

TENNESSEE COMMISSION ON CHILDREN AND YOUTH

**TITLE VI COMPLIANCE REPORT AND
IMPLEMENTATION PLAN**

FY 2017-2018



Submitted: September 28, 2018

Tennessee Commission on Children and Youth
Andrew Jackson Building – 9th Floor
502 Deaderick Street
Nashville, Tennessee 37243-0800
Phone: (615) 741-2633/ Fax: (615) 741-5956
www.tn.gov/tccy

„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 subject to discrimination under any program or activity receiving Federal financial assistance.” -Title VI of the Civil Rights Act of 1964, as codified in 42 U.S.C. §2000d

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SECTION ONE OVERVIEW

I. **Mission**

The Tennessee Commission on Children and Youth (TCCY) is an independent state agency created by the Tennessee General Assembly. The primary mission of the Commission is to advocate for improvements in the quality of life for Tennessee's children and families and, to provide leadership and support for child advocates.

The Commission shall serve as an informational resource and advocacy agency for the efficient planning and enhancement and coordination of state, regional and local policies, programs and services to promote and protect the health, well-being and development of all children and youth in Tennessee (T.C.A. 37-3-102).

We believe:

- Children are Tennessee's most precious resource, and they deserve a safe, healthy quality of life provided in the least restrictive, most appropriate living situation possible.
- Families and communities have the responsibility to sustain, nurture and protect their children.
- Government has an important role in creating and maintaining the public structures and public-private partnerships essential for improving the lives of children and families in Tennessee.
- Tennessee has a responsibility to promote positive change for children and their families, especially children in need of state services.
- Every child deserves due process, the proper administration of the law and equitable treatment under the law.
- Services for Tennessee children should be provided through a family-driven and youth-guided, community-based system of care that strives for continuous improvement.
- The Tennessee Commission on Children and Youth convenes public and private partners to collaborate in the promotion of improvements for Tennessee children and families.

The Tennessee Commission on Children and Youth provides data-driven advocacy and recommends best practices for public policies that improve outcomes for children and families.

II. **Structure**

TCCY has 31 full-time positions, 20 of which are located in the central office in Nashville. The other eight (10) are stationed across the state, by development district.

The TCCY Executive Director is responsible for the administration of the agency, including the selection of staff and other personnel decisions.

The current TCCY Organizational Chart is included in this plan (See page 5).

Appointed by the Governor for three-year staggered terms, the twenty-one Commission Members serve as the policy board for the agency, the maximum time any one member can serve is nine (9) consecutive years. Each development district should be represented by at least one Commission Member, and the Commissioners of state departments serving children, or their designees, are ex-officio members. The Commission also has youth advisory members to meet the requirements for serving as the State Advisory Group under the Federal Juvenile Justice and Delinquency Prevention Act.

A list of current Commission Members is on page 23 of this report.

III. **Operation**

The Commission Members meet quarterly over two days to address the business of the agency. The Commission members each have assigned individual committees that meet the first day and the next day they meet as a “committee of the whole.” Historically, there have been nine (9) standing committees to oversee the operations of the agency.

The Commission officers and committee chairs have served as the Executive Committee. The Governor appoints the chair for a three-year term. Other officers, vice-chair and secretary, are elected by the members of the Commission. The historical nine (9) TCCY standing committees are described below. Primary staff support is included in each committee description. The reason this information remains relevant is that the Chair can return at any

time to the previous committee structure and the historical model is one plan from which to deviate.

Executive Committee consists of the Commission Chairs and all Chairs of the sub-committees of the Commission along with the TCCY Executive Director and Division Directors. The committee summarizes the projected work of TCCY prior to the meeting of the full Commission.

The Budget and Data Committee is responsible for TCCY efforts to collect and disseminate information, including the *Advocate*, KIDS COUNT, The State of the Child Report, and commission budget requests, budget analysis. The Kids Count staff, Legislative staff, and the publications editor have historically been assigned to this committee.

The Councils Committee reviews activities related to the nine Regional Councils on Children and Youth and interdepartmental activities. Field Operations staff have historically been assigned to this committee.

The Children's Services Committee oversees the Ombudsman, Council on Children's Mental Health, Second Look Commission, as well as, the Youth Transitions Advisory Council activities. Staff from those programs have historically been assigned to this committee.

The Juvenile Justice and Minority Issues Committee is a committee that has multiple roles. It supervises the implementation of the Federal Juvenile Justice and Delinquency Prevention Act in Tennessee, the administration of Federal Formula, Juvenile Accountability Block Grants and grant funds for juvenile justice activities. State juvenile justice funding includes Court Appointed Special Advocates (CASA) and Reimbursement Account (state and federal dollars). This committee ensures adequate consideration of the needs of children of color in all TCCY efforts, with particular emphasis on the issue of minority overrepresentation in secure confinement. This committee also oversees all Title VI compliance efforts in relation to sub-recipients of grant funding. Historically, juvenile justice staff members have been assigned to this committee.

Grant Review Committee reviews all grants applications submitted to TCCY for federal grants and makes recommendations to the full Commission for approval or disapproval of grant amounts.

The Personnel Committee handles personnel matters and provides oversight on TCCY personnel issues. This committee is responsible for establishing performance standards for the executive director, as well as, reviewing of the executive director's performance.

Audit Committee is responsible for reviewing and oversight on all audit finding(s) related to TCCY agency operations. The committee also works with the TCCY Executive Director and Division Directors to ensure all audit findings and recommendation(s) are addressed.

Legislative Committee reviews all proposed legislation pertaining to Tennessee's children and families. Assisted by TCCY's Legislative staff, the committee identifies the most relevant bills and makes recommendation(s) to the Commission as to the benefits or consequences of those bills should they pass which would impact children, youth and/or families.

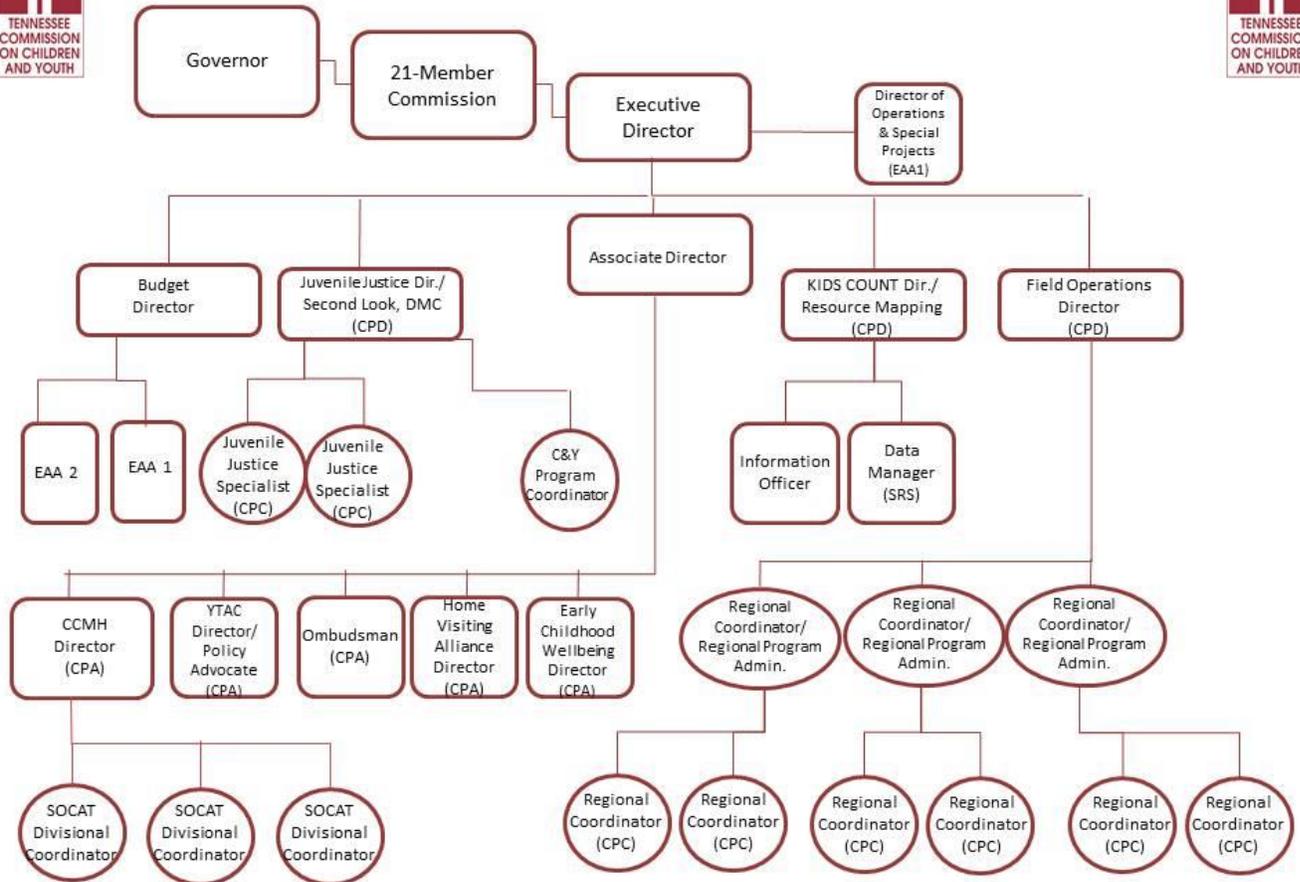
In addition to the areas of responsibility for each committee, the Commission is also heavily involved in legislative advocacy. This includes monitoring legislation and appropriate committees of the General Assembly and disseminating information through Legislative Reports and Legislative Updates. Legislative staff performs these duties.

Administrative support duties are performed by the support services staff, which is also responsible for administrative tasks such as purchasing, personnel actions, and property management.

IV. TCCY Organizational Chart



Tennessee Commission on Children and Youth FY 2018



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**SECTION TWO
RESPONSIBLE
OFFICIALS**

The persons listed below are the TCCY staff and/or Commission member(s) assigned responsibility of the Title VI compliance:

Richard Kennedy
Richard Kennedy, Executive Director
Tennessee Commission on Children and Youth
502 Deaderick Street, 9th Floor
Nashville, TN 37243

09/28/2018
Date

Natasha M. Smith
Natasha M. Smith
Director of Operations & Special Projects
Tennessee Commission on Children and Youth
502 Deaderick Street, 9th Floor
Nashville, TN 37243

9/28/2018
Date

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SECTION THREE DEFINITIONS

Assurance: A written statement or contractual agreement signed by the agency head in which a recipient agrees to administer federally assisted programs in accordance with civil rights laws and regulations.

Beneficiaries: Those persons to whom assistance, services, or benefits are ultimately provided.

Civil Rights Compliance Reviews: Regular, systematic inspections of agency programs conducted by Central Office TCCY Staff and other staff involved with the approved agency program monitoring requirements to determine regulatory compliance with civil rights laws and regulations is done at least once per year. These reviews help to measure the effectiveness of agency civil rights programs. They identify problems such as denial of full benefits, barriers to participation, different treatment, lack of selection to advisory boards and planning committees, lack of information, and denial of the right to file a civil rights complaint.

Compliance: The fulfillment of the requirements of Title VI, other applicable laws, implementing regulations and instructions to the extent that no distinctions are made in the delivery of services or benefits based on race, color, or national origin.

Complaints: A verbal or written allegation of discrimination which indicates that any federally assisted program is operated in such a manner that it results in disparity of treatment to persons or groups of persons because of race, color, or national origin.

Discrimination: To make any distinction between one person or group of persons and others, either intentionally, by neglect, or by the effect of actions or lack of actions based on race, color, or national origin.

Federal Assistance: Any funding, property, or aid provided for the purpose of assisting a beneficiary. Federal financial assistance may be in the form of property, technical assistance, grants, or partnerships and does not refer solely to the distribution of funds.

Minority: A person or groups of persons differing from others in some characteristics and often subjected to differential treatment on the basis of race, color, or national origin.

Noncompliance: Failure or refusal to comply with Title VI of the Civil Rights Act of 1964, other applicable civil rights laws, and/or failure or refusal to implement departmental regulations.

Parity: The proportion of minority participation to the minority eligible population of a service delivery point is the same as the proportion of non-minority participation to the non-minority eligible population of the same delivery point.

Public Notification: Process of publicizing information on the availability of programs, services, benefits, the right to file a Title VI complaint, and TCCY statements of nondiscrimination. Notification is attained primarily through the use of newsletters, brochures, pamphlets, community organizations, TCCY Commission meetings and Council meetings, the release of requests for grant proposals, and grant-writing training.

Service Delivery Area: The area served by a service delivery point in the administration of federally assisted programs.

Service Delivery Point: The place in which federally assisted program services or benefits are administered to the public.

Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d-4: Federal law prohibiting discrimination based on race, color, or national origin. It covers all forms of federal aid except contracts of insurance and guaranty. It does not cover employment, except where employment practices result in discrimination against program beneficiaries or where the purpose of the federal assistance is to provide employment.

SECTION FOUR NON-DISCRIMINATION POLICY

TCCY's Nondiscrimination Policy Statement

Purpose: The purpose of Title VI in the Civil Rights Act of 1964 is to prohibit programs that receive federal funds from discriminating against participants or clients on the basis of race, color, or national origin. The intent of the law is to ensure that all persons, regardless of their race, color, or national origin, is allowed the equal opportunity to participate in these federally funded programs. In addition, TCCY complies with the following federal laws:

The Omnibus Crime Control and Safe Streets Act of 1968, which prohibits discrimination on the basis of race, color, national origin, religion, or sex in the delivery of services and employment practices (42U.S.C. 3789d(c)(1)), and the DOJ implementing regulations at 28 C.F.R. Part 42, Subpart D;

- Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination on the basis of a disability in the delivery of services and employment practices (29 U.S.C. 794), and the DOJ implementing regulations at 28 C.F.R. Part 42, Subpart G;
- Title II of the Americans with Disabilities Act of 1990, which prohibits discrimination on the basis of disability in the delivery of services and employment practices (42 U.S.C. 12132), and the DOJ implementing regulations at 28 C.F.R. Part 35;
- Title IX of the Education Amendments of 1972, which prohibit discrimination on the basis of sex in educational programs (20 U.S.C. 1681), and the DOJ implementing regulations at 28 C.F.R. Part 54; and
- The Age Discrimination Act of 1975, which prohibits discrimination on the basis of age in the delivery of services (42 U.S.C. 6102), and the DOJ implementing regulations at 28 C.F.R. Part 43, Subpart 1.
- The DOJ regulations on the Equal Treatment for Faith-Based Organizations, which prohibit discrimination on the basis of religion in the delivery of services and prohibit organizations from using DOJ funding on inherently religious activities (28 C.F.R. Part 38).
- TCCY and its sub-recipients or contractors will provide to THRC upon request during normal business hours either electronic and/or hard copy Title VI Program-related documents.

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SECTION FIVE CIVIL RIGHTS OFFICE

The overall responsibility for complying with the provisions of Title VI is vested in the TCCY Executive Director, who is accountable for the administration of TCCY and its organizational subdivisions, field offices, and contracting agencies and governmental units.

When appointed, the Chair of the Juvenile Justice and Minority Issues Committee shall oversee Title VI compliance efforts, in conjunction with the TCCY Title VI Coordinator, and the Title VI Work Group. The responsibility for coordinating Title VI within TCCY is assigned to and divided among the supervisory staff of TCCY. The Juvenile Justice and Minority Issues Committee, or full Commission shall conduct an annual review of compliance efforts prepared by TCCY staff to ensure that the following have occurred:

- Commission staff has received appropriate and adequate training on Title VI to function fully in their responsibilities associated with Title VI compliance and implementation.
- Commission staff and members have received all materials such as procedural manuals, posters, and pamphlets required for administering and complying with the Title VI program.
- Appropriate TCCY staff has on file copies of compliance reports from grantees indicating the status of their Title VI compliance.
- An overview of Title VI requirements has been incorporated into new staff and new Commission member orientation, and information about Title VI is included in the agency “Employee Policies and Procedures Manual”.

The TCCY Title VI Coordinator is responsible for maintaining all Title VI records and documentation within the Agency. The Juvenile Justice Director shall maintain a database used to conduct statistical analyses concerning Title VI compliance. The Title VI Coordinator shall work with program monitoring staff to ensure an adequate number of Title VI training sessions are conducted statewide in conjunction with TCCY Commission and Council meetings and other appropriate events.

The Title VI Coordinator for TCCY is:

Ms. Natasha Smith
Director of Operations and Special Projects
Andrew Jackson Building – 9th Floor
502 Deaderick Street
Nashville, TN 37243-0800
(615) 532-1592
natasha.m.smith@tn.gov

The relationship between TCCY and Sub-recipients consists of TCCY granting funds to said Sub-recipients, explaining compliance requirements, supplying compliance materials (e.g. self-surveys, posters, and brochures), and monitoring programs implemented by Sub-recipients.

SECTION SIX DISCRIMINATORY PRACTICES

Prohibited practices include the following:

- Denying any individual, on the race, color or national origin any services, opportunity, or other benefit for which this individual is otherwise qualified (e.g. denying minority children the right to participate in a mentoring program which receives TCCY funding would be a prohibited practice);
- Providing any individual, on the race, color or national origin with any quality service, or other benefit, that is different or is provided in a different manner from that which is provided to others under the program;
- Subjecting any individual, on the race, color or national origin to segregated or separate treatment in any manner related to that individual's receipt of that service;
- Restricting any individual, on the race, color or national origin in any way in the enjoyment of services, facilities, or any other advantage, privilege, or other benefit provided to others in the program;
- Adopting methods of administration that would limit participation by any group of recipients or subject them to discrimination (e.g. if a TCCY-funded teen pregnancy prevention program targeting a high minority teen pregnancy rate chooses to locate in an area of the city where few minorities reside, or where it is not easily accessible to minorities, that program may be found to be in noncompliance with Title VI requirements); or
- Addressing an individual in a manner that denotes inferiority based on race, color or national origin.

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SECTION SEVEN FEDERAL PROGRAMS OR ACTIVITIES

TCCY administers the Federal Juvenile Justice and Delinquency Prevention Act (JJDPA) monies from the Office of Juvenile Justice and Delinquency Prevention (OJJDP), which is under Department of Justice (DOJ) – Office of Justice Programs. Each year the state receives funding through the Act and other federal funds. The Commission awards grants to agencies and organizations for delinquency prevention, intervention and accountability to ensure youth who commit offenses receive appropriate placements and services as well as making sure juveniles are held accountable for criminal offenses. TCCY was awarded the Federal Formula Grant (FFG), a three-year award as follows: \$769,648 awarded 9/16/16 and \$649,942 awarded 9/20/17. Juvenile Justice in fiscal year 2017-18 was awarded \$649,942. To date, \$449,893 out of the \$649,942 has been distributed. Juvenile Accountability Block Grant (JABG) was a continuation award so we did not receive a new award during FY 17-18. TCCY has a Memorandum of Understanding (MOU) with Tennessee Department of Mental Health Substance Abuse Services (TDMHSAS) and Department of Health (DOH) to cover positions for the Directors of Council on Children’s Mental Health (CCMH), System of Care Across Tennessee (SOCAT) and Home Visiting Leadership Alliance (HVLA). That information is captured in those agencies implementation plans. TCCY does not directly deal with the public to dispense funds. The Court Appointed Special Advocates (CASA) grants are provided through monies designated by the Tennessee General Assembly and are non-competitive. Each county having an established CASA program receives \$20,000.

Generally, FFG projects are funded on a year-to-year basis, and usually for a maximum of three years. Usually a declining share basis is used for Federal Formula grants, with one hundred percent of an approved budget funded the first year, seventy-five percent of the first year’s budget amount funded in the second year, and fifty percent of the first year’s budget amount funded in the third year. On pages 18-20 of this report, the table outlines how the federal funds were allocated by TCCY in FY 2017-2018. The other federal grant awards usually receive level funding (if available) for up to three years.

The Commission also administers state funds for the improvement of juvenile court services. Reimbursement Account funds are provided to counties that do not have juvenile detention centers. These funds are used for alternative services for juveniles instead of placing them in adult secure facilities. Reimbursement funds are federal dollars from the Federal Formula Grant. Counties can receive from \$300 to \$11,000 depending on the historical use of the funds.

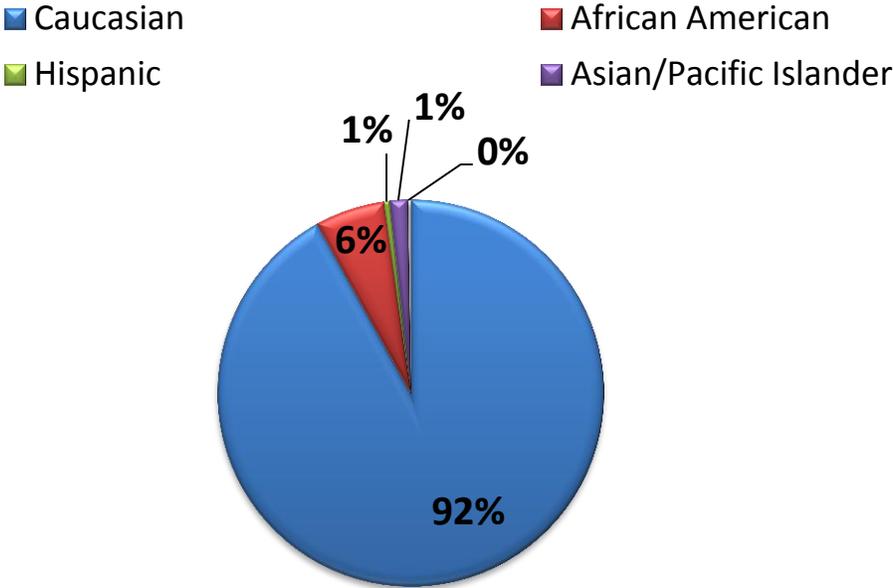
SECTION EIGHT DATA COLLECTION AND ANALYSIS

Funded Programs – Agency Participation /Beneficiary Data

TCCY does not have any direct beneficiaries; however, each grantee shall complete the Title VI Self-Survey annually, or as otherwise required, and mail or send it electronically to the TCCY Central Office in Nashville at the end of the grant cycle. During on-site monitoring visits and program monitoring visits, Central Office TCCY Monitors and other monitoring staff shall have conversation with grantees to ensure they are familiar with the Title VI requirements and familiarity with the information they will have to submit at the end of the grant cycle. Additionally, if a Title VI Self-Survey contains any missing information, the Central Office TCCY Juvenile Justice staff shall make efforts to secure such missing data. TCCY staff also conducts on-site visits for each program one time per year to determine if programs are meeting specific goals and objectives stated in their application and contract. Staff will verify compliance with Title VI guidelines. The Title VI Self-Surveys will be analyzed by the TCCY Juvenile Justice Director and/or juvenile justice staff and kept on file.

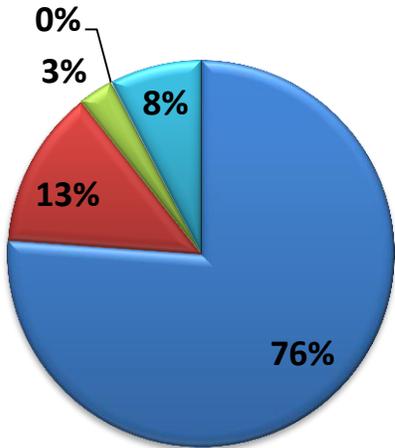
The data collected from the surveys reveals the following:

Racial Composition of Board for CASA Grantees



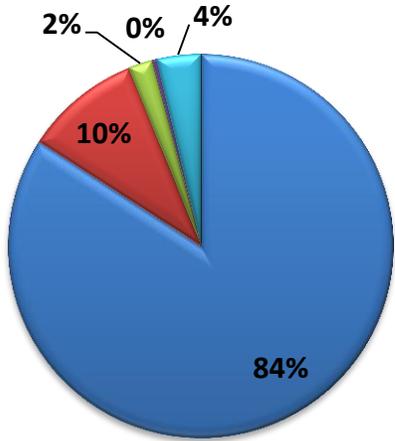
Racial Composition of CASA Clients Served

- Caucasian
- African American
- Hispanic
- Asian/Pacific Islander
- American Indian/Other



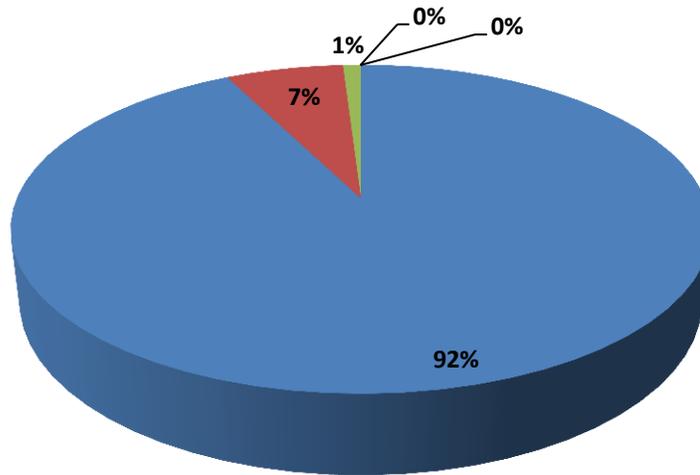
Racial Composition of CASA Staff/Volunteers

- Caucasian
- African American
- Hispanic
- Asian/Pacific Islander
- American Indian/Other



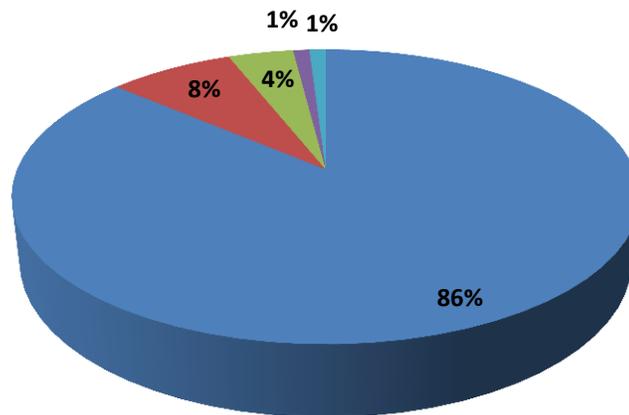
Racial Composition of Board Members for FFG, JABG & Reimbursement Subrecipients

■ Caucasian ■ African American ■ Hispanic
■ Asian/Pacific Islander ■ American Indian/Other



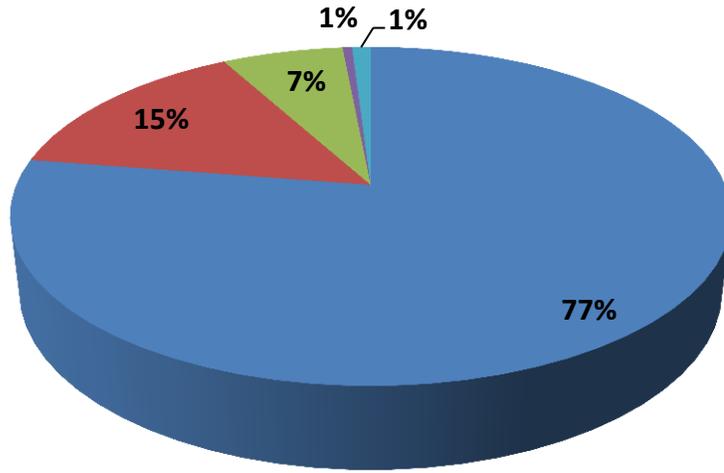
Racial Composition of Those Served for FFG, JABG & Reimbursement Subrecipients

■ Caucasian ■ African American ■ Hispanic
■ Asian/Pacific Islander ■ American Indian/Other



Racial Composition of Staff/Volunteers for FFG, JABG & Reimbursement Subrecipients

■ Caucasian ■ African American ■ Hispanic
■ Asian/Pacific Islander ■ American Indian/Other



Commission Members/Agency Staff

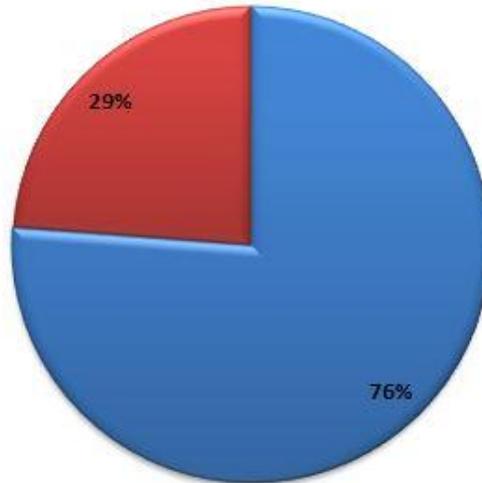
Members of the Tennessee Commission on Children and Youth are appointed to three-year staggered terms by the Governor of Tennessee. Historically, within TCCY, several committees have been developed which focus on issue-specific concerns.

TCCY MEMBERS' RACIAL COMPOSITION

Race	Total	% (of Total # of Members)
African American	5	24%
Asian	0	0%
Caucasian	16	76%
Hispanic	0	0%
Native American	0	0%
Pacific Islander	0	0%
Other	0	0%
Grand Totals	21	100%

TCCY COMMISSION RACIAL COMPOSITION

■ Caucasian ■ African American



Historically, the Commission has standing committees. In reference to recipients of TCCY funding, whenever a planning or advisory body, such as a board or committee, is an integral part of the recipients' programs, that facility or agency should take such steps as are necessary to ensure that minorities are notified of the existence of such bodies and are provided equal opportunity to participate as members.

Where members of the board or committee are appointed by the contracting facility or agency and where minorities, as defined by Title VI, comprise as much as five percent (5%) of the service delivery area or the surrounding community, the facility or agency must appoint a minority representative to serve on the board.

TCCY has a full-time staff person, Craig Hargrow who spends a portion of his time, coordinating the Agency's work on minority overrepresentation in the juvenile justice system in Tennessee.

The Commission Members for FY 2017 - 2018 can be found below and included on the required electronic excel spreadsheet.

Firstname	Lastname	Office	City	State	Zipcode	Term Exp.	Gender	Race
Phil	Acord		Chattanooga	TN	37411	2019	Male	Caucasian
Brenda	Davis	Chair	Franklin	TN	37064	2018	Female	Caucasian
Hailey	Brooks		Nashville	TN	37212	2020	Female	Caucasian
Kelly	Drummond		Knoxville	TN	37921	2020	Female	African American
Ashley	Dunkin		Lawrenceburg	TN	38464	2020	Female	Caucasian
Sharon	Green		Johnson City	TN	37605	2019	Female	Caucasian
Genesis L.	Hardin	YM	Maryville	TN	37804	2019	Female	African American
Jennie	Harlan	Secretary	Columbia	TN	38401	2018	Female	Caucasian
Lisa	Hill		Memphis	TN	38103	2018	Female	African American
Gary	Houston		Union City	TN	38261	2018	Male	Caucasian
Amy	Jones		Jackson	TN	38305	2020	Female	Caucasian
Petrina L.	Jones-Jesz		Cane Ridge	TN	37013	2018	Female	African American
Rob	Mortensen	Vice Chair	Nashville	TN	37215	2020	Male	Caucasian
Steven	Neely		Franklin	TN	37069	2019	Male	Caucasian
Annemarie	Rainwater		Shelbyville	TN	37160	2019	Female	Caucasian
Wendy	Shea		Memphis	TN	38117	2020	Female	Caucasian
Christy	Sigler		LaVergne	TN	37086-1407	2020	Female	Caucasian
Allan	Sterbinsky		Stanton	TN	38069	2019	Male	Caucasian
Dr. Altha J.	Stewart		Memphis	TN	38103-4495	2019	Female	African American
Destiny	Sweeney	YM	Hixson	TN	37343	2018	Female	Caucasian
Glenda	Terry		Cookeville	TN	38501-2071	2019	Female	Caucasian

TCCY staff for FY 2017 – 2018 can be found below and included on the required electronic excel spreadsheet.

Firstname	Lastname	Title	Gender	Race
Dana	Cobb	Regional Program Administrator	Female	Caucasian
Lindsey	Cody	Regional Program Administrator	Male	Caucasian
Susan	Cope	Regional Coordinator	Female	Caucasian
Sujit	Das	Data Manager (SRS)	Male	Asian
Fay	Delk	Information Officer	Female	Caucasian
Jennifer	Drake-Croft	Director of Early Childhood Well-being	Female	Caucasian
Laritha	Fentress	SOCAT Divisional Coordinator (Davidson)	Female	African American
Craig	Hargrow	Juvenile Justice Dir./Second Look, DMC (CPD)	Male	African American
Rodger	Jowers	Regional Coordinator	Male	Caucasian
Sumita	Keller	Home Visiting Director	Female	Asian
Richard	Kennedy	Associate Director	Male	Caucasian
William	Latimer	Information Systems Director	Male	Caucasian
Rosalyn	Leavell-Rice	Regional Program Administrator	Female	African American
Melissa	McGee	CCMH Director (CPD)	Female	Caucasian
Latasha	Mitchell	Grants Monitoring	Female	Multiracial
Jerri	Moore	SOCAT Divisional Coordinator (Madison)	Female	Caucasian
Jill	Murphy	SOCAT Divisional Coordinator (Knox)	Female	Caucasian
Rose	Naccarato	KIDS Count Dir./Resource mapping (CPD)	Female	Caucasian
Shaun	Noblit	Regional Coordinator	Male	Caucasian
Linda	O'Neal	Executive Director	Female	Caucasian
Kristi	Paling	Regional Coordinator	Female	Caucasian
Gerald	Papica	Ombudsman (CPA)	Male	Asian (Pacific Islander)
Steve	Petty	YTAC Dir./Policy Advocate (CPD)	Male	Caucasian
John	Rust	Director of Field Operations	Male	Caucasian
Russette	Sloan	ASA2	Female	Caucasian
Natasha	Smith	Director of Operations & Special Projects	Female	African American
Sherry	Snorton	Budget Director	Female	African American
Jill Grayson	Stott	Regional Coordinator	Female	Caucasian
Vicki	Taylor	Juvenile Justice Specialist	Female	African American
Zanira	Whitfield	Juvenile Justice Specialist	Female	African American
Gwendolyn	Wright	Regional Coordinator	Female	African American

SECTION NINE LIMITED ENGLISH PROFICIENCY (LEP)

Purpose: To set forth examples of prohibited discriminatory practices specific to the agency. For the staff's knowledge as well as to increase public awareness.

Tennessee Commission on Children and Youth (TCCY) does not utilize translator or interpreter services due to the fact that we do not provide direct services to community participants. We do not work with children or families directly. However, TCCY will take reasonable steps to ensure that persons with Limited English Proficiency (LEP) have meaningful access and an equal opportunity to participate in our services, activities, programs and other benefits. This will be accomplished by the following:

- Making available the Title VI training video to any grantee or Tennessee citizen, who may request it;
- Having on-going trainings for TCCY staff and Commission Members annually and training the awarded grantees yearly;
- Using language cards (e.g., "I Speak" card);
- When possible, having bi-lingual staff; and
- Using the state contracted language service, AVAZA for LEP issues, providing an on-line LEP video, having TCCY brochure information available in at least Spanish and another selected popular language, as the budget allows.

The policy of the Tennessee Commission on Children and Youth (TCCY) is to ensure meaningful communication with persons that experience LEP and their authorized representatives. This policy also provides for communication of information contained in vital documents, including but not limited to, waivers of rights, consent forms, grantee contracts, federal and state assurances, letters from the juvenile court judge, court administrator, or lead YSO, educational degrees and certificates. TCCY requires all sub-grantees to provide cultural competent services to participants and LEP services to program participants. TCCY does require the following of funded agencies: All Sub-recipients to comply with their obligations under other applicable federal civil rights laws, such as informing Sub-recipients about (a) the prohibition of discrimination not only under Title VI, but also under the Safe Streets Act, the JJDP, the Americans with Disabilities Act, the Rehabilitation Act of 1973,

and the Age Discrimination Act of 1975, (b) the EEO requirements, (c) providing meaningful access to programs and activities for LEP individuals, and (d) having procedures in place to receive and evaluate complaints from employees and beneficiaries alleging discrimination not only under Title VI, but also under the Safe Streets Act, the JJDPA, the Americans with Disabilities Act, the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975; 3) Organizations and agencies that TCCY collaborates with are all English speaking.

PROCEDURES:

A. IDENTIFYING LEP PERSONS AND THEIR LANGUAGE:

If TCCY staff encounters a person(s) with LEP needs in the course of performing their duties, they are instructed to do the following: 1) See if staff can determine what language the LEP person is speaking; 2) Use language cards or posters, if identity of LEP language remain unknown; 3) Call the state contracted language service, AVAZA or Linguistica for assistance, if further assistance.

In addition, when records are kept of past interactions with individuals or their family members, the language used to communicate with the LEP person will be included as part of the record.

B. OBTAINING A QUALIFIED INTERPRETER:

TCCY's Title VI Coordinator, Natasha M. Smith 615-532-1592 is responsible for:

- (1) Maintaining an accurate and current list showing the name, language, phone number and hours of availability of bilingual staff. The current staff members with bilingual skills are:
 - (a) Gerald Papica, Filipino and Tagalog, 615-532-1572; and he is available during office hours of 7:00 a.m. to 3:30 p.m. CST.
 - (b) Sujit Das, Bengali and Hindi, 615-532-1590; and he is available during office hours of 7:30 a.m. to 4:00 p.m. CST.
 - (c) Rosalyn Leavell-Rice, German, 423-634-6210 and she is available during office hours of 8:00 a.m. and 4:30 p.m. EST.
- (2) Contacting the appropriate bilingual staff member to interpret, in the event that an interpreter is needed, if an employee who speaks the needed language is available and is qualified to interpret; and
- (3) Obtaining an outside interpreter if a bilingual staff or staff interpreter is not available or does not speak the needed language.

AVAZA Language Services Corp. has agreed to provide qualified interpreter services. Their telephone number is 1-615-534-3405 and the hours of availability are twenty-four (24) a day, seven days per week, year round. Linguistica International, Inc. has also agreed to provide qualified and sustainable language services. Their telephone number is 1-866-908-5744 with the same hours as AVAZA.

Some LEP persons may prefer or request to use a family member or friend as an interpreter. However, family members or friends of the LEP person will not be used as interpreters unless specifically requested by that individual and after the LEP person has understood that an offer of an interpreter at no charge to the person has been made by the department or agency. Such an offer and the response will be documented in the person's file. If the LEP person chooses to use a family member or friend as an interpreter, issues of competency of interpretation, confidentiality, privacy, and conflict of interest will be considered. If the family member or friend is not competent or appropriate for any of these reasons, competent interpreter services will be provided to the LEP person.

Children (e.g. persons under the age of 18) will not be used to interpret, in order to ensure confidentiality of information and accurate communication.

C. PROVIDING WRITTEN TRANSLATIONS:

- (1) Translation is the replacement of a written text from one language (source language) into an equivalent written text in another (target language). TCCY will use to the extent of our obligation to provide written translations of documents should be determined by TCCY on a case-by-case basis, looking at the totality of the circumstances in light of the four-factor analysis. Because translation is a one-time expense, consideration should be given to whether the upfront cost of translating a document (as opposed to oral interpretation) should be amortized over the likely lifespan of the document when applying the four factor analysis.
- (2) When translation of vital documents is needed, each division or unit in TCCY will submit documents for translation into frequently encountered languages to Natasha Smith, TCCY's Title VI Coordinator. Original documents being submitted for translation will be in final, approved form.
- (3) TCCY will set benchmarks for translation of vital documents into additional languages over time, as the budget allows.

D. MONITORING LANGUAGE NEEDS AND IMPLEMENTATION:

On an ongoing basis, TCCY will assess changes in demographics, types of services or other needs that may require reevaluation of this policy and its procedures. In addition, TCCY will regularly assess the efficacy of these procedures, including but not limited to mechanisms for securing interpreter services, equipment used for the delivery of language assistance, complaints filed by LEP persons, and feedback from the public and community organizations.

To date, TCCY has not had any LEP encounters.

SECTION TEN COMPLAINT PROCEDURES

Discrimination Complaints

A complaint alleging discrimination against a facility, contracting agency, or governmental unit providing services that TCCY funds may be filed by a client with contracting agency staff, Central Office TCCY Monitors or Commission Members, or with the U.S. Department of Justice. Complaints of discrimination must be filed with the Commission within 180 days of the alleged discriminatory act.

Sub-recipients must comply with any applicable federal non-discrimination requirements, which may include the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3789d); the Victims of Crime Act (42 U.S.C. 10604(e)); the Juvenile Justice and Delinquency Prevention Act of 2002 (42 U.S.C. 5672(b)); the Civil Rights Act of 1964 (42 U.S.C. 2000(d)); the Rehabilitation Act of 1973 (29 U.S.C.794); The Americans with Disabilities Act of 1990 (42 U.S.C. 12131-34); the Education Amendments of 1972 (20 U.S.C. 1681, 1683, 1685 – 86); the Age Discrimination Act of 1975 (42 U.S.C. 6101-07); 28 C.F.R. pt. 42 (U.S. Department of Justice Regulations – Non- discrimination; Equal Employment Opportunity; Policies and Procedures); Ex. Order 13279 (equal protection of the law for faith based and community organizations); and 28 C.F.R. pt. 38 (U.S. Department of Justice Regulations – Equal treatment for Faith Based Organizations).

In the event a federal or state court or federal or state administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, or national origin against a recipient of funds, the sub-recipient will forward a copy of the finding to the U.S. Department of Justice, Office of Justice Programs, Office of Civil rights (OCR), and the Tennessee Commission on Children and Youth (TCCY) and the Tennessee Human Rights Commission.

The sub-recipient will determine whether it is required to formulate an Equal Opportunity Program (EEO), in accordance with 28 CFR 42.301 et. seq. If the applicant is not required to formulate an EEO, it will submit a certification form to the U.S. Department of Justice, Office of Justice Programs, Office of Civil Rights (OCR) and to TCCY indicating that it is not required to develop an EEO. If the applicant is required to develop an EEO for OCR, the applicant will submit a certification form to OCR and to TCCY certifying that it has an EEO on file which meets the applicable requirements. If the applicant is awarded a grant of \$500,000

or more and has more than fifty employees, it will submit a copy of its EEOP to the OCR and to TCCY. Non-profit organizations, Indian Tribes, and medical and education institutions are exempt from the EEOP requirement, but are required to submit a certification form to the OCR to claim exemption. A copy of the certification form should be also be submitted to TCCY. Information about civil rights obligations of the grantees can be found at www.ojp.usdoj.gov/ocr/.

In accordance with the federal civil rights laws, the sub-recipient shall not retaliate against individuals for taking action or participating in action to secure rights protected by these laws.

Complaints must be filed in writing, preferably on the TCCY Complaint form CY-0092. The complaint can be filed at the local, state or federal level. This complaint form can be filled out by the complainant, by his or her representative, or by appropriate TCCY staff or Commission Members. The form can be sent to:

Tennessee Commission on Children and Youth
Andrew Jackson Building – 9th Floor
502 Deaderick Street
Nashville, Tennessee 37243-0800
(FAX) 615-741-5956

OR

U.S. Department of Justice
Office of Justice Programs
Office for Civil Rights
810 7th Street, N.W.
Washington, DC 20531

OR

Tennessee Human Rights Commission
312 Rosa L. Parks Ave, 23rd Floor
Nashville, TN 37243

If the complainant is unwilling to complete the form, he or she may write, or have written, a letter stating the circumstances of the complaint. If the complaint is not filed on form CY-0092, then TCCY designated staff will fill out this form and attach it to the complainant's letter. Complaints initially received by contracting agency employees must be filed immediately within ten (10) days with TCCY.

The Coordinator must notify the Executive Director and Juvenile Justice Director immediately whenever a complaint is filed (within five (5) days of receipt of complaint). Complaints can be filed at the local, state or federal levels; however, TCCY recommends that the complaint be first filed at the local level. Experience shows that complaints have a good probability of being resolved at the level where they arose. If the complainant files the complaint at the local level, he/she should include documentation of the results at that level when sending the complaint on to the state or federal level.

TCCY will maintain information regarding the complaints. A copy of the complaint must also be kept with the grantee or contractor files. The Title VI Work Group has the primary responsibility of reviewing the complaints and reporting findings to the full Commission, and the appropriate state agency responsible for oversight of Title VI in Tennessee. TCCY designated staff must investigate the complaint and report findings to the TCCY Executive Director and Juvenile Justice Director.

In accordance with federal regulations, generally a federal complaint with the Department of Justice must be filed no later than 180 calendar days after the alleged discrimination occurred. However, to allow a complainant time to file sequentially within the Commission and externally to the U.S. Department of Justice if he or she chooses, the complaint should be filed at the local level no later than 30 calendar days after the alleged discrimination occurred. If it is filed beyond the 30 calendar day period, TCCY and the facility, agency, or governmental unit are encouraged to investigate and process the complaint if the filing is prompt enough to allow proceedings to be concluded and leave sufficient time for the complainant to file externally at the federal level.

If a complaint is filed both internally with the Commission and externally with the U.S. Department of Justice during the same time, the external complaint supersedes the internal complaint filing. Accordingly, the internal complaint procedures will be suspended pending outcome of the federal complaint.

When a complaint is received at the local level, the TCCY designated staff will conduct and complete a fact-finding investigation within 30 calendar days of receipt of the complaint and report the findings to the highest-ranking official of the contracting agency or governmental unit and the TCCY Executive Director and Juvenile Justice Director. Within ten (10) business days after this report, the written findings will be given to the complainant. Complainant's rights to appeal, including instructions for filing an external complaint, will also be provided at this time. If the report includes a finding of noncompliance, the report should include

recommendations for remedial action by the Grantee. The Grantee must submit a remedial action plan, which includes steps to correct the problem and procedures to avoid future discriminatory issues within thirty (30) days. If the Grantee does not comply with this policy, then TCCY will notify the Grantee that funds will be suspended until compliance is met.

If a complainant chooses to appeal a finding or the proposed remedial action by the Commission, he or she should do so within the next 30 calendar days following receipt of the findings. If the appeal is filed beyond the 30-calendar day limit, the Commission may still continue if the proceedings can be concluded and leave sufficient time for the complainant to file externally. An appeal made by a complainant regarding a finding may be filed with the Central Office TCCY Monitor, TCCY's Central Office in Nashville, or with a Commission Member. This appeal opportunity constitutes the second and final level in TCCY's internal complaint system.

When a finding is appealed, a copy of the complaint, the findings, the proposed remedial action, and the request for appeal must be forwarded to the Executive Director of TCCY, the Chair of the Juvenile Justice and Minority Issues Committee, the Juvenile Justice Director and the TCCY Title VI Coordinator. When an appeal is filed, the Chair of the Juvenile Justice and Minority Issues Committee or the TCCY Chair, in cooperation with the Title VI Workgroup has broad latitude to review an appealed case and make a finding. The Title VI Workgroup should review previous findings and conduct a complete fact-finding within 30 calendar days after receipt of such complaint or appeal. Procedures can include, but are not limited to, discussing the complaint with the complainant, the alleged offender, and the initial reviewer to determine the facts. Any findings shall be reported to the full Commission for action. When an appeal is concluded by the full Commission, the complainant will first be notified in writing of the findings and then a copy of the findings will be sent to the contractor or grantee. If the grantee does not comply with the decision of the Commission after the appeal is concluded, the funds will be suspended until compliance is achieved.

If after appealing to the Commission, a complainant remains unsatisfied with the findings or the proposed remedial action, then he or she may file externally, with the U.S. Department of Justice within the stated time limit of 180 calendar days. The external appeal shall be explained to the complainant when notified of the findings of the appeal. However, a complainant does not have to wait for a finding from the Commission to file a complaint with the U.S. Department of Justice as previously stated. The complainant may file a complaint with the U.S. Department of Justice at any time within the required statutory time limits.

At all times, a complainant may file a complaint with the Tennessee Human Rights Commission.

TCCY had zero (0) complaints and/or lawsuits in FY 2017-2018.

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**SECTION ELEVEN
TITLE VI TRAINING**

Title VI Training for TCCY Staff /Commission Members

Title VI Training for TCCY Staff and Commission Members consists of a PowerPoint presentation and/or video annually at the Commission meeting. We conducted training on Friday, October 27, 2017. In 2017, TCCY had 29 staff members and 100 percent completed the required training. Two more staff members transferred to TCCY from other state agencies in December 2017 and January 2018. They completed the required Title VI training at their former agencies and will complete training with TCCY at the retreat in October 2018. All 21 Commission Members received notification that the training is required for all staff and members. In order to ensure full participation, we invited Commission Members to participate in the staff training or to complete it in on their own using the PowerPoint training and video emailed to them.

Staff Training	Total	% (of Total # of Commission Staff)
Received Training PowerPoint and LEP Video	29	100%
Total	29	100%
Commission Members	Total	% (of Total # of Commission Members)
Received Training PowerPoint and LEP Video	21	100%
Grand Totals	21	100%

An agenda of the 2017 meeting is below.

- I. Welcome and Introductions – Brenda Davis, Chair
- II. Title VI Training – Natasha Smith
- III. Adverse Childhood Experiences (ACEs) Update – TCCY Staff
- IV. Ombudsman Annual Report – Gerald Papica
- V. Youth Transitions Advisory Council (YTAC) Annual Report – Steve Petty
- VI. Presentation – Commissioner Marie Williams and Dr. Stephen Loyd, Tennessee Department of Mental Health and Substance Abuse Services
- VII. TCCY Dashboard – Richard Kennedy
- VIII. Director’s Report – Richard Kennedy
- IX. Other Business

The next scheduled training is October 25, 2018 with a similar format as the agenda in 2017.

Sub-recipients are required to submit a Certificate of Completion of when the training was conducted along with a list of participants to TCCY (See Appendix 2).

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**SECTION TWELVE
SUBRECIPIENT
MONITORING**

TCCY follows the Policy 22 and CPO Policy #2013-007 requirements approved by the Department of Finance and Administration.

A. Sub-recipients, Sub-contractors and/or Vendors

- (1) TCCY and its Sub-recipients and/or Sub-contractors shall make available any compliance report to be reviewed by the Tennessee Human Rights Commission (THRC) upon request.
- (2) Juvenile Justice division does not handle any vendors/contracts for a professional service that does not deal with the mission of TCCY. Supplier Maintenance in Centralized Accounting maintains all of the vendors in the Edison for the state, including TCCY. TCCY does not keep a list.
- (3) List of Sub-recipients for FY 2017-2018 are as follows and all have signed Statement of Assurances. See next few pages.

**Federal Funded Grants
Juvenile Accountability Block Grants (JABG) FY17-18**

Federal Funded Grants - Juvenile Accountability Block Grants (JABG)								
Grantee	Program	Contract #	Amount	Begin Date	End Date	Director	Address	Purpose
Dept of Children's Services	JABG	53511	\$ 54,230.00	4/1/2017	3/12/2018	Bonnie Honmrich	Cordell Hull Bldg., Nashville, TN 37243	To provide training, education and professional development to Youth Development Center and Juvenile Justice staff and supervisors in contact with incarcerated youth at three facilities in TN.

FFG Grants FY 17-18		
10/1/2017 - 9/30/2018	Contract	Amount
	Number	
Federal Formula Grants		
Boys & Girls Clubs of Tennessee Valley	56173	\$ 60,000.00
Bart McFadden, President /CEO		
220 Carrick Street Suite 318, Knoxville, TN 37921		
Family & Children Services	56252	54,920.00
Michael McSurdy, CEO, 1704 Heiman St., Nashville, TN 37208		

JIFF	56122	29,812.00
Richard Graham, Exec Director, 254 S. Lauderdale, Memphis, TN 38126		
STARS	56265	60,000.00
Rodger Dinwiddie, CEO, 1704 Charlotte Ave., Suite 200, Nashville, TN 37203		
TN Youth Courts	56270	60,000.00
Denise Bentley, Program Director, P.O. Box 5505, Maryville, TN 37802		
YWCA Knoxville	56246	45,061.00
Marigail Mullin, CEO, 420 W. Clinch Ave, Knoxville, TN 37902		
AOC Training	50219	50,000
Deborah Tate, Director, 511 Union Street, nashville, TN 37219-1768		
<i>DMC and Related</i>		
Total		\$ 359,793.00
Reimbursement Account	#54768	
County		Allocation
Cannon		\$ 700.00
Carter		\$ 3,500.00
Cheatham		\$ 500.00
Cocke		\$ 2,400.00
Coffee		\$ 4,600.00
Crockett		\$ 1,000.00
Dickson		\$ 4,500.00
Hamblen		\$ 10,000.00
Hardeman		\$ 700.00
Hardin		\$ 400.00
Haywood		\$ 800.00
Henderson		\$ 500.00
Hickman		\$ 500.00
Houston		\$ 300.00

Humphreys		\$ 500.00
Jefferson		\$ 2,500.00
Johnson		\$ 1,000.00
Lake		\$ 500.00
Lauderdale		\$ 4,500.00
Loudon		\$ 1,500.00
Marion		\$ 1,700.00
Marshall		\$ 1,500.00
Maury		\$ 4,000.00
McMinn		\$ 1,500.00
Montgomery		\$ 11,000.00
Morgan		\$ 500.00
Robertson		\$ 4,200.00
Sequatchie		\$ 1,500.00
Stewart		\$ 500.00
Sullivan		\$ 10,000.00
Warren		\$ 3,000.00
Washington		\$ 9,800.00
32 Counties		\$ 90,100.00
Total		\$ 449,893.00
Purpose: These grants are for the development/continuation of programs that reduce the number of youths committing criminal/delinquent offenses.		

Court Appointed Special Advocate (CASA)					
Contracts FY 17-18					
Program/Counties	Begin Date	End Date	Amount	Director	Address
CASA Corridor (Rhea, Meigs, McMinn)	7/1/2017	6/30/2018	\$ 60,000.00	Frances Witt-McMahan	PO Box 1026 107 1/2 Park St. Athens, TN 37303
CASA for Kids, Inc. (Hawkins, Sullivan)	7/1/2017	6/30/2018	40,000.00	Mary Kilpatrick	310 Shelby St Kingsport, TN 37660
CASA Monroe (Monroe)	7/1/2017	6/30/2018	20,000.00	Alisa Hobbs	301 College Street North Madisonville, TN 37354
CASA of Bradley County (Bradley, Polk)	7/1/2017	6/30/2018	40,000.00	Frances Witt-McMahan	170 North Ocoee St. Craig Miles Hall Cleveland, TN 37311
CASA of Campbell County	7/1/2017	6/30/2018	20,000.00	Mindy Hall	P.O. Box 1054 Jacksboro, TN 37757
CASA of Dickson County	7/1/2017	6/30/2018	20,000.00	Rachel Spencer	111 Hwy 70 East Dickson, TN 37055
CASA of East Tennessee (Knox)	7/1/2017	6/30/2018	20,000.00	Britney Sink	PO Box 10752 Knoxville TN 37939
CASA of Henderson County	7/1/2017	6/30/2018	20,000.00	Annie Searock	PO Box 425 292 White Place Lexington, TN 38351
CASA of Maury County	7/1/2017	6/30/2018	20,000.00	Jeanine Denney	22 Public Square, Ste. 2 Columbia, TN 38401
CASA of Memphis and Shelby County	7/1/2017	6/30/2018	20,000.00	Daphni Ishak	Shelby County Juvenile Court 616 Adams Avenue Memphis, TN 38105
CASA of Northeast Tennessee (Washington, Greene, Unicoi)	7/1/2017	6/30/2018	60,000.00	Whitney McLaughlin	603 East Market St, 2nd Floor Johnson City, TN 37601
CASA of Robertson County	7/1/2017	6/30/2018	20,000.00	Stephanie Mullins	P.O. Box 967 Springfield, TN 37172
CASA of Rutherford County	7/1/2017	6/30/2018	20,000.00	Kassie Davis	P.O. Box 3135 Murfreesboro, TN 37130
CASA of the 9th Judicial District (Roane, Morgan, Loudon)	7/1/2017	6/30/2018	60,000.00	Heather Moore-Francis	P.O. Box 541 Kingston, TN 37763
CASA of the Tennessee Heartland, Inc. (Anderson, Scott, Blount)	7/1/2017	6/30/2018	60,000.00	Kesha Waters	12 Van Hicks Lane P.O. Box 4426 Oak Ridge, TN 37830
CASA Works, Inc. (Bedford, Coffee, Franklin)	7/1/2017	6/30/2018	60,000.00	Wanda Strayhorn	1301 East Carroll Street Tullahoma, TN 37388
CASA, Inc. of Davidson County	7/1/2017	6/30/2018	20,000.00	Julieanna Huddle	601 Woodland Street Nashville, TN 37206
Decatur County CASA	7/1/2017	6/30/2018	20,000.00	Diana Montgomery	200 W. Washington Ave. Covington, TN 38019
Dyer/Lake/Crockett CASA (Dyer, Lake, Crockett)	7/1/2017	6/30/2018	60,000.00	Wendy Smith	71 W. Main St. Decaturville, TN 38329
Hamilton County CASA	7/1/2017	6/30/2018	20,000.00	Tracy Taylor	1600 E. Third Street Chattanooga, TN 37404
Junior's House (Marshall, Lincoln)	7/1/2017	6/30/2018	40,000.00	Crystal Guess	704 W. Maple St. P.O. Box 1062 Fayetteville, TN 37334
Lakeway CASA (Hamblen, Jefferson, Sevier)	7/1/2017	6/30/2018	60,000.00	Denise Aludo	3441 West Andrew Johnson Highway Morristown, TN 37814
Madison County CASA	7/1/2017	6/30/2018	20,000.00	Sara Boyd	110 Irby St. Jackson, TN 38301
SETHRA CASA (Grundy, Sequatchie, Marion, Bledsoe)	7/1/2017	6/30/2018	80,000.00	Margie Clemmer	PO Box 909 Resource Road Dunlap, TN 37327
Sumner County CASA	7/1/2017	6/30/2018	20,000.00	Sonya Manfred	182 West Franklin St. Gallatin, TN 37066
Tipton County CASA	7/1/2017	6/30/2018	20,000.00	Nina Smith	200 W. Washington Ave. Covington, TN 38019
UCHRA CASA (Putnam, Cumberland, Overton, Smith)	7/1/2017	6/30/2018	80,000.00	Kelly Arnold	580 S. Jefferson Ave., Suite A Cookeville, TN 38501
Williamson County CASA, Inc.	7/1/2017	6/30/2018	20,000.00	Marianne Schroer	212 E. Main St., Suite #200 Franklin, TN 37064
Wilson County CASA	7/1/2017	6/30/2018	20,000.00	Cathey Sweeney	111 Castle Heights Ave Lebanon, TN 37087
TN CASA Association	7/1/2017	6/30/2018	55,000.00	Lynne Farrar	412 Golden Bear Court Murfreesboro, TN 37128
County Funded but not operating	7/1/2017	6/30/2018	20,000.00		
Total			\$ 1,009,000.00		
Contracts: All Contracts are State Funded					

B. Pre-Award Procedures – Assurances and Data Collection

TCCY staff reviews grant applications for potential and current grantees to make sure they adhere to grant applications requirements. These requirements include cultural competency training for staff. In the new RFP the grantee must submit certified assurances and a written statement agreeing to administer federally assisted programs in accordance with civil rights laws and regulations. In addition, orientation is conducted for potential grantees, which includes training on Title VI requirements as specified in the Title VI Plan.

TCCY staff reviewed 12 grant applications in FY2017-2018. Only nine were awarded because they did not meet the application requirements.

- Excerpt of the contractual provision(s) prohibiting discrimination, which is agreed to by Sub-recipients and/or Sub-contractors of TCCY:

D8 Nondiscrimination: The Grantee hereby agrees, warrants, and assures that no person shall be excluded from participation in, be denied of, or be otherwise subjected to discrimination in the performance of this Grant Contract or in the employment practices of the Grantee on the grounds of disability, age, race, sex, religion, national origin, or any other classification protected by Federal, Tennessee State constitutional or statutory law. The Grantee shall, upon request, show proof of such nondiscrimination and shall post in conspicuous places, available to all employees and applicants, notices of non-discrimination.

- Federal Finance Assistance Application

There is no federal financial assistance application pending with any federal or state department.

- TCCY staff emailed out Self-Survey forms for FY 2017-2018 to Sub-recipients and/or Sub-contractors with a due date of September 12, 2018. The Title VI Self-Survey template is included.
- Field or On-Site Reviews of Sub-recipients and/or Sub-contractors

In 2017-2018, TCCY staff reviewed 9 grant applications. These reviews were a combination of onsite and desk reviews, which utilized the same monitoring tools used for on-site reviews. TCCY fulfilled the Policy 22

requirements in the plan approved by the Department of Finance and Administration.

- Title VI Trainings for Sub-recipients and/or Sub-contractors

Cultural Competency/Title VI Training

TCCY requires all sub-grantees to provide cultural competency services to staff and participants Limited English Proficiency (LEP) services to program participants. All personnel involved with the program, including volunteers, must be provided cultural competency training within the first two quarters of the project implementation period. If the training is provided by an outside agency, then documentation of that training must be submitted with the third quarter report.

The training should include information regarding Title VI and other Non-Discriminatory policies, laws, and regulations. TCCY also requires the following of funded agencies:

All Sub-recipients to comply with their obligations under other applicable federal civil rights laws, such as, informing Sub-recipients about:

- (a) the prohibition of discrimination not only under Title VI, but also under the Safe Streets Act, the JJDP, the Americans with Disabilities Act, the Rehabilitation Act of 1973, and the age Discrimination Act of 1975;
- (b) the EEOP requirements;
- (c) Providing meaningful access to programs and activities for LEP individuals; and
- (d) having procedures in place to receive and evaluate complaints from employees and beneficiaries alleging discrimination not only under Title VI, but also under the Safe Streets Act, the JJDP, the Americans with Disabilities Act, the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975.

Training

TCCY requires all Sub-recipients to complete Title VI Training. Recipients were informed in orientation that they needed to complete Title VI training

either by video or in-house training, and they needed to submit signed certifications of completion. TCCY hired Latasha Mitchell to oversee the Grant Contract Monitoring process. Training is verified through the Self-survey and Grant Contract Monitoring process. If she finds training or the material insufficient, the grantee is provided with a copy of their Monitoring Guide, which outlines all of the notes for their review, and a Results Summary. If the grantee has any findings or observations, then a Corrective Action Plan must be submitted with 30 days of receipt of the email detailing their results.

Title VI Training includes a review of the Title VI plan that was submitted for the previous FY, a review of the Title VI Self-Survey informing recipients on how to complete it, and a Title VI video including an explanation of the Title VI Act and requirements needed for Limited English Proficiency (LEP) compliance.

- Other TCCY procedures utilized, but not mentioned in Implementation Plan Report:

As federal funds are made available and as part of the planning process in its' entirety, TCCY provides application training for potential grantees and includes Title VI training during that time. Once a grantee is funded, orientation training is provided, which also includes Title VI training information as well as, a video regarding Title VI. This does not occur every year, as the Commission makes the decision as to whether or not to award funding to new grantees based on the amount of federal dollars received.

C. **Post-Award Procedures**

- Annual compliance report provided by TCCY to Sub-recipients and/or Sub- contractors

TCCY staff reviews grant applications for potential and current grantees to be certain they adhere to grant application requirements. These requirements include cultural competency training for staff. Also, orientation is conducted for potential grantees which includes training in Title VI requirements as specified in the Title VI plan.

- Field or On-Site Reviews of Sub-recipients and/or Sub-contractors

Grantees are monitored each year based on risk scores that are derived from a number of factors (i.e. previous year's monitoring results, leadership changes, amount of the award, and first time awardees). A moderate risk score elicits a desktop review, while a grantee deemed as high-risk requires a site visit review. CPO Policy requires that TCCY monitor each grantee at least once every three years. During both types of monitoring reviews, thorough documentation is collected to evaluate the grantee's overall compliance with the guidelines of their grant contract. This includes an evaluation of Title VI/nondiscrimination policies and procedures. Once the reviews are completed, each grantee is provided with a copy of their Monitoring Guide, which outlines all of the notes for their review, and a Results Summary. If the grantee has any findings or observations, then a Corrective Action Plan must be submitted with 30 days of receipt of the email detailing their results. The Corrective Action Plan must address all findings and observations, state who is responsible for the plan's implementation, and provide a projected timeline for completion of all action plan items.

List of Grantees Reviewed for 2017-2018

- Johnson County
- CASA of NE TN (Washington, Greene, Unicoi) (Site Visit)
- YWCA Knoxville (Site Visit)
- Jefferson County
- Loudon County
- CASA Monroe
- CASA of 9th Judicial District (Roane, Morgan, Loudon)
- Lakeway CASA (Hamblen & Jefferson) (Site Visit)
- Boys & Girls Club of TN Valley (Site Visit)
- CASA of Campbell (Site Visit)
- CASA Corridor of East TN (Rhea, Meigs, McMinn) (Site Visit)
- CASA of Bradley (Bradley & Polk) (Site Visit)
- SETHRA CASA (Grundy, Sequatchie, Marion, Bledsoe)
- UCHRA CASA (Putnam, Cumberland, Overton, Smith) (Site Visit)
- Administrative Office of the Courts
- TN Youth Courts (Site Visit)

- Family & Children Service (Site Visit)
- Stars Nashville (Site Visit)
- DCS (Site Visit)
- Houston County
- Humphreys County
- CASA of Dickson
- CASA of Robertson
- CASA, Inc. of Davidson County
- Sumner County CASA (Site Visit)
- CASA of Rutherford County
- Hickman County
- CASA of Maury (Site Visit)
- CASA Works, Inc. (Bedford, Coffee, Franklin)
- Lake County
- Jackson-Madison County School System
- Hardin County
- Haywood County
- Henderson County
- Lauderdale County
- Madison County CASA (Site Visit)
- JIFF
- CASA of Memphis and Shelby County

Title VI/Nondiscrimination Findings, Observations, and Corrective Actions

- 1) CASA of the 9th Judicial District
 - Finding: CASA of the 9th Judicial District has official nondiscrimination policies for employees and volunteers that are in line with state and federal law, but no official nondiscrimination policy was provided that included services that it offers to the public. Additionally, CASA of the 9th Judicial District provided a general grievance procedure for its employees, but it did not provide documentation showing that it has a written process for filing Title VI-specific discrimination complaints.
 - Corrective Action: Created a Title VI complaint procedure. Still pending information regarding the updated Title VI/nondiscrimination policy.

2) CASA of Bradley County

- Finding: CASA of Bradley County does not yet have official non-discrimination policies that are in line with state and federal law, and they do not have an established Title VI grievance procedure. It is unknown if CASA of Bradley County has had any Title VI complaints filed for the current grant cycle. A notice of Title VI policies is displayed in the main office hallway, but the poster is not in public view. It appears that all staff and active volunteers have received annual Title VI training, but no training materials for the in-service training were provided for the training that was held on 11/16/17.
- Corrective Action: Created a nondiscrimination policy that included a Title VI grievance procedure. Established new policy regarding records of annual Title VI training. Provided information on Title VI/nondiscrimination complaints. Made plan to place Title VI posters in public view.

3) CASA of Campbell County

- Finding: CASA of Campbell County needs to create a more comprehensive nondiscrimination policy that 1) aligns with all civil rights nondiscrimination laws and 2) includes all of the protected classes. Additionally, CASA of Campbell County did not have complete documentation showing that all of their current volunteers had received annual Title VI training.
- Corrective Action: Updated nondiscrimination policy and created tracking sheet for annual Title VI training.

4) CASA Corridor of East Tennessee

- Finding: CASA Corridor of East TN has non-discrimination policies regarding employment that are in line with state and federal law, but it does not appear to have official non-discrimination policies that pertain to the people it provides services to. Additionally, no Title VI grievance procedure or in-service materials were provided.
- Corrective Action: Updated Title VI/nondiscrimination policy and created a Title VI complaint procedure.

5) CASA of Dickson County

- Finding: CASA of Dickson County has a general grievance procedure, but it does not appear to have a procedure specifically for filing Title VI/nondiscrimination complaints. A notice of Title VI employment policies is displayed on a bulletin board in the main office lobby, but a notice regarding general Title IV policies outside of employment does not appear to be displayed.

- Corrective Action: Placed a TCCY Title VI/nondiscrimination poster on the bulletin board in the main lobby. Created a Title VI complaint procedure.

6) Madison County CASA

- Finding: Madison County CASA currently does not have an official non-discrimination policy. Additionally, documentation was insufficient to show that all active volunteers received annual Title VI training.
- Corrective Action: Created policy that included stipulation for annual Title VI training requirement.

7) CASA of Maury County

- Finding: CASA of Maury County has created a Title VI policy document that will go into effect on 7/1/18. This policy also includes a Title VI grievance procedure. The policies were created in May 2018 and currently only exist as a form that is to be signed by new staff and volunteers. It is unclear whether or not CASA of Maury County had any Title VI or nondiscrimination policies in place prior to May 2018. Additionally, CASA of Maury County has insufficient documentation to demonstrate that all volunteers and staff have received annual Title VI training.
- Corrective Action: Title VI policy was instituted and policy created ensuring that all staff/volunteers will receive annual Title VI training through in-service or online modules.

8) CASA Monroe

- Finding: CASA Monroe did not provide documentation showing that it has a non-discrimination policy regarding the services it provides to the public. CASA Monroe does not have a grievance policy that specifically addresses Title VI concerns. A specific description of the placement of the Title VI poster was not provided.
- Corrective Action: Updated nondiscrimination policy, created Title VI complaint procedure, and provided a written description of the Title VI poster locations.

9) CASA of Robertson County

- Observation: All active volunteers and staff received annual Title VI training, with the exception of C. Maneese. This volunteer is set to receive Title VI training by 9/30/17 but has not completed any Title VI training since June 2017.
- Corrective Action: Title VI training was planned for C. Maneese.

10) CASA of Rutherford County

- Observation: A notice of Title VI employment policies is displayed in the main office in public view, but a notice regarding general Title IV polices outside of employment does not appear to be displayed.
- Corrective Action: Posted general notices of Title VI policies.

11) UCHRA CASA

- Finding: A confirmation page of annual Title VI training was missing for staff member Marty Carver, and it could not be determined whether or not all active volunteers have received annual Title VI training because a list of all active volunteers was not provided. No documentation was provided stating whether or not any Title VI complaints have been filed for the current grant cycle.
- Corrective Action: *Plan not yet received in its entirety.

12) Family and Children’s Service

- Finding: No Title VI/nondiscrimination posters or brochures are currently available for view when in-home counseling services and support groups are provided to clients.
- Corrective Action:

13) Jackson Madison County School System

- Finding: JMCSS did not provide a copy of its nondiscrimination policies, a copy of its discrimination complaint procedures, information regarding any discrimination complaints filed against JMCSS during the contract term, and pictures of the nondiscrimination posters located at the 3 PASS program proposed schools.
- Corrective Action: *Plan not yet received.

14) TN Youth Courts

- Finding: A copy of TN Youth Courts’ Title VI/nondiscrimination policy was not available for review during the site visit, and no policy was provided with the requested documentation after the site visit. Additionally, TN Youth Courts currently does not have a procedure for filing Title VI/discrimination complaints.
- Corrective Action: *Plan still in progress.

15) YWCA Knoxville

- Observation: No documentation was provided showing that K. Myers and A. Russell received annual Title VI training for the current grant cycle. Additionally, no training materials were provided for the Latino 101 training that Alle Lilly completed on 11/14/17, so it could not be determined if this meets the requirements for annual Title VI training. These issues have not resulted in a finding because Lilly and A. Russell

both left YWCA Knoxville before the annual Title VI training was initiated, and K. Myers has received civil rights training within the last year.

- Corrective Action: Updated Title VI training procedures to ensure that all records are accessible and maintained appropriately.

16) DCS

- Finding: No Title VI policy notices were observed at the YDCs in places where the public or youth could view them.
- Corrective Action: DCS provided the Gateway to Independence and Wilder facilities with Title VI posters to be placed in the dorms and administration buildings.

17) Johnson County

- Finding: YSO Cole Gladden completed Title VI training on 9/10/18, but no documentation could be found showing that YSO Gladden received annual Title VI training during the 2017-2018 contract term. Additionally, no documentation could be found showing that the Juvenile Court Judge and the Sheriff completed annual Title VI training.
- Corrective Action: *Plan not yet received.

Reviews Still in Process

- Henderson County
- Haywood County
- Loudon County
- Humphreys County
- Hardin County
- Houston County
- Hickman County

- Title VI Training Requirements by TCCY for Sub-recipients and/or Sub- contractors

TCCY requires all grantees to include in their progress reports, submitted each quarter to specify trainings conducted. Also, in the new RFP the grantee must submit certified assurances and a written statement specifying their compliance with the provision of Title VI training to their staff. The self-surveys submitted in September 2018 showed that out of the 70 subrecipients, 69 confirmed Title VI training in their September 2018 self-survey process. The next step will be for the Juvenile Justice staff to go through the surveys in detail and follow up with those who are

missing information.

- Other TCCY procedures utilized, but not mentioned in Title VI Implementation Plan Report

There are no other procedures utilized by TCCY.

D. **Public Notice and Outreach**

TCCY staff in Nashville will distribute pamphlets and posters designed to inform TCCY grantees and their service recipients of the availability of services, one's rights under Title VI, and the complaint procedures. TCCY staff and Commission Members will also be informed of their obligations under Title VI. TCCY grantees are responsible for making Title VI pamphlets available to service recipients, for displaying Title VI posters in prominent locations, and for making additional pamphlets and posters available as needed. TCCY staff will include as part of its on-site visits whether posters and brochures are visible and accessible to service recipients.

To further assure Title VI compliance, TCCY's newsletter, the *Advocate*, which is distributed statewide (<http://www.tn.gov/tccy/article/advocate>), will periodically include the following formal statement of compliance to declare TCCY's intentions:

“No person shall on the grounds of race, color, national origin, sex, age, religion, disability, or ability to pay, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity operated, funded, or overseen by the Tennessee Commission on Children and Youth (TCCY). It is the intent of TCCY to bind all agencies, organizations, or governmental units operating under its jurisdiction and control to fully comply with and abide by the spirit and intent of the Civil Rights Act of 1964.”

TCCY dissemination of information to clients, constituents and public:

- **Nondiscriminatory Policy** – TCCY requires all Sub-recipients to display a Title VI Nondiscriminatory Policy Poster in an area of the agency that can be viewed by all participants and the general public.

- **Programs and Services** – TCCY monitors agencies to ensure they provide notice of programs and services offered to the community.
- **Complaint Procedures** – During program monitoring TCCY ensures agencies provide staff and participants regarding the process for filing complaints.
- **Minority participation on planning boards and advisory bodies** – TCCY requires agencies to provide data regarding minority participation on boards and advisory bodies.

E. **PROCEDURES FOR NONCOMPLIANCE**

A complaint alleging discrimination against a facility, contracting agency, or governmental unit providing services that utilize TCCY funds may be filed by a client with contracting agency staff, Central Office TCCY Monitors or Commission Members, the U.S. Department of Justice, or the Tennessee Human Rights Commission.

Sub-recipients must comply with any applicable federal non-discrimination requirements, which may include the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3789d); the Victims of Crime Act (42 U.S.C. 10604(e)); the Juvenile Justice and Delinquency Prevention Act of 2002 (42 U.S.C. 5672(b)); the Civil Rights Act of 1964 (42 U.S.C. 2000(d)); the Rehabilitation Act of 1973 (29 U.S.C. 794); The Americans with Disabilities Act of 1990 (42 U.S.C. 12131-34); the Education Amendments of 1972 (20 U.S.C. 1681, 1683, 1685–86); the Age Discrimination Act of 1975 (42 U.S.C. 6101-07); 28 C.F.R. pt. 42 (U.S. Department of Justice Regulations – Non-discrimination; Equal Employment Opportunity; Policies and Procedures); Ex. Order 13279 (equal protection of the law for faith based and community organizations); and 28 C.F.R. pt. 38 (U.S. Department of Justice Regulations – Equal treatment for Faith Based Organizations).

In the event a federal or state court or federal or state administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin, or sex against a recipient of funds, the Sub-recipient will forward a copy of the finding to the U.S. Department of Justice, Office of Justice Programs, Office of Civil rights (OCR), the Tennessee Human Rights Commission and the Tennessee Commission on Children and Youth (TCCY).

The Sub-recipient will determine whether it is required to formulate an

Equal Opportunity Program (EEOP), in accordance with 28 CFR 42.301 et. seq. If the applicant is not required to formulate an EEOP, it will submit a certification form to the U.S. Department of Justice, Office of Justice Programs, and Office of Civil Rights (OCR) and to TCCY indicating that it is not required to develop an EEOP. If the applicant is required to develop an EEOP for OCR, the applicant will submit a certification form to OCR and to TCCY certifying that it has an EEOP on file, which meets the applicable requirements.

If the applicant is awarded a grant of \$500,000 or more and has more than fifty employees, it will submit a copy of its EEOP to the OCR and to TCCY. Non-profit organizations, Indian Tribes, and medical and education institutions are exempt from the EEOP requirement, but are required to submit a certification form to the OCR to claim exemption. A copy of the certification form should be also be submitted to TCCY. Information about civil rights obligations of the grantees can be found at www.ojp.usdoj.gov/ocr/.

In accordance with the federal civil rights laws, the sub-recipient shall not retaliate against individuals for taking action or participating in action to secure rights protected by these laws.

Complaints must be filed in writing, preferably on the TCCY Complaint form CY-0092 in the Appendix of this report. The complainant, by his or her representative, or by appropriate TCCY staff or Commission Member, can fill out this complaint form. If the complainant is unwilling to complete the form, he or she may write, or have written, a letter stating the circumstances of the complaint. If the complaint is not filed on form CY-0092, then the appropriate TCCY staff will fill out this form and attach it to the complainant's letter.

Complaints initially received by contracting agency employees must be filed immediately within ten (10) days with TCCY.

The Coordinator must notify the Executive Director and Juvenile Justice Director immediately whenever a complaint is filed (within five (5) days of receipt of complaint). Unless a complaint is being filed externally at the federal level, all complaints should be filed at the local level. Experience shows that complaints have a good probability of being resolved at the level where they arose. Thus, no complaint should by-pass the first level. Complainant must show evidence that the Title VI complaint was filed at

the local level first and include the documentation of the results at that level.

Any TCCY staff that handles complaints must maintain a Title VI complaint log to show identifying information, type, and status of each complaint filed at that level. A copy of the complaint must be maintained by the Title VI Coordinator, who notifies the TCCY Executive Director, the Chair of the Juvenile Justice and Minority Issues Committee, and the Juvenile Justice Director. A copy of the complaint must also be kept with the grantee or contractor files. The Title VI Work Group has the primary responsibility of reviewing the complaints and reporting findings to the full Commission, and the appropriate state agency responsible for oversight of Title VI in Tennessee. TCCY must investigate the complaint and report findings to the Executive Director and Juvenile Justice Director.

In accordance with federal regulations, a federal complaint with the Department of Justice must be filed no later than 180 calendar days after the alleged discrimination occurred. However, to allow a complainant time to file sequentially within the Commission and externally to the U.S. Department of Justice if he or she chooses. The complaint should be filed at the local level no later than thirty (30) calendar days after the alleged discrimination occurred. If it is filed beyond the thirty (30) calendar day period, TCCY and the facility, agency, or governmental unit are encouraged to investigate and process the complaint if the filing is prompt enough to allow proceedings to be concluded and leave sufficient time for the complainant to file externally at the federal level.

If a complaint is filed both internally with the Commission and externally with the U.S. Department of Justice during the same time, the external complaint supersedes the internal complaint filing. Accordingly, the internal complaint procedures will be suspended pending outcome of the federal complaint.

When a complaint is received at the local level, TCCY will conduct and complete a fact-finding investigation within thirty (30) calendar days of receipt of the complaint and report the findings to the highest-ranking official of the contracting agency or governmental unit and the TCCY Executive Director and Juvenile Justice Director. Within ten (10) business days after this report, the written findings will be given to the complainant. Complainant's rights to appeal, including instructions for filing, will also be provided at this time. If the report includes a finding of noncompliance to

Title VI, the report should include recommendations for remedial action by the Grantee. The Grantee must submit a remedial action plan, which includes steps to correct the problem and procedures to avoid future discriminatory issues within thirty (31) days. If the Grantee does not comply with this policy, then TCCY will notify the Grantee that funds will be suspended until compliance is met.

If a complainant chooses to appeal a finding or the proposed remedial action by the Commission, he or she should do so within the next thirty (30) calendar days following receipt of the findings. If the appeal is filed beyond the 30-calendar day limit, the Commission may still continue if the proceedings can be concluded and leave sufficient time for the complainant to file externally. An appeal made by a complainant regarding a finding may be filed with the Central Office TCCY Monitor, TCCY's Central Office in Nashville, or with a Commission Member. This appeal opportunity constitutes the second and final level in TCCY's internal complaint system.

When a finding is appealed, a copy of the complaint, the findings, the proposed remedial action, and the request for appeal must be forwarded to the Executive Director of TCCY, the Chair of the Juvenile Justice and Minority Issues Committee, the Juvenile Justice Director and the TCCY Title VI Coordinator.

When an appeal is filed, the Chair of the Juvenile Justice and Minority Issues Committee, in cooperation with the DMC Task Force, has broad latitude to review an appealed case and make a finding. The TCCY DMC Task Force should review previous findings and conduct a complete fact-finding within 30 calendar days after receipt of such complaint or appeal. Procedures can include, but are not limited to, discussing the complaint with the complainant, the alleged offender, and the initial reviewer to determine the facts.

Any findings shall be reported to the full Commission for action. When the full Commission concludes an appeal, the complainant will first be notified in writing of the findings and then a copy of the findings will be sent to the contractor or grantee. If the grantee does not comply with the decision of the Commission after the appeal is concluded, the funds will be suspended until compliance is achieved. If after appealing to the Commission, a complainant remains unsatisfied with the findings or the proposed remedial action, then he or she may file externally, with the U.S. Department of Justice within the stated time limit of 180 calendar days. The external

appeal shall be explained to the complainant when notified of the findings of the appeal.

SECTION THIRTEEN PUBLIC NOTICE AND OUTREACH

Disseminating Information

TCCY staff in Nashville will distribute pamphlets and posters designed to inform TCCY grantees and their service recipients of the availability of services, one's rights under Title VI, and the complaint procedures. TCCY staff and Commission Members will also be informed of their obligations under Title VI. TCCY grantees are responsible for making Title VI pamphlets available to service recipients, for displaying Title VI posters in prominent locations, and for making additional pamphlets and posters available as needed. TCCY staff will include as part of their on-site visits whether posters and brochures are visible and accessible to service recipients. Information can be found at <https://www.tn.gov/tccy/administrate/title-vi.html>.

The Title VI Implementation Plan is made available to TCCY grantees, staff and Commission members as requested.

Complaint Procedures are included in the Plan and are given to those stated above.

Non-Discrimination Policy is included in the Plan and the Personnel Policy Manual. The Plan is given to those mentioned above and the Policy Manual is given to agency staff.

Programs, services, and grant information can be found on the TCCY website: www.tn.gov/tccy

As appropriate, information is distributed to TCCY mailing list that includes state legislators, judges, Youth Service Officers, Regional Coordinators, Newspapers, Disproportionate Minority Task Forces, Commission Members, Grantees and Individual name of people requesting to be out on the mailing list.

TCCY utilizes both print and audio (radio) media owned by minority persons (African American, Latino American and Asian American) to reach audiences in the minority community concerning available federal grant opportunities. Grant information from TCCY has been historically been placed in the following minority media: WFSK-Fisk Radio, Hispanic Nashville, La Campana,

Tri-State Defender, La Noticia, Latino News, Tennessee Chinese News and Tennessee Chinese Times.

TCCY dissemination of information to clients, constituents and public

- **Nondiscriminatory Policy** – TCCY requires all Sub-recipients to display a Title VI Nondiscriminatory Policy Poster in an area of the agency that can be viewed by all program participants and general public.
- **Programs and Services** – TCCY monitors agencies to ensure they provide notice of programs and services offered to the community.
- **Complaint Procedures** – During program monitoring TCCY makes sure agencies provide staff and participants regarding the process for filing complaints.
- **Minority participation on planning boards and advisory bodies** – TCCY requires agencies to provide data regarding minority participation on boards and advisory bodies.

TCCY Minority Representation on planning boards and advisory bodies

Internal Commission

- The Tennessee Commission on Children and Youth (TCCY) advocates to improve the quality of life for children and families and provides leadership and support for child advocates. Meetings are open to the public, and agendas for the meetings are available in PDF format. Approved minutes from the meetings in the past year are also available. The Commission works through its committees.
- Yes. TCCY publishes the list of its Commission members on the website, Tennessee Compilation of Selected Laws on Children, Youth and Families, the *Advocate*, an agency quarterly publication, and the agency's annual report.

- There are 21 members on the Commission. As of 09/16/2017, the racial composition of the Commission is as follows: six (6) African Americans or 29 percent, 14 Caucasians or 68 percent and one (1) Hispanic or 5 percent. Within the members of the Commission, there are four (4) Youth Advisory members. Their racial composition is two African Americans, one Caucasian and one Hispanic.
- Members of the Tennessee Commission on Children and Youth are appointed to three-year staggered terms by the Governor of Tennessee and meet four times a year to oversee the efforts of the agency.
- Commission members of TCCY are also appointed to each external planning or advisory board by either volunteering for a committee or appointed by the chair of the Commission.
- The Department of State is required to publish information on Open Appointments pursuant to Tennessee Code Annotated, Title 10, Chapter 7, Part 6. Notice of Vacancy Forms and Notice of Appointments are emailed to the Division of Publications for dissemination to the public.

External Advisory Councils

- Council on Children’s Mental Health
- Resource Mapping Advisory Group
- Second Look Commission
- Disproportionate Contact Task Force
- Nine Regional Councils on Children and Youth – One in Each Development District
- Youth Transitions Advisory Council
- Home Visiting Leadership Alliance

Council on Children’s Mental Health

- Legislation passed in 2008 (codified at T.C.A. 37-3-110) established a council on children’s mental health (CCMH) to design a plan for a statewide system of mental health care for children. It requires the Council to develop a plan for a statewide system of care where children’s mental health services are child-centered, family-driven, and culturally and linguistically competent, and provides a coordinated

- system of care for children’s mental health needs in the state. Council is co-chaired by the commissioner of the Department of Mental Health and the executive director of the Tennessee Commission on Children and Youth.
- All information regarding CCMH is listed on TCCY’s website and is published in the annual report to the legislature. Reports are available on TCCY's website at <https://www.tn.gov/tccy/article/ccmh-reports>.
- Membership in this board fluctuates. Currently the email distribution list has over 440 individuals and meetings have an average attendance of over 75 people. The agency does not collect racial/ethnic information on board members.
- Members are appointed by the respective organizational heads or recommended by appropriate organizations to be appointed by the Council Co-chairs where no entity is identified (i.e. parents and youth). Co-chairs have historically allowed all persons interested and willing to participate to be members of CCMH.
- Council membership is mandated by statute to include, at a minimum Commissioners or designees from all child-serving state departments, TCCY Chairman or designee, member of the Governor’s staff, Senator, Member of the House of Representatives, Comptroller of the Treasury representative, four parents of children who have received mental health services, three representatives of Community Services Agencies, two youth under the age of 24 who have received mental health services, two representatives from statewide agencies who advocate for children’s mental health needs, two providers of children’s mental health services, and three judges, one from each grand region.
- Vacancies are not made public. Departments appoint staff to fill vacancies.
- There is minority representation on the board, but staff does not keep information on members other than name, department and e-mail address.

Resource Mapping Advisory Group

Every year, TCCY gathers information from all state departments that serve children on expenditures directed toward children. The annual Resource

Mapping of Expenditures on Tennessee Children report examines expenditures on children's programs, analyzing the data based on funding sources, program goals, geographic availability, level of intervention, location of services, etc. The report includes a look at any missed federal funding opportunities and makes recommendations based on the data.

- The Resource Mapping Advisory Group assisted staff in getting the Resource Mapping project off the ground and advises staff on changes to the data, methods of collection, and/or analyses to be performed. Many advisory members also serve as liaisons for data collection in their departments.
- Yes, it is published as Appendix B of the annual Resource Mapping report to the legislature.
- Membership in this board fluctuates. Last year there were 121 members listed. The agency does not collect racial/ethnic information on board members.
- Each department appoints staff members to the board.
- Board members are staff members of the child-serving departments that report data or departments that wish to be involved in the process.
- Vacancies are not made public. Departments appoint staff to fill vacancies.
- There is minority representation on the board, but staff does not keep information on members other than name, department and e-mail address.

Second Look Commission (SLC)

- The Second Look Commission (SLC) was created in 2010 by Public Chapter 1060 (codified as TCA §37-3-801 et seq.) as a unique entity with a single purpose: to make findings and recommendations regarding whether severe abuse cases are handled in a manner that provides adequate protection for the children of Tennessee.
- The Second Look Commission reports annually to the General Assembly. It holds open meetings quarterly and closed investigatory meetings as needed. Reports are available on TCCY's website at <http://www.tn.gov/tccy/article/slc-reports>.

- There are currently 17 members on the Second Look Commission. As of September 16, 2017, the racial composition of SLC is as follows: (2) African Americans or 12 percent and 15 Caucasians or 88 percent.
- SLC membership is mandated by statute. Members are appointed by the Governor of Tennessee, the Co-Chairs and through recommendations times a year to oversee the efforts of the agency.
- The SLC is the only entity designed by statute to bring together representatives of all key stakeholders in the child protection system in Tennessee: members of the General Assembly, Department of Children’s Services (DCS), law enforcement (including the Tennessee Bureau of Investigation and officers from urban and rural areas), district attorneys general, public defenders, courts, child advocacy centers, a physician who specializes in child abuse detection, and other children’s advocates.
- Vacancies are not made public. Departments appoint staff to fill vacancies.

Disproportionate Minority Contact Task Force

- The Disproportionate Minority Contact Task Force (DMC) is a task force sponsored by the Tennessee Commission on Children and Youth that consists of concerned citizens from local communities and from across the state who come together quarterly to address issues regarding the disproportionate number of minority children who come into contact with the juvenile justice system. Tennessee has a statewide task force and several local task forces.
- There is no published list of DMC Task Force membership because it is open to anyone who would like to come. However, meetings are open to the public and advertised on the TCCY website or posted at Legislative Plaza.
- DMC task force meetings are open to the public and the members voluntarily participate. Participation in the DMC is open to all interested parties.

Youth Transitions Advisory Council

- The Youth Transitions Advisory Council is created in TCA 37-2-601 as an extension of foster care services advisory council.
- All TCCY related councils are listed on the TCCY website.
- The executive director of TCCY is the chair of the Youth Transitions Advisory Council and is the only statutorily identified member of the Council. Other mandatory participants are identified in TCA 37-2-601(b) *The department of children's services and other state agencies that provide services or supports to youth transitioning out of state custody shall participate fully in the council and shall respond to the recommendations put forth by the council as appropriate.*
- The Youth Transitions Advisory Council has averaged attendance of 26 participants in the current fiscal year. The average attendance of minority participants has been 10.
- Participation in the Youth Transitions Advisory Council is open to all interested parties. Participating state agencies assign staff to represent their agency as part of their job activities.
- The executive director of TCCY by virtue of that office is the chair of the Youth Transitions Advisory Council and is the only statutorily identified member of the Council. Other mandatory participants are identified in TCA 37-2-601(b) *The department of children's services and other state agencies that provide services or supports to youth transitioning out of state custody shall participate fully in the council and shall respond to the recommendations put forth by the council as appropriate.*
- Participation in the Youth Transitions Advisory Council is open to all interested parties. Participating state agencies assign staff to represent their agency as part of their job activities.
- Vacancies are filled by agencies assigning staff to participate in the Youth Transitions Advisory Council.
- There is minority representation and participation on the Youth Transitions Advisory Council.

The advisory council shall report no later than October 31 of each year to the Tennessee commission on children and youth, the civil justice

committee and health committee of the house of representatives and the health and welfare committee of the senate, making recommendations for

the continuing operation of the system of extension of foster care services and supports.

Home Visiting Leadership Alliance

- (i) The Home Visiting Leadership Alliance (HVLA) is a collaborative group charged with developing a sustainability plan for evidence-based home visiting programs in Tennessee. HVLA is a grant agreement by and between the Department of Health and the Tennessee Commission on Children and Youth. Funding comes from the Department of Health.
- (ii) The Associate Director of TCCY is the co-chair of the Home Visiting Leadership Alliance.
- (iii) There are approximately 45 people who attend the meetings, primarily comprised of leadership of home visiting service programs across the state. Participation is open to all interested parties. Participating state agencies and other stakeholders assign staff to represent their agency as part of their job activities.
- (iv) The average minority participation is 10.
- (v) All TCCY related councils are listed on the TCCY website.
- (vi) There is minority representation and participation on the Home Visiting Leadership Alliance.

In reference to recipients of TCCY funding, whenever a planning or advisory body, such as a board or committee, is an integral part of the recipients' programs, that facility or agency should take such steps as are necessary to ensure that minorities are notified of the existence of such bodies and are provided equal opportunity to participate as members.

Where members of the board or committee are appointed by the contracting facility or agency and where minorities, as defined by Title VI, comprise as much as five percent (5%) of the service delivery area or the surrounding community, the facility or agency must appoint a minority representative to serve on the board.

In addition, TCCY has a full-time staff position who devotes a portion of his time to coordinating the Agency's work on minority overrepresentation in the juvenile justice system in Tennessee.

To further assure Title VI compliance, TCCY’s newsletter, the *Advocate*, which is distributed statewide (<http://www.tn.gov/tccy/article/advocate>), will periodically include the following formal statement of compliance to declare TCCY’s intentions:

“No person shall on the grounds of race, color, national origin, sex, age, religion, disability, or ability to pay, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity operated, funded, or overseen by the Tennessee Commission on Children and Youth (TCCY). It is the intent of TCCY to bind all agencies, organizations, or governmental units operating under its jurisdiction and control to fully comply with and abide by the spirit and intent of the Civil Rights Act of 1964.”

Documentation of Minority Input

TCCY formed a Title VI Work Group to assist in developing the Agency’s Title VI Policy and Procedures Implementation Plan. The Title VI Work Group consists of TCCY Juvenile Justice Staff. The Title VI Coordinator facilitated the development and revision of the policies and procedures. The racial composition of the Title VI Work Group is as follows: four African Americans, seven Caucasians and one Multiracial.

In addition, TCCY utilizes both print and audio (radio) media owned by minority persons (African American, Latino American and Asian American) to reach audiences in the minority community concerning available federal grant opportunities. Grant information from TCCY has been historically placed in the following minority media: Tri-State Defender, La Noticia, Latino News, Tennessee Chinese News and Tennessee Chinese Times.

Methods used by TCCY to inform the public of grant opportunities

- TCCY State Website (www.tennessee.gov/tccy)
- TCCY direct mailings
- TCCY newsletter, the *Advocate*
- TCCY Staff and Commission members
- State Legislators
- DMC Task Force Members
- Regional Coordinators

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SECTION FOURTEEN COMPLIANCE REPORTING

TCCY coordinated development of the Title VI implementation plan

TCCY submits the Title VI Implementation Plan to the Tennessee Human Rights Commission (THRC) and reports to the Office for Civil Rights Office (OCR) at the Office of Justice Programs (OJP) at the Department of Justice (DOJ).

For the purposes of tracking complaints and assuring grantee compliance with Title VI through monitoring visits and investigations when necessary, and documenting and standardizing the occurrence of such events, TCCY has developed several forms, which are to be used for specific Title VI purposes. The following forms are to be used to report Title VI activities and a copy of each appears in the Appendices.

Self-Survey, Form #CY-0089, must be used to report Title VI compliance efforts. Each grantee, contracting agency, or governmental unit must submit the Self-Survey to the TCCY Central Office in Nashville annually within 90 days of receiving funding by TCCY. These surveys will be used to create a database to study Title VI compliance. A copy of the Self-Survey follows this section.

Assurance of Compliance Under Title VI of the Civil Rights Act, Form #CY-0091, must be submitted by each grantee, contracting agency, or governmental unit prior to receiving TCCY funding.

Title VI Compliance, a question is included on each grant review guide concerning Title VI. The monitoring review guide is completed by Local TCCY Monitors each time they conduct monitoring visits. The completed forms are submitted as part of the working papers and filed in Central Office for the grantee. Copies of the monitoring guides used can be found at the end of this section.

Complaint under Civil Rights Act of 1964—Title VI, Form #CY-0092, may be used for filing complaints. Alternatively, a letter describing the complaint can be prepared by the complainant instead of using the complaint form. However, appropriate TCCY staff must fill out this form and attach it to the letter, as described in Part II, Number 4 of this implementation manual.

Withdrawal of Complaint, Form #CY-0090, must be submitted if a complaint or a request is withdrawn. All requests for withdrawal must be in writing.

Report of Investigation, Form #CY-0093, may be used to summarize and report the findings of an investigation; or the general outline of the form can be incorporated into a report structured by the investigator, if it addresses the essential issues outlined on the form.

Appeal from Finding, Form #CY-0094, may be used to appeal a finding or the proposed remedial action by the agency at the local level to the Commission in Nashville.

Remedial Action Recommendation, Form #CY-0108, must be used to state in detail what remedial steps were suggested by TCCY to correct any problems found as a result of an investigation.

SECTION FIFTEEN EVALUATION PROCEDURES

Evaluation of the Title VI implementation is conducted during the Program Monitoring Process. The evaluation of each program's compliance is completed by September 30th of each year.

When a decision is made to award new grantee funding based on availability of funds, TCCY conducts training for Federal Formula and JABG on Title VI compliance during the grant writing, as funds are available and always during orientation training. Employees of grant recipients, Sub-contractors, and other organizations and governmental units will also receive orientation training as necessary regarding the obligations and rights involved in the Title VI program through their own agencies. This grant writing and orientation training began in FY 1997-98 and has continued through this present year. Grantees are given brochures and posters regarding Title VI to display in their agency. In-service training for sub-recipient grantee employees should continually apprise them of their responsibility to render a high level of non-discriminatory service to all recipients and clients.

Employees of grant recipients, Sub-contractors, and other organizations and governmental units are required to receive cultural competency training within the first two quarters regarding the obligations and rights involved in the Title VI program through their own agencies. When in place, the TCCY Juvenile Justice and Minority Issues Committee has primary oversight duties for Title VI compliance, If not in place, the full Commission shall have oversight duties and shall meet in conjunction with regularly scheduled TCCY Commission meetings, or as needed.

TCCY Central office staff shall conduct on-site visits of funded programs to determine if Title VI compliance is being met. Review of the agencies policies and procedures will include: documentation of Title VI training for staff, display of Title VI poster in the agency, review of non-discriminatory practices and procedures for filing discrimination complaints. Information reported in the Title VI Self-Surveys by grant recipients shall be verified by TCCY staff during on-site and program monitoring visits. Upon completion of the visit, the grant recipient will be notified of Compliance/Non-Compliance with Title VI. The racial composition of TCCY staff with on-site visit and program monitoring responsibilities is as follows: four African Americans, seven Caucasians and one Multiracial.

Timeline

- The timeline for Program Monitoring for compliance with the Title VI requirements is between January and September of each year.
- Federal Formula Grantees and Juvenile Accountability Block Grants are monitored between March and September of each year.
- On-site visits of all grantees are conducted during the 12 months of each State Fiscal Year, depending on the availability of the grantee for the visit.
- TCCY will provide a copy of the compliance strategy or monitoring tools for all programs to Tennessee Human Rights Commission as requested.

Corrective action process

The person monitoring an assigned grantee will provide a copy of the monitoring report to the TCCY Associate Executive Director and the TCCY Juvenile Justice Director. If there is a finding or observation, the contract officer assigned to provide oversight and technical assistance for the grantee will initiate a call, email or letter to the grantee and request the corrective action plan for the findings and/or observations stated within the monitoring summary report. The corrective action plan must be submitted to TCCY within 30 days.

APPENDICES

**Tennessee Commission on Children and Youth
Title VI Self-Survey 2017-18**

Please mark (x) on type of funding: FFG ___ JABG ___ CASA ___ Reimbursement Acct ___

Survey Date: ___/___/___

Implementing Agency	Street Address	City	County	Zip Code
Head of Agency	Title	TCCY Monitor	Title	
1) Is this a minority owned agency? YES ___ NO ___	2) Is this a minority-managed agency? YES ___ NO ___		3) Does this agency serve primarily minority youth? YES ___ NO ___	
4) What is the racial composition of the Advisory Group or Governing Board? (No percent use whole numbers only)				
Caucasian ___ African American ___ Hispanic/Latino ___ American Indian ___ Asian ___ Hawaiian/Pacific Islander ___ Other ___ Total ___				
5) If no minority persons are on the Advisory Group or Board and if minorities represent at least 5% of the population in the geographic service area, what steps will be taken to obtain minority representation on the Advisory Group or Board? _____				
6) Does your agency have a written policy stating that services will be provided to all persons without regard to race, color, or national origin? YES ___ NO ___ If yes, attach a copy!				
7) Are notices of non-discrimination posted in conspicuous places, available to all staff and clients? YES ___ NO ___				
8) Do you have a Title VI poster and brochure from TCCY? YES ___ NO ___		9) Do your Title VI posters show the name of the TCCY Monitor to whom complaints should be referred? YES ___ NO ___		
10) Are permanent records kept of all Title VI complaints? YES ___ NO ___	11) Does the grantee have an Affirmative Action Plan? YES ___ NO ___		12) Is there a 504 Self Evaluation on file? YES ___ NO ___	
13) Does your agency have written policies and procedures for reviewing and investigating Title VI complaints? YES ___ NO ___				

Revised 2018

**Tennessee Commission on Children and Youth
Title VI Self-Survey 2017-18**

14) Is Title VI information disseminated to your employees and your clients/applicants? YES ____ NO ____ If yes, how are employees informed (posters displayed, brochures, public events, etc.)?
How are clients/applicants informed?
15) Are staff members periodically re-oriented or refreshed on information detailing their Title VI responsibilities? YES ____ NO ____ If yes, state by whom and how often?
16) Explain how employees are trained on Title VI (classroom, web based training, etc.).
17) Are all physical areas (exits, waiting rooms, restrooms, etc.) provided and used without regard to race, color or national origin of clients? YES ____ NO ____
18) Does the agency disseminate information concerning the program and services in a manner to effectively reach minority communities? YES ____ NO ____
19) Please indicate, as of this date, the racial composition of children/youth served by your program or agency. (No percents use whole numbers only) # Caucasian ____ # Hispanic/Latino ____ #Hawaiian/Pacific Islander ____ # Other ____ # African American ____ # Asian ____ # American Indian ____ Total ____
20) Please indicate, as of this date, the racial composition of staff/employees, excluding the Advisory Group or Board covered by the previous question, serving children and youth in your program or agency. (No percents use whole numbers only) # Caucasian ____ # Hispanic/Latino ____ #Hawaiian/Pacific Islander ____ # Other ____ # African American ____ # Asian ____ # American Indian ____ Total ____
21) Please indicate, as of this date, the racial composition of volunteers your program or agency has. (No percents use whole numbers only) # Caucasian ____ # Hispanic/Latino ____ #Hawaiian/Pacific Islander ____ # Other ____ # African American ____ # Asian ____ # American Indian ____ Total ____
22) When did you last conduct Title VI training for your staff? How was it conducted? Date: ____ / ____ / ____

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STATE OF TENNESSEE
TENNESSEE COMMISSION ON CHILDREN AND YOUTH
Andrew Jackson Building, 9th Floor
502 Deaderick Street
Nashville, Tennessee 37243-0800
(615) 741-2633 (FAX) 741-5956
1-800-264-0904

Title VI Training Certification

This certifies that I and the staff listed below have participated in the required Title VI Training and staff who were unable to participate at this training have been schedule for Title VI Training later.

Date: _____, _____, _____.
(Month) (Day) (Year)

X

Federal Grantee Program Director

Staff involved with Federal Formula Grant contract who participated in Title VI Training:

- 1 _____
- 2 _____
- 3 _____
- 4 _____
- 5 _____
- 6 _____
- 7 _____
- 8 _____
- 9 _____
- 10 _____
- 11 _____
- 12 _____

If staff does not watch this video or attend training on the above date, please send the most recent Title VI Training participant sign-in sheet and training agenda by the date below.

If you have questions contact Zanira Whitfield (615) 532-1582 or email: zanira.whitfield@tn.gov

(Failure to submit this certification to TCCY by April 30, 2018, will result in no payment of Federal Formula Grant funds)

Sub-recipient: _____ Monitor: _____
 Grant/Contract No: _____ Funding Source: _____ Date of Visit: _____

**TCCY MONITORING REVIEW GUIDE FOR
 COURT-APPOINTED SPECIAL ADVOCATES (CASA) PROGRAM**

REVIEW ITEM <i>(Reference is to grant provisions)</i>	COMMENTS/WORK PAPER REFERENCE <i>(Comments should identify specific information relating to compliance, indicate work paper reference where supporting documentation is found, indicate if reviewed by fiscal consultant, or marked N/A if not applicable)</i>	C/NC/NA <i>C = Compliance NC = Noncompliance NA = Not Applicable</i>
MONITORING COMPLIANCE		
1. Services are provided in accordance with narrative description in grant application.		
2. Are goals and objectives being met as outlined in grant application. (Review quarterly report for progress to date and use of correct form.)		
3. List other community agencies that are involved in the program.		
4. Have volunteers been recruited for this program. How are the volunteers screened and recruited?		
5. If the contractor is a nonprofit organization, obtain membership list for the board of directors. How often is the board of directors expected to meet? During the contract year, has it met according to that schedule? If the contractor is a public entity, is there clear line of administrative responsibility in the government unit for the program?		
6. Expenses match budgeted items specified in the contract or the grantee has submitted a written request to TCCY for budget revisions approval. (Review sample of expenses for		

TCCY Program Monitoring Review Guide for CASA
 Revised 9/23/10

Sub-recipient: _____

Monitor: _____

Grant/Contract No: _____

Funding Source: _____

Date of Visit: _____

REVIEW ITEM <i>(Reference is to grant provisions)</i>	COMMENTS/WORK PAPER REFERENCE <i>(Comments should identify specific information relating to compliance, indicate work paper reference where supporting documentation is found, indicate if reviewed by fiscal consultant, or marked N/A if not applicable)</i>	C/NC/NA <i>C = Compliance NC = Noncompliance NA = Not Applicable</i>
proper support, allowability and occurred during period of availability).		
7. Audit. Inquire of management for copy of most recent audit. Review for findings related to TCCY. If no audit available, this is not required.*		
8. Public Accountability – Section D.9 of most contracts requires posting of the Comptroller’s hotline number. Is this posted?		
9. Public Notice – Section D.10 of most contracts requires that specific language be included on public notices. Do notice, pamphlets, press releases, etc. include the required language?		
10. Criminal Background Checks – Attachment B, Section 3 – Does the contractor conduct criminal background checks in accordance with this section? Does the contractor maintain available records of these checks?		
11. Agency adheres to Title VI and other civil rights requirements. a. Is the agency managed according to policies that prohibit discrimination on the basis of race, color, national origin, sex, religion, creed, age and disability, as required by Title VI and other federal civil rights laws? b. Are notices of non-discrimination, including all applicable civil rights laws, posted in conspicuous places available to employees and applicants? c. Does the agency provide and document training to staff on non-discriminatory issues and policies? d. Have any formal discrimination complaints		

TCCY Program Monitoring Review Guide for CASA
 Revised 9/23/10

Sub-recipient: _____

Monitor: _____

Grant/Contract No: _____

Funding Source: _____

Date of Visit: _____

REVIEW ITEM <i>(Reference is to grant provisions)</i>	COMMENTS/WORK PAPER REFERENCE <i>(Comments should identify specific information relating to compliance, indicate work paper reference where supporting documentation is found, indicate if reviewed by fiscal consultant, or marked N/A if not applicable)</i>	C/NC/NA <i>C = Compliance NC = Noncompliance NA = Not Applicable</i>
been filed against the agency? If so, what action was taken? e. In staff interviews, confirm the agency's non-discriminatory practices. For example, "Are services and employment provided by agency in a non-discriminatory fashion?" If issues or concerns are indicated, explain. f. Are the procedures in place for filing discrimination complaints within the agency?		
12. Review any corrective action plan resulting from last year's program monitoring. Has the plan been fully implemented?		

Policy 22 Core Monitoring areas not mentioned above have been determined not applicable by TCCY staff as shown below:

Core Monitoring Area	Explanation of why not applicable
Cash management	All payments are reimbursements; no advances
Davis Bacon	No grant funds are authorized for construction purposes
Real Property Acquisition and Relocation Assistance	No funds authorized for these purposes
Program Income	None generated
Procurement, Debarment & Suspension	Material activities in this function not authorized in program budget.
Matching, earmarking	No match, earmark requirements for CASA funds
A-133 Audit requirements*	Per Comptroller's office report using most recent data through 12/31/07, no CASA programs receive more than \$500,000 in state or federal funds. A-133 audit is not required.

Sub-recipient: _____ Monitor: _____
 Grant/Contract No: _____ Date of Visit: _____

**F & A DIVISION OF RESOURCE DEVELOPMENT AND SUPPORT
 PROGRAM ACCOUNTABILITY REVIEW
 GUIDE FOR TCCY STATE SUPPLEMENT/REIMBURSEMENT ACCOUNTS**

<p align="center">REVIEW ITEM</p> <p align="center"><i>(Reference is to grant provisions)</i></p>	<p align="center">COMMENTS/WORK PAPER REFERENCE</p> <p align="center"><i>(Comments should identify specific information relating to compliance, indicate work paper reference where supporting documentation is found, indicate if reviewed by fiscal consultant, or marked N/A if not applicable)</i></p>	<p align="center">C/NC/NA</p> <p align="center"><i>C = Compliance NC = Noncompliance NA = Not Applicable</i></p>
ALLOWABLE ACTIVITIES/SERVICE REQUIREMENTS		
<p>Services provided by the sub-recipient:</p> <p>___ YSO Expenditures</p> <p>___ Attendant Care Program</p> <p>___ Emergency Foster/Shelter Care</p> <p>___ Emergency Transportation</p> <p>___ Secure Detention</p> <p>___ Temporary Holding Resources</p>		
<p>List and explain expenditures.</p>		
<p>If funds are used for YSO salary, complete the personnel guide.</p>		
<p>If funds are used for YSO salary, have the training requirements per the contract been met.</p>		
<p>County adheres to Title VI civil rights requirements.</p>		
<p>Personnel assigned to the grant meet qualifications for the positions in which they are employed.</p>		
ADMINISTRATIVE ISSUES		
<p>Identify any subcontracts or consultants funded by the grant, indicate whether or not prior approval was obtained from TCCY and discuss work in terms of agreement with grant award.</p>		

Sub-recipient: _____ Monitor: _____
 Grant/Contract No: _____ Date of Visit: _____

REVIEW ITEM <i>(Reference is to grant provisions)</i>	COMMENTS/WORK PAPER REFERENCE <i>(Comments should identify specific information relating to compliance, indicate work paper reference where supporting documentation is found, indicate if reviewed by fiscal consultant, or marked N/A if not applicable)</i>	C/NC/NA <i>C = Compliance NC = Noncompliance NA = Not Applicable</i>
Identify any state employees being paid directly or indirectly with grant funds to serve as grant employees, subcontractors, or consultants.		
Court submits written requests to TCCY for budget and project revisions. Court maintains dated correspondence relating to status of revisions.		
If there is a delay in implementing this program, was TCCY notified? Explain reason(s) for delay.		
Expenses match budgeted items specified in the contract or the grantee has submitted a written request to TCCY for budget revisions approval (Review sample of expenses).		

**STATE OF TENNESSEE
TENNESSEE COMMISSION ON CHILDREN AND YOUTH
ASSURANCE OF COMPLIANCE UNDER
TITLE VI OF THE CIVIL RIGHTS ACT**

Name of Applicant (Hereinafter called "Applicant.")

hereby agrees that it will comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352) and all requirements imposed by the Regulations of the U.S. Department of Justice (28 CFR Parts 42 & 50), the Tennessee Commission on Children and Youth (TCCY), and any directives or regulations issued pursuant to that Act and the Regulations, to the effect that:

no person in the United States shall, on the ground of race, color, sex, religion, age, disability, or national origin, be excluded from the opportunity to participate in, be denied the benefits of, or be otherwise subject to discrimination under any program or activity for which the Applicant received Federal financial assistance from TCCY.

Assurance is hereby given that it will immediately take any measures necessary to effectuate this agreement.

This Assurance is given in consideration of and for the purpose of obtaining any and all Federal financial assistance, grants and loans of Federal funds, reimbursable expenditures, grant or donation of Federal property and interest in property, the detail of Federal personnel, the sale, lease of, and permission to use Federal property or interest in such property or the furnishing of services without consideration or at a nominal consideration, or at a consideration which is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale, lease, or furnishing of services to the recipient, or any improvements made with Federal financial assistance extended to the Applicant by TCCY.

By accepting this Assurance, the Applicant agrees to compile data, maintain records, and submit reports as required to permit effective enforcement of Title VI, and permit authorized TCCY personnel to review such records, books, and accounts as needed to ascertain compliance with Title VI. If there are any violations of this Assurance, TCCY shall have the right to seek administrative and/or judicial enforcement of this Assurance.

This Assurance is binding on the Applicant, its successors, transferees, and assignees as long as it receives assistance from TCCY. In the case of real property, this Assurance is binding for as long as the property is used for a purpose for which this assistance was intended or for the provision of services or benefits similar to those originally intended. In the case of personal property, this Assurance applies for as long as the recipient retains ownership or possession of the property. The person or persons whose signatures appear below are authorized to sign this Assurance on behalf of the Applicant.

Applicant

Date

By: Title of Authorized Official

Address of Applicant

State Advisory Group (SAG) Membership Form Instructions

The State Advisory Group Membership Form has been designed to simplify State Reporting requirements. The State should select the designator listed below that best describes each member's qualifications and experience.

Pursuant to Section 223(a)(3) of the JJDP Act the SAG shall consist of not less than 15 and not more than 33 members appointed by the Chief Executive Officer of the State. At least one member shall be a locally elected official representing general purpose local government. At least one-fifth be under the age of 24 at the time of appointment. At least 3 members shall have been or currently under the jurisdiction of the juvenile justice system. A majority of the members (including the chairperson) shall not be full-time employees of Federal, State or local government. The membership qualifications are described in subsections I-iii of Section 223(a)(3) of the JJDP Act, as amended.

Column 1, (Name)

List of the names of each SAG member beginning with the Chairperson and, if applicable, place an * after each of those SAG members who are also members of the State Supervisory Board.

Column 2 (Represents)

Identify each member's qualification by selecting the item from the following list that most applies:

- A. locally elected official representing general purpose local government
- B. representative of law enforcement and juvenile justice agencies, including:
 - 1. juvenile and family court judges
 - 2. prosecutors
 - 3. counsel for children and youth
 - 4. probation workers
- C. representatives of public agencies concerned with delinquency prevention or treatment
 - 1. welfare
 - 2. social service
 - 3. mental health
 - 4. education

5. special education
 6. recreation
 7. youth services
- D. representatives of private nonprofit organizations including persons concerned with:
1. family preservation and strengthening
 2. parent groups and parent self-help groups
 3. youth development
 4. delinquency prevention and treatment
 5. neglected or dependent children
 6. quality of juvenile justice
 7. education
 8. social services for children
- E. volunteers who work with juvenile justice.
- F. youth workers involved with programs that are alternatives to incarceration, including organized recreation
- G. persons with special experience and competence in addressing problems related to learning disabilities, emotional difficulties, child abuse and neglect, and youth violence.

Column 3 (F/T Govt.)

If the person is a full time government employee, place and “x” in this column.

Column 4 (Youth Member)

If the person was under the age of 24 at the time of appointment, place an “x” in this column.

Column 5 (Date of Appointment)

Provide the date the member was appointed to the SAG.

Column 6 (Residence)

Provide the member’s residential or preferred mailing address.

SAG Membership List 2017 - 2018

Firstname	Lastname	Office	City	State	Zipcode	Term Exp.	Gender	Race
Phil	Acord		Chattanooga	TN	37411	2019	Male	Caucasian
Brenda	Davis	Chair	Franklin	TN	37064	2018	Female	Caucasian
Hailey	Brooks		Nashville	TN	37212	2020	Female	Caucasian
Kelly	Drummond		Knoxville	TN	37921	2020	Female	African American
Ashley	Dunkin		Lawrenceburg	TN	38464	2020	Female	Caucasian
Sharon	Green		Johnson City	TN	37605	2019	Female	Caucasian
Genesis L.	Hardin	YM	Maryville	TN	37804	2019	Female	African American
Jennie	Harlan	Secretary	Columbia	TN	38401	2018	Female	Caucasian
Lisa	Hill		Memphis	TN	38103	2018	Female	African American
Gary	Houston		Union City	TN	38261	2018	Male	Caucasian
Amy	Jones		Jackson	TN	38305	2020	Female	Caucasian
Petrina L.	Jones-Jesz		Cane Ridge	TN	37013	2018	Female	African American
Rob	Mortensen	Vice Chair	Nashville	TN	37215	2020	Male	Caucasian
Steven	Neely		Franklin	TN	37069	2019	Male	Caucasian
Annemarie	Rainwater		Shelbyville	TN	37160	2019	Female	Caucasian
Wendy	Shea		Memphis	TN	38117	2020	Female	Caucasian
Christy	Sigler		LaVergne	TN	37086-1407	2020	Female	Caucasian
Allan	Sterbinsky		Stanton	TN	38069	2019	Male	Caucasian
Dr. Altha J.	Stewart		Memphis	TN	38103-4495	2019	Female	African American
Destiny	Sweeney	YM	Hixson	TN	37343	2018	Female	Caucasian
Glenda	Terry		Cookeville	TN	38501-2071	2019	Female	Caucasian

**STATE OF TENNESSEE
TENNESSEE COMMISSION ON CHILDREN AND YOUTH
COMPLAINT UNDER CIVIL RIGHTS ACT OF 1964**

Date: _____

TO: TENNESSEE COMMISSION ON CHILDREN AND YOUTH

I, _____, hereby file an official complaint against

Name of Person or Agency

Located at : _____

Complainant's Name: _

Complainant's Address: _

Basis of Complaint: _____

Date of alleged discrimination: _____

Signed: _____

Section Below to be Completed by the Tennessee Commission on Children and Youth

Referred to _____ on _____ for investigation and report.
Local Coordinator Date

Use back of Sheet if necessary.

TCCY Coordinator

**STATE OF TENNESSEE
TENNESSEE COMMISSION ON CHILDREN AND YOUTH
WITHDRAWAL OF COMPLAINT**

Date: _____

TO: TENNESSEE COMMISSION ON CHILDREN AND YOUTH

I, _____, hereby withdraw my complaint filed on
Complainant

_____ against _____
Date Name of Person or Agency

located at: _____

Complainant's Name: _

Complainant's Address: _

Telephone Number: _____ - _____ / _____ - _____ (fax)

Email: _____

Reason for Withdrawal: _____

Signed: _____



**STATE OF TENNESSEE
TENNESSEE COMMISSION ON CHILDREN AND YOUTH
REPORT OF INVESTIGATION**

I, _____, representing _____
Local Coordinator Name of Facility

have investigated the complaint filed on _____ by _____
Date Name of Complainant

alleging that discrimination occurred which was in violation of Title VI of the Civil Rights Act of 1964.

The results of the investigation were as follows*:

- A. The agency or person was found to be in violation of Title VI.
- B. The agency or person was not found to be in violation of Title VI.
- C. The complainant withdrew the complaint using Form #CY-0090.

A copy of the investigative report is attached.

NOTE: If the agency or person was found to be in violation of Title VI, briefly describe the remedial action taken to assure future compliance:

Date

Local TCCY Monitor

*Circle the appropriate letter.



**STATE OF TENNESSEE
TENNESSEE COMMISSION ON CHILDREN AND YOUTH
APPEAL FROM FINDING**

I, _____, wish to appeal the finding made on _____ Name of
Appellant Date of Finding

by _____ of () Non-Discrimination or () the proposed remedial action
by the agency in the Title VI Complaint as file by _____
Complainant

on _____ against _____
Date of Filing Person or Agency

at _____
Location

Signed: _____
Appellant

Address

Date of Appeal

Telephone Number

E-mail

**STATE OF TENNESSEE
TENNESSEE COMMISSION ON CHILDREN AND YOUTH
REMEDIAL ACTION RECOMMENDATION FORM**

As a result of an investigation conducted by _____
TCCY Representative

based on a Title VI discrimination complaint filed by _____
Complainant

on _____ against _____
Date Name of Person or Agency

the following action is recommended: _____

The above recommendations are not all inclusive; therefore, to correct the problems found during the investigation, we suggest that the person, agency and staff seek training and technical assistance on a continuous basis to ensure that all changes implemented are structured to maintain future Title VI compliance.

TCCY Representative (signature)

Disproportionate Minority Contact Task Force (DMC)

The Juvenile Justice and Delinquency Prevention Act of 1974 (JJDP) eventually mandated four core requirements that states must adhere to for federal funds for youth programs. These core requirements are: 1. Deinstitutionalize status offenders and non-offenders (1974), 2. Separate juveniles from adult offenders in jails and lockups (1974); 3. Remove children from adult jails (1980) and 4. Assess and address disproportionate minority confinement (1988), which was broadened to disproportionate minority contact (2002).

The Statewide DMC Task Force is a task force sponsored by the Tennessee Commission on Children and Youth (TCCY) that consist of concerned citizens from across the state who come together to address issues regarding the overrepresentation of children of color in the juvenile justice system. TCCY also sponsors local DMC Task Forces to address issues regarding the overrepresentation of children of color in their respective communities. The following counties have a local DMC Task Force: Blount, Davidson, Madison, Montgomery and Shelby.

Title VI Compliance is to prohibit programs that receive federal funds from discriminating against participants and clients based on race, national origin or color. Using this same rationale the statewide DMC Task Force was created to be responsible for assuring that Tennessee is in compliance with the fourth core requirements of the JJDP Act of 2002, which is minority overrepresentation in the juvenile justice system. The task force ensures that children of color receive fair treatment in the juvenile justice system.

The Statewide DMC Task Force has set its mission “to develop a comprehensive strategy for raising the awareness of disproportionate contact of minority youth with the juvenile justice system and to promote best practices and policies to eradicate the problem of overrepresentation in the juvenile justice system.”

Below is a list of actions TCCY have taken to comply with the DMC Core Requirements:

- The Minority Issues Committee of TCCY recommended the development of the statewide DMC Task Force;
- TCCY employed a statewide DMC Task Force Coordinator;
- The DMC Task Force developed preliminary recommendations for action for addressing overrepresentation of children of color in secure confinement;
- DMC information has been included in conferences throughout the state nation;
- Updating the DMC brochure (updated 2015);
- TCCY funded a research and assessment on DMC;
- TCCY set aside federal funds for two DMC Projects;
- Special DMC Project, S.H.A.P.E. Memphis City Schools; and
- DMC Task Force budget for operations.

 LANGUAGE IDENTIFICATION GUIDE		
Do you speak English?	Point here and an interpreter will be assigned to you, at no cost.	English
¿Habla Español?	Señale aquí y se le asignará un intérprete sin costo.	Spanish
هل تتكلم العربية؟	أشر هنا والمترجم سيكون موجوداً مجاناً.	Arabic
ته كوردی ده ناخفی؟	ئیشارەت ئێرێ بکە تەرجومان بۆ تەحازر دکەین ، بە خورای.	Kurdish (Behdini)
ئایا کوردی قسه دهکهیت؟	ئیشارەت لێره بکە موتهرجیمت بۆئاماده دهکهین ، به خۆپای.	Kurdish (Sorani)
آیا شما فارسی صحبت میکنید؟	تروصبه مچترمه کنده بئیند هه راشدا اجنیا بهرگا رایگان در اختیار شما قرار میگیرد.	Farsi
Bạn nói tiếng Việt phải không?	Chỉ vào đây và sẽ có người thông dịch viên giúp đỡ Bạn, Bạn không phải trả gì hết.	Vietnamese
Maku hadashaa afka somaaliga?	Halkaan farta ku-fiiq turjubaan lacag la-an ayaad heleysaa.	Somali
Da li govorite Bosanski?	Pokažite ovdje i prevodilac će vam biti obezbijedžen, besplatno.	Bosnian
Parlez-vous français?	Ici, un interpreteur sera assigné pour vous, sans avoir payé.	French
ທ່ານເວົ້າພາສາລາວແມ່ນບໍ່?	ກະລຸນາບອກເຈົ້າໜ້າທີ່ຕາມນີ້ຈະມີນາຍພາສາມາແປໃຫ້ທ່ານໂດຍບໍ່ໄດ້ເສັຽເງິນ.	Laotian
你會講中文嗎？	請點在這裡我們為你免費提供翻譯服務。	Chinese (Mandarin)
日本語を話せますか？	ここを指して下さい。無料の通訳者を指定します。	Japanese
Je-una azungumza kiswahili?	Nyosha kidola hapa na utatafsiriwa bila kulipa chochote.	Kiswahili
Voce fala Português?	Aperte aqui e um intérprete lhe será fornecido sem custo algum.	Portuguese
क्या आप हिंदी बोल सकते हैं ?	इसारा यहाँ पर किजिये, भाषांतर करनेवाले बिनामुल्य मिल जायेंगे।	Hindi
한국어를 하십니까?	이곳을 지적해주시면 통역자가 무료로 호출됩니다.	Korean
Вы говорите по-русски?	Укажите сюда, и совершенно бесплатно Вам будет предоставлен переводчик.	Russian
አማርኛ ይናገሩለሉ?	በነገቱ ወደዚህ ያመልክቱ ያለምንም ክፍያ አስተርጓሚ ይመደብሉታል!	Amharic
Eske ou pale kreyòl	Pwen isit la e you entèprèt ap vin ede'w gratis.	Haitian Creole
Jin kueni Thuok nuera?	Wane eme deri thuok nuera jek ke kuic du a thil kok.	Nuer
તમે ગુજરાતી બોલી શકો છો?	અહીંયા ઇંચારો કરો, બાષાંતર કરનાર વિનામુલ્યે મળી જશે.	Gujarati
Türkçe biliyormusunuz?	Burayı gösterirseniz, ücretsiz tercuman size yardım edecektir.	Turkish
คุณพูดภาษาไทยหรือเปล่า?	กรุณาบอกให้ทราบด้วยถ้าคุณต้องการคนแปล	Thai
Afaan Oromoo nidubata	Harkake asiti baasi gargasa Afaan hikaa malaqa duwa argaata.	Oromo

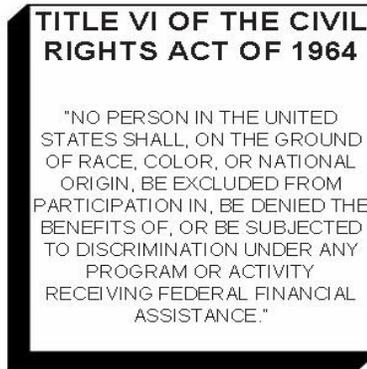
Avaza Language Services Corp.
 5209 Linbar Dr. Suite 603
 Nashville, TN 37211
 www.avaza.co

tel: 615.534.3400
 fax: 615.810.8506
 800.482.8292

© 2013 Avaza Language Services Corp.

Prohibited Practices

- Denying services or segregating clients solely because of race, color or national origin.
- Refusing to grant equal privileges to clients or staff members based on race, color or national origin.
- Impairing human dignity by manner of address, or treatment based on race, color, or national origin.
- Applying different standards for the same types of services based on race, color or national origin.
- Failing to make allowances for language or educational difficulties.



The Tennessee Commission on Children and Youth (TCCY) is an independent state agency that administers various federal funds to agencies across the state.

TCCY monitors agencies for Title VI compliance through self-surveys and on-site monitoring visits. TCCY also distributes posters and pamphlets to these agencies and requires them to abide by the Title VI requirements outlined above.

Tennessee Commission on Children and Youth authorization number 316011. December 2012. 1,000 copies. This public document was promulgated at a cost of \$0.13 each.

Discrimination Is Prohibited



TENNESSEE COMMISSION ON CHILDREN AND YOUTH

Andrew Jackson Building, 9th Floor
502 Deaderick Street
Nashville, Tennessee 37243-0800

615-741-2633
Fax 615-741-5956
www.tn.gov/tccy

Who Can File?

People or organizations feeling they have been victims of discrimination based on race, color, or national origin may file a complaint with the agency in question and the local TCCY representative, or with the U.S. Department of Justice*

Where to File:

_____ Agency

_____ Agency Contact/Number

_____ Local TCCY Contact/Number

The TCCY Title VI Coordinator can be reached at 615.741.2633.

*If a complaint is filed internally with TCCY and externally with the U.S. Department of Justice (202.514.2152), the internal complaint procedures will be suspended pending the outcome of the federal complaint.

Title VI Complaint Process

- Fill out a complaint form in writing within 30 days of the alleged discrimination.
- TCCY's Title VI working group will review the complaint and complete an investigation.
- Findings will be reported to the highest ranking official of the agency in question with recommendations for remedial action if needed.
- Within five business days after the findings are reported, written findings will be mailed to complainant and the appeal process will be outlined.
- Appeals should be made within 30 calendar days. Appeals are reviewed by the executive director of TCCY, the Juvenile Justice and Minority Issues chair and the Title VI work group.
- Findings will be reported to the full Commission for Action.
- The complainant will be notified in writing of the finding.
- A copy of the findings will be sent to the agency in question.
- If the complainant is still unsatisfied, he or she may notify the U.S. Department of Justice.

Equal Opportunity is the Law

If you feel you have been discriminated against because of your race, color, or national origin, then you may contact the agency and the TCCY Title VI Coordinator or the U.S. Department of Justice.

Prácticas prohibidas

- Negar los servicios o la segregación de los clientes por el solo hecho de su raza, color u origen nacional.
- Negarse a otorgar los mismos privilegios a los clientes o miembros del personal por motivos de raza, color u origen nacional.
- Menoscar la dignidad humana por la forma de dirección, o el tratamiento por motivos de raza, color u origen nacional.
- La aplicación de normas diferentes para los mismos tipos de servicios basadas en la raza, color u origen nacional.
- No tener en cuenta el lenguaje o dificultades educativas.



TÍTULO VI DE LA LEY DE

DERECHOS CIVILES DE 1964

"EN LOS ESTADOS UNIDOS, NO SE PODRÁ DISCRIMINAR A NADIE NI NEGARLE LA PARTICIPACIÓN O LAS PRESTACIONES OFRECIDAS POR NINGÚN PROGRAMA O ACTIVIDAD FINANCIADOS POR EL GOBIERNO FEDERAL EN RAZÓN DE SU RAZA, COLOR O PAÍS DE ORIGEN"

La Comisión sobre los Niños y la Juventud de Tennessee (TCCY) es una agencia estatal independiente que administra diversos fondos federales a los organismos en todo el estado.

La TCCY supervisa las agencias para el cumplimiento del título VI a través de encuestas y visitas de supervisión. La TCCY también distribuye carteles y panfletos a estos organismos y les obliga a cumplir con los requisitos del Título VI descritos anteriormente.



Comisión sobre los Niños y la Juventud de Tennessee número de autorización 316011. Electrónicamente. Este documento público fue promulgado a un costo de \$ 0.13 cada uno.

La Discriminación es Prohibida



COMISIÓN SOBRE LOS NIÑOS Y LA JUVENTUD DE TENNESSEE



502 Deaderick Street, Piso 9^o
Nashville, Tennessee 37243-0800

615-741-2633
Fax 615-741-5956
www.tn.gov/tccy

¿Quién puede presentar?

Personas u organizaciones sienten que han sido víctimas de la discriminación basada en raza, color u origen nacional pueden presentar una queja con la agencia en cuestión y el representante local de TCCY, o con el Departamento de Justicia de los EE.UU.*

Dónde presentar:

Agencia

Contacto / Número de la Agencia

Contacto / Número de TCCY Local

El Coordinador del Título VI de TCCY puede ser contactado en 615.741.2633.



*Si se presenta una queja internamente con TCCY y externamente con el Departamento de Justicia de Estados Unidos (202.514.2152), los procedimientos de quejas internos serán suspendidos en espera del resultado de la denuncia federal.

Proceso de Quejas del Título VI

- Llenar un formulario de queja por escrito dentro de los 30 días de la supuesta discriminación.
- El grupo de trabajo del título VI de TCCY revisará la queja y realizará una investigación.
- Los resultados serán reportados al funcionario de mayor rango de la agencia en cuestión con las recomendaciones de medidas correctivas si es necesario.
- Dentro de los cinco días hábiles después de que los resultados se divulgan, los resultados por escrito serán enviados al demandante y el proceso de apelación se esbozará.
- Las apelaciones deben hacerse dentro de los 30 días calendario. Las apelaciones son revisadas por el director ejecutivo de TCCY, la Justicia de Menores y Encargado de Cuestiones de las Minorías y el grupo de trabajo del título VI.
- Los resultados se comunicarán a la Comisión en pleno para la Acción.
- El denunciante será notificado por escrito de los resultados.
- Una copia de los resultados será enviada a la agencia en cuestión.
- Si el demandante está aún insatisfecho, él o ella puede notificar al Departamento de Justicia de Estados Unidos.



Igualdad de Oportunidades es la Ley

Si usted siente que ha sido discriminado por su raza, color u origen nacional, entonces puede ponerse en contacto con la agencia y el Coordinador de TCCY del título VI o el Departamento de Justicia de Estados Unidos.



Tennessee State Government

Tennessee Commission on Children and Youth

Title VI of the Civil Rights Act of 1964



What is Title VI of the Civil Rights Act of 1964?

Federal Law

- 42 U.S.C. § 2000d provides,

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.



Course Outline

- Overview of Title VI
- Theories of discrimination
- LEP/National Origin
- State agency obligations



What is Title VI?

- Title VI prohibits discrimination on the basis of:




Tennessee Law

- Tenn. Code Ann. § 4-21-904

It is a discriminatory practice for any state agency receiving federal funds making it subject to Title VI of the Civil Rights Act of 1964, ... or for any person receiving such federal funds from a state agency, to exclude a person from participation in, deny benefits to a person, or to subject a person to discrimination under any program or activity receiving federal funds, on the basis of race, color, or national origin.



Scope of Coverage - Employment

- While Title VI was not meant to be the primary vehicle to prohibit employment discrimination, it does not forbid employment discrimination by recipients in certain situations.
- If a “primary objective” of the Federal financial assistance to a recipient is to promote employment, then the recipient’s employment practices are subject to Title VI.
 - Otherwise, refer to Title VII of the Civil Rights Act of 1964, which covers employment discrimination based on race, color, national origin, religion, and sex.



What must occur for Title VI to apply?

- The program or activity
 - Must be located in the United States
 - Must provide a service
 - Must receive direct (recipient) or indirect (sub-recipient) federal financial assistance



What is Federal Financial Assistance (FFA)?

- Award or grant of money;
- Loans, below fair market value subsidies;
- Any federal agreement, arrangement, or other contract which has as one of its purposes the provision of assistance;
- Surplus property;
- Training; and
- Detail of federal personnel.



What is a recipient?

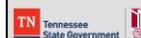
A “recipient” receives FFA and/or operates a program or activity (e.g. a state, local or municipal department/ agency, or other entity)

Primary Recipient -

Transfers or distributes assistance to another recipient or subrecipient

Subrecipient –

Distributes assistance to an ultimate beneficiary (e.g., contractors, subcontractors or grantees)



Beneficiaries

Individuals and/or entities who directly or indirectly receive an advantage through the operation of a federal program.



Examples of discriminatory practices

- Denying an individual any service, financial aid, or benefit.
- Providing a different service, aid or benefit, or providing them in a manner different that they are provided to others.
- Segregating or treating individuals separately in any manner related to receiving programs, services, or benefits.
- Retaliation.
- National Origin/Limited English Proficient (LEP) Discrimination.





Theories of Discrimination

Disparate Treatment

- Intentional discrimination against an individual.
- Must show that a challenged action was “motivated by an intent to discriminate.”



Evidence of Discriminatory Intent

- May be direct or circumstantial and may be found in various sources, including statements, historical background of events in issue, or a departure in standard procedure



Elements of Disparate Treatment

- The aggrieved person was a member of a protected class;
- That person applied for, and was eligible for a federally assisted program that was accepting applicants;
- That despite the person’s eligibility, s/he was rejected; and
- The recipient selected, or continued to accept applicants of the complainant’s qualifications.



Disparate Treatment

- Once the elements are established, the recipient has to show there was a “legitimate, nondiscriminatory reason” for the challenged action.
- It is then up to the investigating agency to determine whether there is sufficient evidence to establish that the recipient’s reason was a pretext for discrimination.



Disparate Impact

- Discrimination that occurs as a result of a neutral policy which appears harmless on the surface, but negatively affects a group.
- Focus concerns the consequences of a recipient’s practices, rather than intent.



Elements of Disparate Impact

- The recipient's facially neutral policy or practice caused a disproportionate and adverse effect on members of a protected class
- Requires a comparison of the effects of the policy or practice on the relevant protected class relative to the effects on others
- May be shown through statistics or other evidence of a significant adverse impact upon the relevant protected class



Disparate Impact

- After the elements are established, the investigating agency must then determine whether the recipient can articulate a "substantial legitimate justification" for the challenged practice.



Substantial Legitimate Justification

- To prove, the recipient must show that the challenged policy was necessary to meet a goal that was legitimate, important, and integral to the recipient's institutional mission.



Disparate Impact

- If the recipient provides a substantial legitimate justification, the inquiry then focuses on whether a less discriminatory alternative was available.



Who is a Limited English Proficient Person?

- Persons who do not speak English as their primary language and who have limited ability to read, speak, write or understand English
- These individuals may be entitled to language assistance with respect to a particular type of service, benefit or encounter



National Origin/
Language Discrimination

National Origin/Language Discrimination

The Supreme Court in *Lau v. Nichols*, 414 U.S. 563 (1974) provided that failure to provide information in languages other than English could result in discrimination on the basis of national origin where failure to do so results in a significant number of LEP beneficiaries being unable to fully realize the intended benefits of the federally assisted program or activity.



Basic Principle...

Provide “meaningful opportunity” to access a program or activity



Executive Order 13166 (2000)

Presidential order that required each federal agency to develop LEP guidance that sets forth compliance standards recipients must follow to ensure that programs and activities that are normally provided in English are accessible to LEP persons.



Four – Factor Analysis

- The number or proportion of LEP persons in the eligible service population;
- The frequency with which LEP individuals come in contact with the program;
- The importance of the service provided by the program; and
- The resources available to the recipient.



Retaliation

- Occurs when a recipient or another person intimidates, threatens, coerces, or discriminates against any individual for the purpose of interfering with any right or privilege secured by Title VI, or because a person made a complaint, testified, assisted, or participated in any manner in an investigation or proceeding under Title VI.



Retaliation

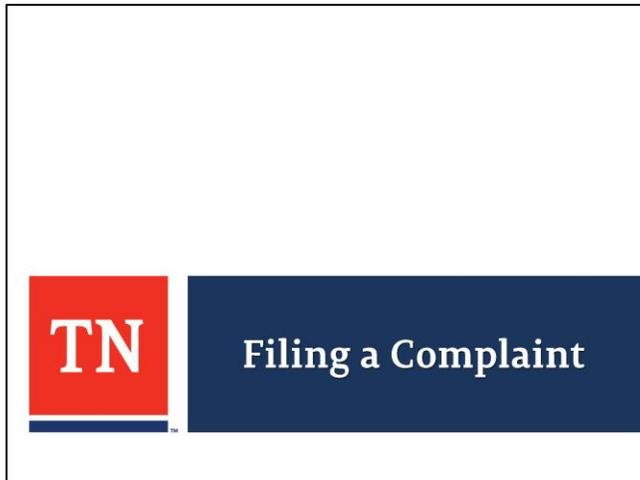
Elements of Retaliation

- The complainant was engaged in a protected activity;
- The recipient knew of the complainant's protected activity;
- The recipient took some adverse action against the complainant; and
- There was a causal connection between the protected activity and the adverse action.



Retaliation

- Once the elements are established, the recipient must show it had a "legitimate, non-discriminatory reason" for the action.
- The investigating agency must then determine if the recipient's reasons were pre-textual.



Filing a complaint

- There is a 180-day statute of limitations
- Individuals may file a complaint with the
 - Agency Title VI Coordinator
 - Tennessee Human Rights Commission
 - U.S. Department of Justice



Obligations

- Annually submit a Title VI Implementation Plan
- Handle complaints regarding discriminatory practices, including maintenance of a log of complaints received and notice of right to file a complaint
- Ensure public notification of relevant programs or activities
- Ensure minority participation on planning boards and advisory bodies



Bottom Line!!!

“Simple justice requires that public funds, to which all taxpayers of all races contribute, not be spent in any fashion which encourages, entrenches, subsidizes, or results in racial discrimination.”

(President John F. Kennedy, in his message calling for the enactment of Title VI, 1963)



Assess Your Understanding

Please take a few moments to answer the following review questions to assess your understanding of Title VI of the Civil Rights Act of 1964. Once you have selected your answer choice, advance to the next slide to see the correct response for each question.

If you need further guidance on Title VI and its implementing regulations, please contact Richard.Kennedy@tn.gov or Natasha.M.Smith@tn.gov, Tennessee Commission on Children and Youth or call (615) 741-2633.



Assess Your Understanding

1. Which of the following is not a protected class under Title VI?
 - A. Race
 - B. Sex
 - C. National Origin
 - D. Color



Assess Your Understanding

1. Which of the following is not a protected class under Title VI?

B. Sex

If you chose answer B., excellent! Title VI prohibits discrimination based on a person's race, color, or national origin. Sex is not a protected class under Title VI.

42 U.S. C. § 2000d



Assess Your Understanding

2. Which statement below is true?
 - A. Disparate treatment occurs when a discriminatory practice is motivated by intent.
 - B. Disparate treatment occurs as a result of a neutral policy which appears harmless on the surface, but negatively affects a group.



Assess Your Understanding

2. Which statement below is true?

- A. Disparate treatment occurs when a discriminatory practice is motivated by intent.

A., is the correct answer! A claim of disparate treatment must show that an individual acted with intent or motive to discriminate.



Assess Your Understanding

3. For Title VI to apply, the agency must be:

- A. Providing services to individuals in poverty
- B. A non-profit/501(c)(3)
- C. A direct recipient of state funding
- D. Either a direct or indirect recipient of federal funding



Assess Your Understanding

3. For Title VI to apply, the agency must be:

- D. Either a direct or indirect recipient of federal funding

The correct answer is D! For Title VI to apply, the agency must be either a direct or indirect recipient of federal financial assistance.



Assess your Understanding

4. Who is a Limited English Proficient person?

- A. A person who does not speak English as their primary language and has limited ability to 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. Answers A and C



Assess Your Understanding

4. Who is a Limited English Proficient person?

- D. Answers A and C

Limited English Proficient (LEP) persons are people who do not speak English as their primary language and who have limited ability to read, speak, write or understand English



Assess Your Understanding

5. True or False.

Under a Limited English Proficiency (LEP) policy, only direct recipients of federal funding must take steps to ensure that all non-English speaking persons receive the same access to programs benefits.



Assess Your Understanding

5. True or False.

Under a Limited English Proficiency (LEP) policy, only direct recipients of federal funding must take steps to ensure that all non-English speaking persons receive the same access to programs benefits.

False

Direct recipients *and* sub-recipients of federal financial assistance are required to take reasonable steps to ensure LEP persons having *meaning access* and an equal opportunity to participate in programs, services, and benefits.



Great Job!!!

You have completed the Title VI training course. Please complete and sign the certificate of completion. **Once you have signed your certification, please submit it to Natasha Smith no later than October 27, 2017.**



Certificate of Completion

This certifies that

(Name)

Has completed the Title VI Training Course for 2017 on

(Date)





STATE OF TENNESSEE
TENNESSEE COMMISSION ON CHILDREN AND YOUTH
Andrew Jackson Building, 9th Floor
502 Deaderick Street
Nashville, Tennessee 37243-0800
(615) 741-2633 (FAX) 741-5956
1-800-264-0904

PUBLIC NOTICE

Tennessee Commission on Children and Youth Quarterly Meeting

Thursday, June 14, 2018 at 3:30 p.m.

**William R. Snodgrass Tennessee Tower
3rd Floor, Conference Room D
Nashville, Tennessee 37243-0800**

and

Friday, June 15, 2018 at 8:30 a.m.

**William R. Snodgrass Tennessee Towers
3rd Floor, Nashville Room
Nashville, Tennessee 37243-0800**

For additional information, call 615-741-2633.

Board ID# _____

Position ID# _____

Tennessee Department Of State
Division of Publications

Open Appointments

Notice of Vacancy

One copy of this form to be completed for **EACH** vacant position.

Tennessee Code Annotated 10-7-605 requires the chair of an existing agency or the appointing authority to notify of vacancies as follows:

- Vacancies due to scheduled end of term require notice at least forty-five (45) days before vacancy occurs.
- Newly created agency requires notice of fifteen (15) days after the creation.
- Unscheduled vacancies require notice within fifteen (15) days after the vacancy occurs.

Board Name: _____

Department: _____

Appointing Authority: _____

Name of Previous Member or Indicate New Position: _____

Vacancy Reason: Scheduled Termination New Position Unscheduled Termination

Date of Vacancy: _____

Does current member continue to serve until reappointed or replaced?: Yes No

Is current member eligible for reappointment? Yes No

Vacant Position Qualifications: (Indicate all statutory requirements the appointee of this particular position must fulfill; e.g.: appointee must reside in West Tennessee, must represent private citizens, or must represent industry or teachers, etc.)

Term: _____ to _____

This form was prepared by:

Name: _____

Phone: _____

Email: _____

Date Submitted: _____

Office Use Only
Form Received: _____



Board ID# _____
 Position ID# Office Only _____

Tennessee Department Of State
 Division of Publications

Open Appointments

Notice of Appointment

One copy of this form for **EACH** new appointment.

Board Name: _____

Appointed By: _____

Appointed Member is Replacing Previous Member Reappointment New/Reactivated Position
 Name of Previous Member (if applicable): _____

Appointed Member Name: _____

Address : _____

_____ Tn
City State ZIP

Phone: _____

County: _____

House District: _____

Senate District: _____

Sex: Male Female

Race: _____

Term: mm/dd/yyyy to mm/dd/yyyy

Position Qualifications: (Indicate all statutory requirements the appointee of this particular position must fulfill; e.g.: appointee must reside in West Tennessee, must represent private citizens, or must represent industry or teachers, etc.)

This form was prepared by:

Name: _____

Phone: _____

Email: _____

Date Submitted: mm/dd/yyyy

Office Use Only
 Form Received: _____

Submit
Reset





STATE OF TENNESSEE
Tennessee Commission on Children and Youth
Andrew Jackson Building, Ninth Floor 502 Deaderick Street
Nashville, Tennessee 37243-0800
(615) 741-2633 (FAX) 741-5956
1-800-264-0904

PUBLIC NOTICE

Youth Transitions Advisory Council Upcoming Meeting

**Thursday May 3, 2018
12:30 PM – 3:30 PM**

**Goodwill Industries of Middle Tennessee
937 Herman Street, Nashville, TN 37208
Nashville, TN 37203**

For additional information, call 615-532-1685.



STATE OF TENNESSEE
SECOND LOOK COMMISSION
Andrew Jackson Building, Ninth Floor 502 Deaderick Street
Nashville, Tennessee 37243-0800
(615) 741 -2633 (FAX) 741-5956

PUBLIC NOTICE

SECOND LOOK COMMISSION Quarterly Meeting

June 12, 2018
10:00 AM – 11:00 AM

Administrative Office of the Courts
511 Union Street, Suite 600
Nashville, TN

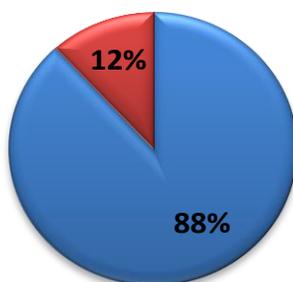
For additional information call 615 741-1154.

SECOND LOOK COMMISSION MEMBERS LIST 2017-2018

Title	Firstname	Lastname	Position	Organization	Gender	Race
Senator	Ed	Jackson	Co-Chair	TN General Assembly	Male	Caucasian
Representative	Mark	White	Co-Chair	TN General Assembly	Male	Caucasian
	Carla	Aaron	Executive Director	TN Department of Children's Services, Office of Child Safety	Female	Caucasian
	Charme P.	Allen	District Attorney General	6th District, TN District Attorney's General Conference	Female	Caucasian
Representative	John J.	DeBerry		TN General Assembly	Male	African American
	Brenda	Davis	Vice Chairperson, Board of Directors	Davis House Child Advocacy Center	Female	Caucasian
	David	Doyle	District Public Defender	18th Judicial District, District Public Defenders Conference	Male	Caucasian
Senator	Dolores R.	Gresham		TN General Assembly	Female	Caucasian
	Trudy	Hughes	Director of Regional Advancement	East Tennessee Foundation	Female	Caucasian
	Karen	Jointer	Director of Community Partnerships	TN Department of Children's Services	Female	African American
	Linda	O'Neal	Executive Director	Tennessee Commission on Children and Youth	Female	Caucasian
	Debra	Quarles Mills	Medical Doctor	East Tennessee State University, James H. Guillen College of Medicine, Department of Pediatrics	Female	Caucasian
	Johnny	Simmons	Special Agent in Charge	Tennessee Bureau of Investigation	Male	Caucasian
	Valerie	Schabilion		Law Enforcement Officer	Female	Caucasian
	Deborah	Taylor Tate	Executive Director	Administrative Office of the Courts	Female	Caucasian
	Patricia	Tipton	Police Officer	Knox County	Female	Caucasian
	Cynthia	Wyrick	Private Attorney	East Tennessee	Female	Caucasian

SLC Commission Racial Composition

■ Caucasian ■ African American





STATE OF TENNESSEE
COUNCIL ON CHILDREN'S MENTAL HEALTH
Andrew Jackson Building, Ninth Floor 502 Deaderick Street
Nashville, Tennessee 37243-0800
(615) 741 -2633 (FAX) 741-5956

PUBLIC NOTICE

**Council on Children's Mental Health/
Youth Transitions Advisory Council
Joint Meeting**

**June 21, 2018
10 AM – 2 PM**

**Midtown Hills Police Precinct
1443 12th Avenue South
Nashville, TN 37203**

For additional information, call 615-532-3073.



STATE OF TENNESSEE
COUNCIL ON CHILDREN'S MENTAL HEALTH

Andrew Jackson Building, Ninth Floor
502 Deaderick Street
Nashville, Tennessee 37243-0800
(615) 741-2633 (FAX) 741-5956
1-800-264-0904

Council on Children's Mental Health
Member Information

Please provide the following information for members or alternate designees (if appropriate) for the Council on Children's Mental Health:

Name: _____

Title: _____

Organization: _____

Address: _____

Phone: _____

FAX: _____

Email: _____