



TITLE VI E-News



Tennessee Department of Transportation Civil Rights Division

September 2021

Inside this Issue:

Finch Retirement Continued.....	2
Multimodal State Management Review.....	2
2021 TSU NSTI Program.....	3
NSTI TDOT Speaker's Week.....	4
Subrecipient Virtual Title VI Training.....	5
STCREC Virtual Symposium.....	5
Annual Title VI Program Training.....	6
2020-2021 Compliance Reviews.....	6
Civil Rights Division Interns 2021.....	7
ASHE Middle TN Chapter EJ Roundtable.....	8
2021 THRC Implementation Plan Approved.....	9

TDOT CIVIL RIGHTS DIVISION

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A Legend on the Gridiron, TDOT and the Knoxville Community



Kelsey Finch, Title VI Specialist

Please join the Civil Rights Division in extending best wishes to Kelsey Finch, who is preparing to retire, after 22 years of dedicated service, on October 1, 2021.

Prior to joining the ranks of TDOT in August 1999, Finch served eight years as the Director of Community Relations and Equal Employment Opportunity with the Knoxville City Government.

During his tenure with TDOT, Finch, serving as a Contract Compliance Officer III, was housed in the Region I facility. There he served as the resident expert on all Civil Rights matters. He was the eyes-and-ears of the division, keeping staff abreast of any potential Title VI issues within Regions I and II. As a Contract Compliance Officer III, he conducted contractor compliance reviews and served as a Title VI Specialist. As a Title VI Specialist, Finch was responsible for training TDOT subrecipients on Title VI of the 1964 Civil Rights Act and other nondiscrimination mandates. He was responsible for monitoring TDOT subrecipients in Regions I and II for Title VI compliance, averaging over 150 compliance reviews per year.



Finch Retirement Continued...



Finch is well known throughout the state for his 99-yard touch-down run in the Vols' 27-17 loss at 19th-ranked Florida. He continues to hold the Southeastern Conference record for the longest run from scrimmage. That 1977 season was Finch's best, but he was a solid four-year contributor who finished his college career with 1,733 yards from scrimmage — 1,587 rushing and 146 receiving — and 17 touchdowns. He is truly a remarkable and caring person who believes in giving back to his community. In his off-duty time, Finch coached high school football and officiated football at all amateur levels. Over the years Finch has served on numerous boards. Most notable, he served 13 years on the Mississippi State Community College Foundation Board, 15 years on the Homesource of East Tennessee Board (eight years as Chair), and currently he serves as Vice-Chair of the Knoxville Industrial Development Board.

Finch, we thank you for your contributions to TDOT and the Civil Rights Division. You will be missed. Wishing you and your family continued success and blessings.



I would like to thank the TDOT family for all the love and support, with a special shout out to the folks in Region I.

Kelsey Finch

Multimodal State Management Review

TDOT's Multimodal Division underwent a Management Review in August 8 – 11, 2017. The review focused on TDOT's compliance in 14 areas. No deficiencies were found in 12 areas of the FTA requirements. Deficiencies were found in the areas of Procurement and Disadvantaged Business Enterprise (DBE). Additionally, FTA followed up with concerns regarding the TDOT triennial Title VI Program update that was submitted on February 4, 2020.

In June of this year, FTA met with the TDOT Multimodal and Civil Rights Divisions to discuss the deficiencies, provide technical assistance, and corrective actions. Multimodal and Civil Rights Divisions collaborated to address the areas of concern that fell under the Civil Rights Division's areas of expertise. Following, many of the deficiencies were corrected. The Multimodal and Civil Rights Divisions continue to collaborate on the DBE deficiencies in preparation of the November 30, 2021 deadline.



2021 TSU NSTI Program



Annually, the CRD administers the National Summer Transportation Institute (NSTI) Program , which gives Title VI Program and various TDOT staff the opportunity to focus on inspiring and shaping future transportation leaders by providing presentations on careers in transportation and hosting field trips with the students. Tennessee State Univeristy (TSU), Department of Civil and Architectural Engineering, was selected as the 2021 host. NSTI is a four-week federally funded summer program developed to increase the awareness of highschool students to the engineering field and other transportation related careers, enhance students understanding of transportation related problems and solutions, and develop their interpersonal and leadership skills. This year the program included two separate sessions: 1st session was held from June 14th-25th in-person on the TSU campus and the 2nd session was a two week virtual camp held on Zoom from July 12th-23rd.

TDOT Week was observed the first week during each session and included volunteer speakers from TDOT. The guest speakers delivered engaging presentations about their roles and responsibilities at TDOT and career opportunities available in the field of Transportation.

The CRD would like to extend a special thanks to TDOT Commissioner Clay Bright and Garry Western, from the Region III Traffic Management Center (TMC) for, their presentations. Special thanks also to other TDOT dedicated speakers,

Field Trips, Lab Activities, and Virtual Presentations Pictures



Joeeph Kerstetter, Assistant Lab Manager, TDOT Region III Materials and Tests, speaking to students



Frank Sadler, Lab Supervisor, TDOT Region III Materials and Tests, speaking to students



Shabir Bhagani, Business Intelligence Specialist, TDOT IT Division, with NSTI Students





2021 NSTI Program TDOT Speaker's Week

TITLE III E-News



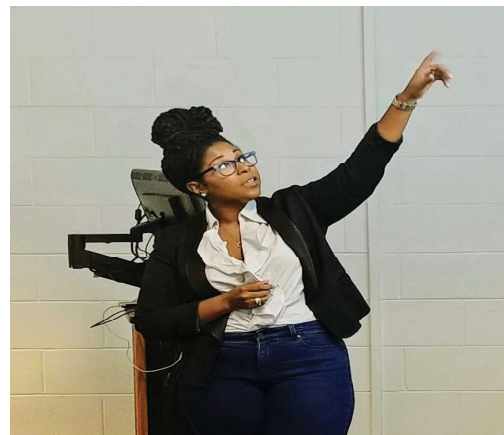
Clay Bright, TDOT Commissioner



Vince Malone, Director, TDOT Civil Rights Division,



Renas Barzanji, Work Zone/ADA Transportation Monitor and Christopher Schneider, Transportation Project Specialist, TDOT Roadway Design Division



Andrea Barbour, Special Projects Coordinator, TDOT Long Range Planning Division



Jimmy Scales, Transportation Project Specialist and AY John York, Transportation Project Specialist, TDOT Structures Division



Daniel McDonnell, Multimodal Planning Manager (far right), Veda Nguyen, Civil Engineering Manager II (middle), and Sofia McMillan, Intern (far left), TDOT Multimodal Transportation Resources Division



Subrecipient Virtual Training launched

TITLE VI E-News

Title VI training plays a vital role in the effectiveness of any Title VI Program. The CRD Title VI Program is pleased to announce its new Regional Subrecipient Virtual Training that launched in May of this year. WebEx is the virtual platform that we utilize to provide the training. The Title VI Program staff joined forces with Will Synder, WebEx Coordinator, with TDOT's IT Division to arrange one virtual training per region.

The training enables new Title VI Coordinators and those wanting a refresher to interact with staff, provide an opportunity to ask questions, and learn what is expected of a recipient of federal funds. This training will provide resources and alleviate any confusion for Title VI Coordinators that may occur when developing a new Title VI Program with an entity.

Lastly, the virtual training provides an overview on the historical origin of "Title VI of the Civil Rights Act of 1964" and supports nondiscrimination legislation that followed its enactment. Practical application of the law and the introduction into other Title VI components, e.g., Limited English Proficiency (LEP) will also be discussed during the training. TDOT subrecipients can register for training on the CRD Title VI Program website at: <https://www.tn.gov/tdot/civil-rights/title-vi-program/title-vi---training.html>

Southern Transportation Civil Rights Executive Council Virtual Symposium Held

On May 4-5, 2021, the Civil Rights Division staff participated in the annual Southern Transportation Civil Rights Executive Council (STCREC) Training Symposium. STCREC serves to promote the advancement of Civil Rights program initiatives in its member states which include: Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee. For over 20 years, the STCREC Training Symposium has been bringing together public and private Civil Rights Program administrators and professionals, as well as other transportation partners, to provide comprehensive training on various FHWA Civil Rights programs. This year was the organization's first year to

present the symposium virtually and was hosted by the Mississippi Department of Transportation (MDOT). The event provided a variety of topics and training opportunities for each area of the Civil Rights Division.

Highlights of the symposium included a virtual tour of the Mississippi Civil Rights Museum, a motivating presentation on Civil Rights: A Renewed Call to Action and a Cultural Diversity PLUS discussion. The TDOT Civil Rights Division enjoyed the opportunity to participate and looks forward to future symposiums.



2020-2021 Compliance Reviews



In 2009 the Title VI Program staff developed and implemented a Year-In-Site and Staggered Monitoring Schedule to assist in meeting its compliance review commitment. These tools helped to establish a more proficient and efficient means of conducting business.

The Year-In-Site projects the minimum number of reviews the Title VI team is responsible for completing in the upcoming year. It allows staff to plan and prepare for the next review cycle. The Staggered Monitoring Schedule, which is a triannual schedule, helps to set the expectations for TDOT's subrecipients. They know that on their review anniversary they will either have an onsite, desk review, or be in receipt of a "No Change Affidavit." The affidavit allows TDOT's subrecipient to either affirm there has been no changes to their Title VI program or acknowledge any changes and submit supporting documentation of the changes.

Both tools have assisted the Title VI staff with managing heavy workloads and providing time to offer technical assistance to subrecipients who need additional support. Additionally, it has assisted the Title VI staff in gaining more penetration into TDOT's growing subrecipient pool.

The Title VI Staff has realized an annual increase in completed compliance reviews. The last fiscal year, 2019 – 2020, staff completed 360 compliance reviews, which was a substantial increase from the previous year. This fiscal year staff is projected to complete 430 compliance reviews, which, if realized, will be an all time high for the staff. Thank you Kelsey Finch, Pamela Sharp, and Wes White for their hard work and dedication.

Annual Title VI Program Employee Training

Thank you for your participation in the 2021 Annual Employee Title VI Training. There was a team effort on everyone's part to ensure TDOT reached its objective of providing a meaningful annual Title VI training; a training that equipped our employees with the tools and knowledge needed to run our agency's programs and activities in a nondiscriminatory manner.

The Civil Rights Division (CRD) and the Human Resource Division's collaboration continues to ensure TDOT remains in compliance with Title VI and other nondiscrimination mandates. We thank the Title VI Liaisons who were responsible for ensuring the employees in their

respective work areas had access to and participated in the training. Without their diligence and coordination efforts the training would not have been successful.

The CRD would like to acknowledge and thank Steve Allen (Director), Jonathan Rodgers (Title VI Liaison), and the Strategic Transportation Investments Division's staff members for their training efforts. For the last five years, this team has successfully completed the training first. True competitors, true winners, and true team players. TDOT achieved 95.7% completion on June 30, 2021. Thanks to everyone who successfully completed the 2021 training.



Civil Rights Division Interns 2021



Drake White, Intern

The TDOT Civil Rights Division had the honor of hosting TDOT interns Drake White and Myles Minnis for the 2021 summer internship program from May 17, 2021 to August 6, 2021. Throughout the course of the program, both individuals had the opportunity to be involved

with and explore the workings of all three programs of the TDOT Civil Rights Division, Affirmative Action, Title VI, and Small Business Administration. Both individuals quickly assimilated into the CRD team and enjoyed the opportunity to explore the role and the importance of Civil Rights within the daily role of TDOT.

Drake White joined us from Vanderbilt University where he majors in Political Science, Law, History and Society, along with Classical and Mediterranean Studies. Drake's primary role during the internship was working with the Title VI Program. Under the direction of the Title VI Program Director, Cynthia Howard, Drake learned the daily role and tasks of Title VI within the TDOT environment including Title VI subrecipient compliance reviews. Most of his time was spent working on a proposed creation of a Diversity, Equity and Inclusion plan. Outside of the Title VI Program, Drake assisted the Affirmative Action Program with Diversity Fair planning as well as efficient organization planning for the Disadvantaged Business Enterprise (DBE) Program with the Small Business Administration. Drake indicated his experience with the TDOT Civil Rights Division was an invaluable experience in learning how Tennessee works within federal law and expands on it in a way that helps people.

He graduates from Vanderbilt in the Spring of 2022 and has long term plans to join the legal profession.

Myles Minnis joined the Division as an intern



Myles Minnis, Transportation Monitor I

for the second summer in a row. Myles came to us from the University of Kentucky, where he graduated Magna Cum Laude in May of 2021, majoring in Community and Leadership Development. During this internship he worked with TDOT Affirmative Action Program Director, Sheree Hall Crowder. He gained experience in EEO/AA compliance as well as the everyday tasks involved in the Affirmative Action Program. Much of his time focused on workforce data analysis, contract compliance and diversity fair logistics.

Outside of working with the Affirmative Action Program, Myles received training in Title VI and assisted in onsite reviews for the Disadvantaged Business Enterprise Program. Myles indicates his internship opportunities have expanded his knowledge and skill sets within state government and will begin pursuing a Master of Public Administration from Trevecca Nazarene University in the fall. Additionally, on September 12th, 2021, Myles was hired by the CRD, to work with the Small Business Development Program.

Outside of working with the Affirmative Action Program, Myles received training in Title VI and assisted in onsite reviews for the Disadvantaged Business Enterprise Program. Myles indicates his internship opportunities have expanded his knowledge and skill sets within state government and will begin pursuing a Master of Public Administration from Trevecca Nazarene University in the fall. Additionally, on September 12th, 2021, Myles was hired by the CRD, to work with the Small Business Development Program.



ASHE Middle TN Chapter EJ Roundtable



Middle Tennessee Chapter of the American Society of Highway Engineers (ASHE) is an organization missioned with providing a forum for members and partners of the highway industry to promote a safe, efficient and sustainable transportation system through education, innovation and fellowship. As partners of ASHE, FHWA TN Division and TDOT were invited to participate in their two-day virtual conference as panelist in a roundtable discussion on Environmental Justice. The roundtable panelists included: Cynthia Howard, TDOT Civil Rights Office; Andrea Barbour, TDOT Long Range Planning; Robbie Hayes, Howard Needles Tammen and Bergendorff (HNTB); and Sabrina David, FHWA.

Environmental Justice (EJ), which is a mandate of Executive Order 12898, requires recipients of federal funding to 1) avoid, minimize, or mitigate disproportionately high and adverse human health or environmental effects, including social and economic effects, on minority populations and low-income populations; 2) ensure the full and fair participation by all potentially affected communities in the transportation decision-making process; 3) and prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.

The panelists discussed their respective roles in ensuring EJ is achieved in TDOT's transportation activities and projects; the importance of identifying and involving the EJ communities; how data is collected and analyzed; and what measures are taken to evolve minority, low income, and Limited English Proficient communities in transportation decision-making.

In closing the discussion, Howard cited two historical cases in Tennessee that demonstrated how racist decisions played a role in devastating EJ communities. She mentioned the Dickson, Tennessee case, which is referred to as the "poster child" for environmental racism and toxic dumping. The Holts, an African American family, suffered health issues and some died, resulting from a landfill that leaked hazardous wastes into their drinking water. She also mentioned the I-40 being constructed directly through a thriving black neighborhood in the north side of Nashville that displaced nearly 1,400 residents, isolating the community and leading to economic devastation for black-owned businesses. The panelist presented to an audience of 200.





THRC Implementation Plan Approved



Title IV, Chapter 21, Section 203, requires the Tennessee Human Rights Commission (THRC) to verify that all state governmental entities that are recipients of federal financial assistance comply with Title VI of the Civil Rights Act of 1964 by developing a statewide Title VI Implementation Plan. THRC serves as the central coordinating agency for technical assistance, consultation, and resources. It governs all state departments and agencies that receive federal financial assistance in the state of Tennessee, ensuring that no person shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity.

The Civil Rights Division (CRD) Title VI Program staff is required to report, annually, to the THRC on its Title VI activities. The annual update delineates program changes and highlights compliance reviews, accomplishments, outreach efforts, and reports any Title VI complaints. It provides the CRD an opportunity to highlight its interdisciplinary approach to accomplishing Title VI compliance within TDOT. Furthermore, it provides a platform for demonstrating how the CRD endeavors to ensure TDOT and its subrecipients are in compliance with Title VI of the Civil Rights Act of 1964. It provides THRC an opportunity to distinguish the “what, when, why, and how” behind TDOT’s Title VI Program’s Implementation and execution of the federal and state mandates. The Title VI Implementation Plan, submitted October 1, 2020, was approved on May 13, 2021.



The Mission of the Civil Rights Division is to ensure adherence to Equal Employment Opportunities, Title VI, and Small and Disadvantaged Business Initiatives.