
CIVIL RIGHTS TRAINING PACKAGE

Overview

This training package provides the required materials to support annual civil rights training and compliance for OCJP’s grant subrecipients. Subrecipients may supplement this material with additional training as needed; however, this represents the minimum training required.

What This Package Contains

- **Civil Rights Training**
Foundational information on civil rights laws and compliance expectations
 - **Civil Rights Quiz**
Knowledge check to reinforce key concepts
 - **Certification of Completion**
Documentation of training completion for compliance purposes
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How This Should Be Applied

- Review the full training content
 - Complete the quiz
 - Retain the certification as documentation of completion
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Additional Guidance

OCJP Civil Rights requirements and supporting materials can be found at:

<https://www.tn.gov/finance/office-of-criminal-justice-programs/ocjp/ocjp-grants-manual/civil-rights.html>

CIVIL RIGHTS TRAINING

TRAINING PURPOSE AND GOAL

The Tennessee Department of Finance and Administration Office of Criminal Justice Programs (OCJP) and its sub-recipients and contractors do not discriminate against in employment or services based on race, color, national origin, disability, sex, age, or religion. OCJP and its sub-recipients and contractors do not retaliate against anyone who takes action to oppose discrimination, files a discrimination grievance or complaint, or participates in the investigation of a discrimination grievance or complaint.

PURPOSE of training: The purpose of this mandatory annual civil rights training is to ensure that all OCJP subrecipients are aware that Title VI, Title IX, and other federal civil rights law apply to them and must be followed by their employees and contractors.

GOAL of training: The goal of this training is to provide OCJP subrecipients with information about the basic requirements of these civil rights laws so that their programs and services are provided in a manner that complies with federal civil rights laws.

IMPORTANT FACTS: Title VI requires OCJP subrecipients to provide regular civil rights training to their employees and to dedicate sufficient staff and resources to ensure that federal civil rights laws are followed in all of their programs and services-not only those programs that receive federal funding from OCJP. OCJP subrecipients' continued receipt of OCJP funding is contingent upon compliance with Title VI and other federal civil rights laws, and it is extremely important for all subrecipient staff to assist with compliance.

DEFINITIONS

The Department of Finance & Administration Office of Criminal Justice Programs (OCJP) is a primary recipient of Federal Financial Assistance and a State Administering Agency of federal funds. Compliance with Title VI, Title IX, and other applicable federal civil rights law is a condition of receiving and administering federal funds to its subrecipients. The following list defines important terms relevant to Title VI, IX, and Civil Rights compliance.

- A. **F & A Policy 36.** This is the policy prohibits civil rights violation and discrimination by F&A, its employees, and sub-recipients of F&A federal grant funding, including OCJP grant subrecipients, and provides the process for individuals to file an administrative complaint alleging a discriminatory civil rights violation by F&A or an F&A subrecipient program or service. [Policy 36 - Nondiscrimination Policy and Complaint Procedures](#)

- B. **Federal Financial Assistance (FFA)** includes federal awards or grant money; loans below fair market value or subsidies; and any federal agreement, arrangement, or other contract that has as one of its purposes the provision of assistance.
- C. **Primary Recipient.** A primary recipient includes state entities such as OCJP that are required or authorized to extend FFA to another recipient or subrecipient for the purpose of administering or carrying out a program.
- D. **Sub-recipient.** An entity that receives a subaward (grant) from a Primary Recipient/pass through entity to carry out part of a federal award. The term subrecipient does not include a beneficiary or participant. A subrecipient may also be a recipient of other Federal awards directly from a federal agency.
- E. **Contractor.** An entity that contracts with a recipient or subrecipient for the purpose of obtaining goods and services for the recipient's or subrecipient's use through a procurement relationship with a contractor.
- F. **Title VI** of the Civil Rights Act of 1964 is a federal law that prohibits discrimination in programs and activities receiving federal financial assistance and it states the following:
“No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”
Title VI applies to activities throughout F & A and its subrecipients, not just to actions involving the federally assisted program. If an agency receives any federal financial assistance for any program or activity, the entire agency is required to comply with Title VI, not just that particular program.
- G. **Title IX** of the Education Amendments of 1972 is a federal law that prohibits discrimination on the basis of sex by educational institutions and, provides that except for specifically named exceptions, “no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance...”
- H. **Other civil rights laws** that are applicable to federal funding administered by F&A are referenced in F & A Policy 36. Nondiscrimination and Civil Rights Complaint Procedures which may be found at the following link: [Policy 36 - Nondiscrimination Policy and Complaint Procedures](#)

- I. **F&A Civil Rights Coordinator** investigates formal written civil rights complaints against F & A or its grant subrecipients or refers complaints to appropriate state or federal agencies when appropriate.

Civil Rights Compliance Requirements.

F&A takes the following steps to comply with applicable civil rights law:

1. F&A has a Civil Rights Coordinator to oversee investigations of written civil rights complaints submitted against F & A and its grant subrecipient agencies.
2. F&A has a Civil Rights Nondiscrimination Policy (Policy 36) that applies to its grant subrecipients and is made available to the public via posting on its internet website pages.
3. F&A requires Title VI and other civil rights assurances from all grant subrecipients.
4. F&A requires Title VI and other civil rights compliance by all agency contractors. F&A must ensure that all contractors, subcontractors, and sub-recipients awarded F&A funded contracts and grants adhere to Title VI and all other applicable civil rights law and regulations.
5. F&A actively monitors grant subrecipients through pre-and post-contract and grant award compliance.

Different Laws Prohibit Different Types of Discrimination

Title VI of the Civil Rights Act of 1964 prohibits discrimination in race, color, and national origin (including limited English proficiency) in all federally funded programs or services.

Title VII of the Civil Rights Act of 1964 prohibits employment discrimination based on race, color, religion, sex (including pregnancy, sexual orientation, and gender identity), and national origin. It applies to employers with 15 or more employees,

Title IX prohibits sex-based discrimination in any education program or activity receiving federal funding.

Age Discrimination in Employment Act of 1967 (ADEA) applies to state government agencies and private employers with 20 or more employees and protects employees 40 years of age or older from age-based discrimination in hiring, promotion, discharge, or compensation.

The Americans with Disabilities Act (ADA) and the Rehabilitation Act of 1973 prohibits state and local governments and recipients of federal funding from discriminating against individuals with disabilities in employment and service provision.

Religious protection. In addition to the prohibition of religious discrimination in employment, federal Executive Orders and agency regulations applicable to F & A grants also prohibit discrimination in the delivery of services or benefits in federally assisted social service programs.

F&A and OCJP Grant conditions prevent OCJP's grant subrecipients from operating any programs (including any such programs having components relating to diversity, equity, and inclusion) that violate any applicable Federal civil rights or nondiscrimination laws. In addition to violating grant conditions, a subrecipient's **operation of any illegal DEI programs or initiatives can also constitute a violation of the federal False Claims Act.**

Other federal laws and regulations prohibit discrimination in specific grant programs. See F&A Policy 36 for additional discrimination protections that may be included in F&A federal grants.

What is Discrimination?

Three categories of discrimination include:

Disparate Treatment. Intentionally treating a person differently due to their race, color, religion, sex, national origin, age (40 or older), disability, or other protected status.

Disparate Impact. Discrimination that occurs as a result of a neutral policy that appears to be harmless on the surface but operates to negatively impact a particular group of persons on the basis of race, color, national origin, sex, religion, age (40 or older), disability or other protected status. (Note: A 2026 Executive Order has moved to reduce the use of disparate-impact liability in certain federal contexts, highlighting a possible shifting legal landscape.)

Retaliation as Discrimination. Employers and recipients of federal financial assistance can discriminate by punishing employees or individuals who report race, color, religion, sex, national origin, age (40 or older), disability, or other discrimination, participate in discrimination investigations as parties or witnesses, or oppose unlawful discriminatory practices. The punishment can take the form of threats, coercion, or other actions that deter reporting of discrimination.

Language and Communication Services.

A. Limited English Proficiency (LEP)

1. Providing language services to persons with limited English proficiency is a component of Title VI because treating people differently based upon English language ability can be a type of national origin discrimination.
2. A person who does not speak English as their primary language and who has a limited ability to read, speak, write, or understand English can be limited English proficient, or

- LEP. An LEP individual may be entitled to language assistance with respect to a particular type of service, benefit, or encounter with grant subrecipient staff.
3. OCJP sub-recipients will provide language assistance services such as qualified foreign language interpreters and information written in other languages at no cost to an LEP customer, by providing services through its contracted telephone interpretation or written translation services.
 4. Each OCJP grant subrecipient should regularly review its services and the demographic it serves in order to adopt a plan for providing services to LEP persons, allocate sufficient staff and resources to provision of LEP services when indicated, and educate its staff on the language service plan it has adopted.
 5. If an OCJP grant subrecipient fails to provide LEP language services when necessary to provide access to its programs, the persons affected may file a civil rights complaint with the F&A Civil Rights Coordinator as provided in F&A Policy 36.

B. Americans with Disabilities Act (ADA) Communications Aids and Services

1. OCJP grant subrecipients will provide free aids and services such as qualified sign language interpreters and written information in other formats (large print, audio, accessible electronic formats, etc.) to communicate effectively with persons with disabilities.
2. OCJP subrecipients will provide reasonable aids necessary to provide persons with physical disabilities with access to its programs, services, and activities.
3. Each OCJP grant subrecipient should develop a plan for providing ADA communications aids and services for their respective agency.
4. If an OCJP grant subrecipient fails to provide ADA communication aids and services necessary to provide access to its programs, the persons affected may file a civil rights complaint with the F&A Civil Rights Coordinator as provided in F&A Policy 36.

Examples of Potential Violations of Civil Rights Laws

Title VI Examples

1. A local government or non-profit organization that receives grant funding from OCJP refuses to provide services or benefits to a person or group of people based upon their race. This would be evidence of a violation of Title VI's prohibition against racial discrimination.
2. An individual calls a subrecipient to ask questions about eligibility for domestic violence or other services and is not proficient enough in the English language to ask complete questions or understand the answers. The staff fails to take steps to provide free language services to the individual and tells them to call back later

when they can have a friend on the phone who understands English. This would be evidence of a violation of Title VI's prohibition against national origin discrimination.

Examples of potential violations of other civil rights laws

Sex. A qualified male employee of a grant subrecipient applies for a promotion to an administrative support role that involves clerical and administrative projects, budgeting coordination, and scheduling. Based on the assumption that the tasks are more suited to women, the position is given to a less-qualified female candidate, thereby limiting the male applicant's opportunities for experience and advancement. Despite meeting all the stated qualifications, the male employee is not hired for the position because the female applicant was determined to be a better fit for the role.

This scenario is evidence of a violation of Title VII's prohibition of discrimination on the basis of sex because the more qualified candidate was not promoted.

Disability. An individual who is deaf or hard of hearing calls a subrecipient for information about a service and requests to meet with a sign language interpreter or proceed with a call with a telecommunications relay service (TRS) hearing service. The subrecipient staff refuses to permit an interpreter or telephonic hearing service to participate in the meeting or be on a call for "confidentiality reasons" and terminates the telephone call.

This is evidence of a violation of the ADA. The staff must take steps to provide the caller with a sign language interpreter or proceed with the telephone conversation through the TRS service. The interpreters are not considered to be third parties that violate confidentiality and the staff must handle a TRS call as though they are speaking directly with the caller.

Age. A governmental entity or private employer with 20 or more employees advertises a job posting for a management level position and states that a successful applicant must have a college degree and 5 -10 years of related work experience.

This posting is evidence of a violation of the ADEA because it includes a maximum number of years of experience that could preclude older persons from eligibility for the position. To avoid a potential violation, the posting should include the minimum number of years of experience and omit a maximum.

What do you do if you experience or learn of a civil rights violation?

1. If you experience or become aware of a violation of civil rights in employment or by a program or service provided by F&A or its grant subrecipients or contractors, you may file a formal written complaint with the F&A Civil Rights Coordinator, at FA.CivilRights@tn.gov. Policy 36 provides the civil rights complaint procedures and also

provides information about other entities who can receive and consider civil rights complaints against F&A and its grant subrecipients.

2. The complaint must be submitted **within 180 calendar days** of the alleged occurrence or when the complainant first became aware of the alleged discrimination.
3. If submitted to the F&A Civil Rights Coordinator, the complaint must either be submitted on the form that is included in Policy 36 or must be in writing and contain all the information that is requested on the Policy 36 form.
4. Upon receipt of a written complaint, the Coordinator will determine jurisdiction, acceptability, and the need for additional information to investigate the merits of the complaint.
5. Following the investigation, the Coordinator will draft a final report and recommendation and provide a copy to the complainant and the alleged wrongdoer.
6. Complaints filed with the F&A Civil Rights Coordinator are not confidential and witnesses including subrecipient employees/officials may be interviewed in the course of the investigation. Likewise, the investigation material is only confidential to the extent provided by the TN public records act or other applicable law.

CIVIL RIGHTS TRAINING QUIZ

1. All applicable F & A Title VI and civil rights responsibilities also apply to all OCJP grant subrecipients.

- A. True
- B. False

Answer is (A).

2. Title VI of the Civil Rights Act of 1964 states that no person in the United States shall be excluded from participation in any programs, be denied the benefits of or be subjected to discrimination based on what?

- A. Religion
- B. Disability
- C. Age
- D. Race, Color, or National Origin

Answer is (D).

3. Additional non-discrimination laws that OCJP grant subrecipients must comply with ensure that individuals are not discriminated against based on sex, disability, and age.

- A. True
- B. False

Answer is (A).

4. Which of the following best defines Title VI non-compliance?

- A. Assuring that Title VI compliance is met.
- B. Failure or refusal to comply with Title VI of the Civil Rights Act of 1964.
- C. Putting Title VI nondiscrimination language in contracts.
- D. None of the above.

Answer is (B).

5. Employees of OCJP grant subrecipients do not have to be trained or informed about Title VI and other applicable civil rights laws.

A. True

B. False

Answer is (B).

6. OCJP sub-recipient grant contracts do not contain non-discrimination language.

A. True

B. False

Answer is (B).

7. An OCJP grant subrecipient that implements illegal diversity, equity, and inclusion (DEI) programs can be found to have violated civil rights laws.

A. True

B. False

Answer is (A).

8. Who is a Limited English Proficient person?

A. A person who does not speak English as their primary language and has the limited ability to read, speak, write, or understand English.

B. A person from the United States that cannot read.

C. A person who does not speak English at all

D. A and C above

The answer is (D).

9. Each OCJP grant subrecipient should develop a plan to provide free language and communication services to LEP and disabled individuals so that it knows what to do if it receives a request for assistance.

A. True

B. False

The answer is (A).

10. OCJP subrecipients of federal funding are required to do the following:

A. Submit Title VI and civil rights assurances

B. Have a Title VI/civil rights coordinator

C. Inform customers and potential customers of Title VI and applicable civil rights laws

D. Make free language services available to LEP individuals when needed

E. All of the above

The answer is (E).

11. What are potential consequences to OCJP grant subrecipients that fail to comply with Title VI and applicable civil rights laws?

A. Federal government withholding of grant funds to OCJP until compliance is achieved.

B. Federal government cancelling or suspending OCJP grant contracts in whole or in part.

C. OCJP cancelling or suspending the subrecipient's grant contracts in whole or in part.

D. OCJP withholding of grant funds to the subrecipient until compliance is achieved.

E. . All of the above.

The answer is (E).

12. Each OCJP grant subrecipient is responsible for ensuring that its staff and programs comply with Title VI and other applicable civil rights laws.

A. True

B. False

The Answer is (A).

13. The F&A Civil Rights Coordinator investigates which of the following complaints:

- A. Anonymous complaints from grant subrecipient employees,
- B. Informal grievances from members of the public.
- C. Formal discrimination complaints filed against F&A or its federal grant subrecipients pursuant to F&A Policy No. 36.
- D.. All of the above.

The Answer is (C).

SAMPLE

CERTIFICATE OF COMPLETION

This certificate is presented to

for successfully completing the annual Civil Rights Quiz on: