
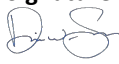


Title VI Non-Discrimination Policy and Procedures Office of Policy and Planning		Policy Number: OPP-01-Title VI Non-Discrimination Policy and Procedures
		Effective Date: 10-14-2022
Supersedes (if applicable): Title VI Non-Discrimination Policy and Procedures from 3-1-2022		Review Frequency: Annually
Drafted By:	Name Rachael Maitland	Signature 
Approved By:	Name David Salyers, P.E.	Signature 
Point of Contact:	Name Rachael Maitland	Email Rachael.Maitland@tn.gov TDEC.TitleVI@tn.gov
Summary of Policy (2-3 Sentences): The purpose of this policy is to identify policy and procedures relating to TDEC's complying with Title VI of the Civil Rights Act of 1964.		
Number(s) and Name(s) of Referenced Files (forms, templates, etc.):		

I. JUSTIFICATION OR AUTHORITY

As a recipient of federal financial assistance, TDEC is required to comply with Title VI of the Civil Rights Act of 1964.

II. PURPOSE

The purpose of this policy is to identify policy and procedures relating to TDEC's complying with Title VI of the Civil Rights Act of 1964.

III. DISCLAIMER

The guidelines under this policy are a basis for internal administrative review and guidance only. They are not intended to, do not, and may not be relied upon to create any substantive or procedural rights.

IV. SCOPE

This policy applies to all TDEC staff and stakeholders.

V. POLICY

A. What is Title VI?

Title VI of the Civil Rights Act of 1964 is the federal law that protects individuals from discrimination based on their race, color, or national origin in programs that receive federal financial assistance. Federal financial assistance includes the distribution of funds and/or the services they provide.

B. TDEC Statement of Non-Discrimination:

The State of Tennessee, Department of Environment and Conservation (TDEC) complies with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), which states that “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.” Any person who believes that TDEC has discriminated based on race, color, or national origin, including limited English proficiency (LEP), in violation of Title VI may file a written complaint with the Tennessee Human Rights Commission (THRC). Complaints must be filed within 180 days of the alleged discriminatory act. Complaints may also be filed with TDEC, or the United States Department of Justice.

C. What programs are covered by Title VI?

Approximately 30 federal agencies provide federal financial assistance in the form of funds, training, and technical and other assistance to state and local governments, and non-profit and private organizations. These recipients of federal assistance, in turn, operate programs and deliver benefits and services to individuals (known as “beneficiaries”) to achieve the goals of the federal legislation that authorizes the programs. TDEC is a recipient of federal financial assistance.

Federally assisted programs address such areas as:

- Elementary, secondary, and higher education
- Health care, social services, and public welfare
- Public transportation
- Parks and recreation
- Natural resources and the environment
- Housing and community development

- Law enforcement and the administration of justice
- Agriculture and nutrition

D. What is not covered by Title VI?

- Title VI does not cover federally funded contracts of insurance and guaranty.
- Title VI does not cover employment, except where employment practices result in discrimination against program beneficiaries or where the purpose of federal assistance is to provide employment.
- Title VI does not cover discrimination based on factors other than race, color, or national origin, including age, sex, disability, geographical locale, or wealth.

E. What discrimination is prohibited by Title VI?

There are many forms of illegal discrimination based on race, color, or national origin that can limit people's opportunity to gain equal access to services and programs. Among other things, in operating a federally assisted program, a recipient cannot, based on race, color, or national origin, either directly or through contractual means:

- Deny program services, aids, or benefits
- Provide a different service, aid, or benefit, or provide them in a manner different than they are provided to others; or
- Segregate or separately treat individuals in any matter related to the receipt of any service, aid, or benefit.

F. How to file a discrimination complaint with TDEC:

A signed, written complaint must be filed with the TDEC Title VI Coordinator within 180 calendar days of the alleged discriminatory act. It should describe:

- Your name, address, and telephone number. Your complaint must be signed. If you are filing on behalf of another person, include your name, address, telephone number, and your relation to that person (e.g., friend, attorney, parent, etc.)
- The name and address of the agency, institution, or department you believe discriminated against you.
- How, why, and when you believe you were discriminated against. Include as much background information as possible about the alleged acts of discrimination. Include names of individuals whom you allege discriminated against you if you know them.



- The names and contact information of any persons, if known, that TDEC could contact for additional information to support or clarify your allegations.

G. What will TDEC do with my complaint?

Once a complaint is filed, it will be forwarded to the appropriate party for review. If TDEC has jurisdiction to investigate the issues you have raised, TDEC's Complaint Officer will investigate all allegations and attempt to resolve the complaints. If negotiations to correct a violation are unsuccessful, enforcement proceedings may be instituted.

It is impermissible for a recipient or other person to intimidate, threaten, coerce, or discriminate against any individual for the purpose for interfering with any right or privilege under Title VI, or because the individual has made a complaint. Any individual alleging such harassment or intimidation may file a separate complaint.

H. Who can provide Title VI information?

- a. The Tennessee Human Rights Commission:

The Tennessee Human Rights Commission coordinates statewide monitoring and enforcement of Title VI.

- Central Office: 615-741-5825

- b. TDEC Title VI Coordinator:

TDEC has a Title VI Complaint Officer and a Title VI Coordinator. The Coordinator provides general information, training, and monitoring of TDEC Title VI compliance.

- Vince Haymon, Title VI Complaint Officer: Vincent.Haymon@tn.gov, 615-741-8007
- Rachael Maitland, Title VI Coordinator: tdec.titlevi@tn.gov or 423-836-8925

The U.S. Department of Justice, under Executive Order 12250, coordinates the enforcement of Title VI and related statutes by all federal agencies that administer federally assisted programs.

- Civil Rights Division: 202-514-4609

I. For Further Information on TDEC Title VI Compliance Contact:

Rachael Maitland

Title VI Coordinator

TDEC.TitleVI@tn.gov

<https://www.tn.gov/environment/policy/title-vi-ej.html>