to specifically analyze the utilization of Minority/Women Business Enterprise (M/WBEs) in the Board's procurement of capital construction and design and construction related professional services, on May 11, 2016, the Board commissioned Miller<sup>3</sup> to perform the Phase 2 Disparity Study. The purpose of this disparity study was to determine whether there is evidence showing that ready, willing, and able M/WBEs are significantly underutilized in goods/supplies, services, and maintenance and maintenance-related services contracts issued by the School Board during fiscal years 2013, 2014, and 2015 (July 1, 2012 through June 30, 2015). For purposes of this study, "ready, willing and able" is defined as estimates derived from bidders, sub-bidders and awardees. In addition, the study must be legally supportable and meet all current applicable judicial tests and other criteria required by law and the framework delineated in the solicitation for the services.

In March 2018, the Administration was provided with a draft Phase 2 Disparity Study report containing the findings and conclusions from the Study. The report contained an Executive Summary, 12 chapters, and Appendix A as follows:

• Executive Summary	
• Chapter 1	Introduction
• Chapter 2	Legal Analysis
• Chapter 3	Procurement Analysis
• Chapter 4	Statistical Methodology
• Chapter 5	Statistical Analysis of Relevant Market and M/WBE Availability
• Chapter 6	Statistical Analysis of M/WBE Utilization
• Chapter 7	Statistical Analysis of M/WBE Disparity in Contracting
• Chapter 8	Capacity and Regression Analysis
• Chapter 9	Anecdotal Comments from the Marketplace
• Chapter 10	Analysis of Private Sector Disparities
• Chapter 11	Race Neutral Analysis
• Chapter 12	Conclusions and Recommendations
• Appendix A	M-DCPS Statistical Tables

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<sup>2</sup> The Phase I Disparity Study was performed by MGT of America, Inc. and published in final form on September 15, 2014.

The methodology is organized under the following four major sections of the Disparity Study:

- Industry Analysis;
- Statistical Analysis;
- Market Analysis; and
- Conclusions and Recommendations.

The *Industry Analysis* comprises Chapters 2 and 3. Chapter 2 provides a legal analysis and detailed discussion of the *City of Richmond v. J.A. Croson* decision, a discussion of how lower courts have interpreted and applied the *Croson* decision, and a discussion of the United States Court of Appeals for the Eleventh Circuit's review of race and gender-conscious programs. Chapter 3 is an analysis of M-DCPS' Procurement, M/WBE, and S/MBE policies, procedures and practices in relation to their effect on M/WBE participation.

The *Statistical Analysis* comprises Chapters 4 through 8. Chapter 4 illustrates the methodology behind the study for determining availability and utilization of M/WBEs and in calculating disparity. The remainder of these chapters present tables and figures summarizing the results of the statistical analysis based on relevant market, M/WBE availability, utilization, disparity in contracting and capacity, as well as explanations and conclusions based on their results.

The *Market Analysis* comprises Chapters 9 through 11. These present the anecdotal data and synopsis of comments, examination of M/WBE participation in private sector opportunities, and factors impacting their growth and development.

Chapter 12 presents the conclusions and recommendations based on the report findings.

Appendix A of the Study contains the statistical tables summarizing M-DCPS' underlying data involved in the study.

### **Basis for this Audit**

In April 2018, the Administration requested that the Office of Management and Compliance Audits perform an audit of the contents of the Draft Disparity Study to verify its accuracy. The Administration intended to have the audit completed and errors or inconsistencies, if any, identified and corrected prior to Miller<sup>3</sup> issuing their final Report. Through our discussion and understanding with the Administration, we agreed to verify limited information contained in the Study as noted in the Objectives, Scope, and Methodology section that follows.

## **OBJECTIVES, SCOPE, AND METHODOLOGY**

The primary objectives of the audit were limited to:

- a) Verifying the numerical information comprising selected tables contained in the specifically identified chapters of the draft Disparity Study to determine their accuracy, in all material respects. The specific chapters reviewed are as follows:

### Executive Summary

Chapter 4	Statistical Methodology
Chapter 5	Statistical Analysis of Relevant Market and M/WBE Availability
Chapter 6	Statistical Analysis of M/WBE Utilization
Chapter 7	Statistical Analysis of M/WBE Disparity in Contracting
Chapter 8	Capacity and Regression Analysis
Appendix A	M-DCPS Statistical Tables

Although commentary, conclusions, and recommendations are presented in the following chapters of the Disparity Study, they do not reflect M-DCPS' specific contracting utilization experience among the designated M/WBE categories. Accordingly, we excluded them from our review:

Chapter 1	Introduction
Chapter 2	Legal Analysis
Chapter 3	Procurement Analysis
Chapter 9	Anecdotal Comments from the Marketplace
Chapter 10	Analysis of Private Sector Disparities
Chapter 11	Race Neutral Analysis
Chapter 12	Conclusions and Recommendations

- b) Determining whether the conclusions reached in the Study are supported by the numerical information presented in the tables audited; and
- c) Evaluating the general assumptions used by Miller<sup>3</sup> when performing the Disparity Study for reasonableness.

The scope of our audit is limited to the aforesaid information as outlined above. Our audit is not intended to disclose all errors, misstatements of fact, or inconsistencies; therefore, we do not provide absolute assurance pertaining to the accuracy of the information contained in the Disparity Study. Additionally, our audit did not include an assessment of internal control over M-DCPS or Miller<sup>3</sup> data collection processes and reporting mechanisms. Therefore, we make no such report on their design and operating effectiveness.

We conducted this audit in accordance with generally accepted Government Auditing Standards issued by the Comptroller General of the United States of America Government Accountability Office (GAO). Those standards require that we plan and

perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Our audit included tests of the supporting records and such other auditing procedures, as we considered necessary under the circumstances. To that end, we:

1. Interviewed the appropriate member(s) of M-DCPS management and Miller<sup>3</sup> to obtain an understanding of the Study's development and content;
2. Verified the numerical information to the underlying source data, including databases, Board agenda items, and census data;
3. Reviewed the M/WBE and non-M/WBE designation of vendors included in the Study and verified its agreement with supporting information;
4. Verified, on a sample basis, that vendors were designated in the appropriate "relevant market";
5. Recalculated values and percentages contained in the tables audited, on a sample basis; and
6. Reviewed the Study's methodology and assumptions for reasonableness.

The period covered by the study was July 1, 2012, to June 30, 2015. The study's data sources involved the M-DCPS procurement activity (i.e., bidders, sub-bidders, quotes, contract awards, list of M-DCPS certified firms, purchase orders, P-card expenditures, accounts payable payments, and vendor information for this three-year period).

## **AUDIT SAMPLING METHODOLOGY**

### **Table Sampling Methodology**

We selected 52 of 130 tables contained in the Study chapters included in the scope of the audit. These were selected judgmentally from the tables in Chapters 4 through 8 and Appendix A, covering information contained in the five core databases (contracts, purchase orders, P-card expenditures, accounts payable payments, and vendors) with the underlying procurement information supporting the Study:

<b>SAMPLE OF TABLES TESTED</b>					
<b>Legend: M = Material; I = Immaterial/Inconsequential; N = None</b>					
	<b>Table #</b>	<b>Description</b>	<b>Exceptions</b>		
			<b>(M)</b>	<b>(I)</b>	<b>(N)</b>
1.	E.3	Summary Table – RWA Availability Percentage Participation			✓
2.	E.4	Census SBO Summary Availability			✓
3.	E.5	M/WBE Utilization in Percent of Dollars of Purchase Orders, Payments and Contract Awards (Note: This table contains identical information as in Table 6.29)	✓		
4.	E.6	Summary Table – Utilization by Relevant Market (Note: This table contains identical information as in Table 6.30)	✓		
5.	E.7	Summary Disparity Ratios by Race, Ethnicity and Gender			✓
6.	5.2	Relevant Market Summary: Goods & Supplies	✓		
7.	5.3	Relevant Market Summary: Maintenance and Maintenance-Related Services			✓
8.	5.4	Relevant Market Summary: Services			✓
9.	5.5	RWA Availability: Levels 1-3 Total Availability			✓
10.	5.6	Census Availability All Firms			✓
11.	5.7	RWA Availability: Levels 1-3 Goods & Supplies			✓
12.	5.8	Census Availability Goods & Supplies			✓
13.	5.9	RWA Availability: Levels 1-3 Maintenance and Maintenance-Related Services			✓
14.	5.10	Census Availability Maintenance and Maintenance-Related Services			✓
15.	5.11	RWA Availability: Levels 1-3 Services			✓
16.	5.12	Census Availability Services			✓
17.	5.13	Summary Table – RWA Availability Percentage Participation			✓
18.	5.14	Census SBO Summary Availability			✓
19.	6.1	Total Utilization Contract Awards-Dollars			✓
20.	6.2	Total Utilization Purchase Orders-Dollars			✓
21.	6.3	Total Utilization Accounts Payable-Dollars			✓
22.	6.5	Goods & Supplies Utilization Contract Awards-Dollars			✓
23.	6.6	Goods & Supplies Utilization Purchase Orders-Dollars			✓
24.	6.7	Goods & Supplies Utilization Accounts Payable-Dollars			✓
25.	6.8	Maintenance and Maintenance-Related Services Utilization Contract Awards-Dollars			✓
26.	6.9	Maintenance and Maintenance-Related Services Utilization Purchase Orders-Dollars			✓
27.	6.10	Maintenance and Maintenance-Related Services Utilization Accounts Payable-Dollars			✓
28.	6.11	Services Utilization Contract Awards-Dollars			✓
29.	6.12	Services Utilization Purchase Orders-Dollars			✓
30.	6.13	Services Utilization Accounts Payable-Dollars			✓
31.	6.14-6.15	Goods & Supplies Utilization Thresholds Purchase Orders-Dollars			✓
32.	6.16-6.17	Maintenance and Maintenance-Related Services Utilization Thresholds Purchase Orders-Dollars			✓

**SAMPLE OF TABLES TESTED**

**Legend: M = Material; I = Immaterial/Inconsequential; N = None**

	Table #	Description	Exceptions		
			(M)	(I)	(N)
33.	6.18-6.19	Services Utilization Thresholds Purchase Orders-Dollars			✓
34.	6.29	M/WBE Utilization in Percent of Dollars of Purchase Orders, Payments and Contract Awards (Note: This table contains identical information as in Table E.5)	✓		
35.	6.30	Summary Table – Utilization by Relevant Market Based on Purchase Orders (Note: This table contains identical information as in Table E.6)	✓		
36.	6.31	Total Utilization Contract Awards-Counts			✓
37.	6.32	Total Utilization Purchase Orders-Counts			✓
38.	6.33	Total Utilization Accounts Payable-Counts			✓
39.	6.37	Goods & Supplies Utilization Purchase Orders-Counts			✓
40.	6.38	Maintenance and Maintenance-Related Services Utilization Purchase Orders-Counts			✓
41.	6.39	Services Utilization Purchase Orders-Counts			✓
42.	6.79	P-Card Utilization-Dollars Goods & Supplies			✓
43.	6.80	P-Card Utilization-Counts Goods & Supplies			✓
44.	7.1	Purchase Order Utilization vs. RWA Availability Level 2 Goods & Supplies			✓
45.	7.2	Purchase Order Utilization vs. RWA Availability Level 2 Maintenance and Maintenance-Related Services			✓
46.	7.3	Purchase Order Utilization vs. RWA Availability Level 2 Services			✓
47.	7.4	Summary Disparity Ratios by Race, Ethnicity and Gender Utilization vs. RWA Availability Level 2			✓
48.	8.1	Census Capacity Goods & Supplies			✓
49.	8.2	Census Capacity Maintenance and Maintenance-Related Services			✓
50.	8.3	Census Capacity Services			✓
51.	8.4	Dun and Bradstreet Capacity Based on Total Number of Employees			✓
52.	8.5	Dun and Bradstreet Capacity Based on Total Revenues			✓

We verified the accuracy of the information listed in each of the 52 tables by recalculating the values presented in the table using the underlying databases for consistency and tracing amounts and other pertinent information to their underlying source documents, such as School Board agenda items, bids, payments, and similar vendor/disbursement documentation.

## **Contract Sample Methodology**

To test the accuracy of the data used by Miller<sup>3</sup> in their analyses and accordingly, the accuracy of the Study's information, findings, and conclusions, using a non-statistical sampling methodology, we selected a random sample of 25 bids or contracts out of the 236 discrete awards placed on the Board's agenda during the Study period of July 1, 2012, to June 30, 2015. The sampled contracts were identified in each of the five core databases (contracts, purchase orders, P-cards, accounts payable payments, and vendors) that Miller<sup>3</sup> developed for conducting their analyses, as appropriate. For each sample item, the attendant attributes listed in the databases were compared to the corresponding underlying supporting documentation for accuracy and consistency, as appropriate. The following table depicts the attributes tested in each database:

<b>TABLE OF ATTRIBUTES TESTED</b>					
<b>DATABASES</b>					
	<b>Contracts</b>	<b>Purchase Orders</b>	<b>P-Cards</b>	<b>A/P Payments</b>	<b>Vendors</b>
<b>ATTRIBUTES</b>	Awarded firm (winning bidder)	M-DCPS capital determination	-	Capital projects	-
	Non-winning bidder	Commercial entity	-	Commercial entity	Commercial entity
	Authorize amount	Thresholds	-	-	-
	Fiscal year	Fiscal year	Fiscal year	Fiscal year	-
	State of FL – Final	Location – State of FL	State of FL	State of FL	State of FL
	MSA – Final	Location – MSA	-	MSA	MSA
	Ethnicity	Final ethnicity	Ethnicity	Final ethnicity	Ethnicity
	Final procurement type-use	Final procurement type	Final procurement type	Final procurement type	All procurement type – Discrete vendor
	Duplicate procurement type	-	-	-	-

Source: Miller<sup>3</sup> databases

When these attributes are distributed over the related 25 bids/vendors, the total number of possible sampling points is 825. However, due to the nature of the data captured in each database, our sample contained 436 valid sampling points (825 possible sampling points minus 389 sampling points not applicable to all contracts as captured in the databases). Depending on the database, the attribute tested may not apply because the contract sampled was canceled or rejected; or because there was no purchase order, district payment or P-card expenditure corresponding to that particular contract.

## **AUDIT FINDINGS, CONCLUSION, RECOMMENDATION AND MANAGEMENT'S RESPONSE**

### **Test of the Numerical Accuracy of the Tables**

Five<sup>3</sup> (5) of the 52 tables tested presented discrepancies; however, although material to each table, they were not significant to change either the theme of the related table or the associated conclusions.

### **Test of Attributes Related to Awarded Contracts**

Our test of 436 valid sampling points related to the 25 bids or contracts disclosed no significant errors.

### **CONCLUSION**

Based on our audit, we concluded that overall, the numerical information contained in the tables audited and the underlying data was accurate. Accordingly, in our opinion, the tables audited provide an objective basis of support for the conclusions reached in the Study. In addition, in our opinion, based on the accuracy of the numerical information and the underlying data that was tested, the general assumptions and methodology based on the statistical analysis of the Disparity Study are appropriate and reasonable.

### **RECOMMENDATION**

- 1. Although our audit found the information contained in the draft Phase 2 Disparity Study report to be accurate, we recommend that the Administration request that Miller<sup>3</sup> Consulting, Inc. incorporate, into their Study report, the recommended changes that have been identified and communicated to them.**

**Responsible Department:**

**Office of Economic Opportunity**

**Management's Response:**

The Office of Economic Opportunity is in receipt of your draft audit of Phase II of the Disparity Study conducted by Miller<sup>3</sup> Consulting focused on Goods & Services and Maintenance areas of the District. Your independent assessment has been invaluable as we work with the consultant to finalize staff revisions and incorporate your recommendations and ultimately share the outcome with the Board and community stakeholders. Based on your review of the draft report, we are pleased that you have confirmed the accuracy of the numerical information, general assumptions, methodology and statistical analysis are appropriate and reasonable.

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<sup>3</sup> The five tables included Tables E.5 and 6.29 which are identical. Similarly, Tables E.6 and 6.30 are identical. Therefore, errors appear on three (3) separate tables.

## **GLOSSARY OF TERMS**

Terms	Brief Description
Authorize amount	Awarded contract amount.
Availability	Available MWBEs and non-MWSBEs who are available to do business with M-DCPS within the relevant market.
Capacity and regression analysis	Examines if firm capacity contributed in any way to observed disparities.
Census SBO	The Survey of Business Owners (SBO) provides the only comprehensive, regularly collected source of information on selected economic and demographic characteristics for businesses and business owners by gender, ethnicity, race, and veteran status.
Commercial entity	Designation of "commercial" vendors to include them in the study.
Disparity	Difference between the availability of MWBEs and their utilization by M-DCPS.
Duplicate procurement type	Designation of "discrete" vendor to prevent duplication of vendor counts.
Ethnicity/Final ethnicity	Ethnicity designation based on OEO's certified vendor master file provided by the District to Miller Consulting. When data files have different ethnicities for the same vendor, the District's OEO master file takes precedence.
Fiscal year	Fiscal year designated based on contract date, invoice date, PO date, or P-card date.
Location	Designation based on vendor location in the State of Florida. Attribute was used for the purpose of analyzing G&S, MMM and Services based on Relevant Markets.
MSA – Final	Miami Metropolitan Statistical Area
Procurement Type, all proc type discrete vendor	Goods and supplies, maintenance and maintenance related and services.
Relevant Market	Geographical boundaries within which M-DCPS performs the substantial part (about 70 percent) of its business activities (Miami-Dade, Broward and Palm Beach counties).
RWA	Those firms who are Ready, Willing and Able to do business with the School District: Ready—firms that exist Willing—firms understand the requirements of the work being requested and want to perform the work Able—firms with the capacity to do the job
State of FL – Final	Designation based on vendor location in the State of Florida. Attribute was used for the purpose of analyzing G&S, MMM and Services based on Relevant Markets.
Thresholds	Threshold designation based on PO amount or invoice amount.
Utilization	Quantitatively examines M-DCPS' contracting history and determines the number of contracts and levels of expenditures and MWBEs. The actual procurement award or purchasing activity of M-DCPS.

## **APPENDIX**

### **MANAGEMENT'S RESPONSE MEMORANDUM**



**MEMORANDUM**

**August 10, 2018**

**TO:** Maria T. Gonzalez, Chief Auditor  
Office of Management & Compliance Audit

**FROM:** Torey Alston, Economic Equity & Diversity Compliance Officer  
Office of Economic Opportunity



**SUBJECT: MANAGEMENT RESPONSE TO CHIEF AUDITOR'S ASSESSMENT OF  
DRAFT PHASE II DISPARITY STUDY**

The Office of Economic Opportunity is in receipt of your draft audit of Phase II of the Disparity Study conducted by Miller3 Consulting focused on Goods & Services and Maintenance areas of the District. Your independent assessment has been invaluable as we work with the consultant to finalize staff revisions and incorporate your recommendations and ultimately share the outcome with the Board and community stakeholders. Based on your review of the draft report, we are pleased that you have confirmed the accuracy of the numerical information, general assumptions, methodology and statistical analysis are appropriate and reasonable.

If you should require any additional information, please feel free to contact me at 305 995-1307.

TA:dp

cc: Mr. Alberto M. Carvalho  
Mr. Walter J. Harvey  
Mr. Jose L. Dotres  
Mr. Jaime G. Torrens



## Anti-Discrimination Policy

### Federal and State Laws

The School Board of Miami-Dade County, Florida adheres to a policy of nondiscrimination in employment and educational programs/activities and strives affirmatively to provide equal opportunity for all as required by:

**Title VI of the Civil Rights Act of 1964** - prohibits discrimination on the basis of race, color, religion, or national origin.

**Title VII of the Civil Rights Act of 1964 as amended** - prohibits discrimination in employment on the basis of race, color, religion, gender, or national origin.

**Title IX of the Education Amendments of 1972** - prohibits discrimination on the basis of gender.

**Age Discrimination in Employment Act of 1967 (ADEA) as amended** - prohibits discrimination on the basis of age with respect to individuals who are at least 40.

**The Equal Pay Act of 1963 as amended** - prohibits gender discrimination in payment of wages to women and men performing substantially equal work in the same establishment.

**Section 504 of the Rehabilitation Act of 1973** - prohibits discrimination against the disabled.

**Americans with Disabilities Act of 1990 (ADA)** - prohibits discrimination against individuals with disabilities in employment, public service, public accommodations and telecommunications.

**The Family and Medical Leave Act of 1993 (FMLA)** - requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to "eligible" employees for certain family and medical reasons.

**The Pregnancy Discrimination Act of 1978** - prohibits discrimination in employment on the basis of pregnancy, childbirth, or related medical conditions.

**Florida Educational Equity Act (FEEA)** - prohibits discrimination on the basis of race, gender, national origin, marital status, or handicap against a student or employee.

**Florida Civil Rights Act of 1992** - secures for all individuals within the state freedom from discrimination because of race, color, religion, sex, national origin, age, handicap, or marital status.

**Title II of the Genetic Information Nondiscrimination Act of 2008 (GINA)** - prohibits discrimination against employees or applicants because of genetic information.

**Boy Scouts of America Equal Access Act of 2002** – no public school shall deny equal access to, or a fair opportunity for groups to meet on school premises or in school facilities before or after school hours, or discriminate against any group officially affiliated with Boy Scouts of America or any other youth or community group listed in Title 36 (as a patriotic society).

*Veterans are provided re-employment rights in accordance with P.L. 93-508 (Federal Law) and Section 295.07 (Florida Statutes), which stipulate categorical preferences for employment.*

#### **In Addition:**

**School Board Policies 1362, 3362, 4362, and 5517** - Prohibit harassment and/or discrimination against students, employees, or applicants on the basis of sex, race, color, ethnic or national origin, religion, marital status, disability, genetic information, age, political beliefs, sexual orientation, gender, gender identification, social and family background, linguistic preference, pregnancy, citizenship status, and any other legally prohibited basis. Retaliation for engaging in a protected activity is also prohibited.

For additional information contact:

Office of Civil Rights Compliance (CRC)  
Executive Director/Title IX Coordinator  
155 N.E. 15th Street, Suite P104E  
Miami, Florida 33132  
Phone: (305) 995-1580 TDD: (305) 995-2400  
Email: [crc@dadeschools.net](mailto:crc@dadeschools.net) Website: <http://crc.dadeschools.net>

Rev: 08/2017



## **Miami-Dade County Public Schools**

*Internal Audit Report  
Audit of Draft Phase 2 Disparity  
Study Report  
Dated March 27, 2018*

**SEPTEMBER 2018**

**Office of Management and Compliance Audits  
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