

The State of
Tennessee



Department of Safety



TDOS

Annual Title VI Compliance and Implementation Plan October 2009

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Purpose

The Tennessee Department of Safety affirms its policies to assure all individuals the opportunity to participate in federal financially assisted programs. The Department of Safety adopts Title VI of the Civil Rights Act of 1964, as codified in 42 U.S.C. 2000d, which states “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”.

I. General Agency Overview

The Tennessee Department of Safety (TDOS) was established in 1939 by the General Assembly to exercise the authority of the Tennessee Highway Patrol (THP). During its 69 years of sustained progress and service, the department has evolved into a multi-faceted agency that now provides five main areas of service: law enforcement services, motorist and vehicle services, terrorism prevention services, education and training services, and administrative support services. While each area performs distinctly different functions, they all work together toward the common goal of ensuring public safety.

Although there is a heavy focus on highway safety, the department’s services extend to virtually everyone within the state’s borders, including motorists and passengers, commercial motor vehicle firms and operators, other state and local law enforcement agencies, students and teachers, attorneys and courts, financial institutions, insurance companies, automobile dealers, employers, and the news media.

Approximately half of the employees are commissioned law enforcement officers. The department has a strong local presence throughout the state with its eight patrol districts, eleven homeland security districts, and 50 driver license stations, and with the county clerks who serve as the department’s agents for driver licensing services.

Accredited by the Commission on Accreditation for Law Enforcement Agencies (CALEA) since 1999, the department is recognized as an outstanding law enforcement agency demonstrating excellence in management service by meeting an established set of professionally developed criteria. With programs such as Tennessee Highway Patrol, Driver Services, and the Office of Homeland Security, the Department of Safety’s programs touch virtually everyone in the state: neighbors, family, and friends. The vital nature of the department’s legislative mandates makes it especially important for TDOS to be at the forefront of responsive, effective public service.

A. Program Coverage

The Department delivers its mandated and optional services through ten major programs. A brief synopsis of each program is listed below as well as the amount of Federal and State dollars that were budgeted for each program.

Program Areas

The administrative and support services area is responsible for the overall administration of the Department, including establishing rules, regulation and policies, and providing

basic support services for department operations. Within the Administration program are the Commissioner and his immediate staff, Fiscal Services, Internal Audit, Human Resources, Supply, Office of Professional Responsibility, Strategic Planning, and the Legal Division.

Driver Services issues driver licenses (both regular and commercial), photo identification licenses, and handgun carry permits. Driver Services also houses the Financial Responsibility Section, which provides oversight for drivers who have suspended or revoked licenses. In addition, the program partners with County Clerks to offer selected services through their offices.

The Highway Patrol Program was established to protect the traveling public and is responsible for the enforcement of all federal and state laws relating to traffic in general and relating to the safe operation of commercial vehicles on Tennessee roads and highways. The program has grown to include a number of other significant services, devoted to such functions as school buses, auto-theft, and general protective enforcement services.

The Motorcycle Rider Education Program (MREP) is responsible for establishing standards for administering the motorcycle rider education program for Tennessee residents who currently ride, or those interested in learning to ride, motorcycles safely. This is accomplished primarily through overseeing two types of training programs, one for novice riders and one for experienced riders.

Auto Theft Investigation provides operational expenses to support the Department's work in the area of vehicular thefts. This program is purely a self-supporting funding mechanism, with no positions, and is directed by the Criminal Investigations Division.

Motor Vehicles Operations provides all commissioned officers with a vehicle to be used to enforce traffic laws on all state roads. The Department currently patrols 70,652 miles of state roads and interstates. The program also provides pool cars for other departmental staff to carry out their duties.

Driver Education develops, promotes, and coordinates programs that increase public awareness of highway safety. The two mandated services for Driver Education are (1) promoting safety on Tennessee highways and (2) regulating commercial driving schools. Primary means of fulfilling these mandates are through presentations, public service announcements, demonstrations, and inspecting and licensing commercial driving schools statewide.

Major Maintenance provides funds for buildings, sites and departmentally specific items that are not covered under the Facilities Revolving Fund. This includes 41 communication sites (both radio towers and remotes radio repeater sites) and such locations as the federally funded roadside commercial motor vehicle scale houses.

The Technical Services program encompasses services revolving around vehicle and driver data, as well as managing the systems that collect and house the data. The program thus has two major aspects: Information Technology and Information Processing.

Executive Order 8 designates The Office of Homeland Security OHS as the office having primary responsibility and authority for directing the state's homeland security activities and to serve as a liaison with government and private agencies on matters of homeland security. The Terrorism Prevention and Response Act of 2002 compels law enforcement to take steps to prevent terrorist acts to the fullest extent possible.

B. Budget/Amounts of Federal and State Dollars

The Department of Safety receives various grants to perform specific functions as specified in the grant guidelines. These grants generally provide money for equipment, supplies, and employee overtime. The table below identifies the department's programs and the allocation of state and federal dollars that were budgeted for fiscal year 2008-2009.

<u>PROGRAM</u>	<u>FEDERAL</u>	<u>STATE</u>	<u>TOTAL FUNDS</u>
Administration	\$	\$ 8,236,100	\$ 8,236,100
Driver License Issuance	\$ 2,238,100	\$32,955,400	\$35,193,500
Highway Patrol	\$ 9,654,200	\$87,402,500	\$97,056,700
Motorcycle Education	\$	\$ 404,000	\$ 404,000
Auto Theft Investigations	\$	\$ 350,100	\$ 350,100
Motor Vehicle Operations	\$	\$10,104,100	\$10,104,100
Driver Education	\$	\$ 274,100	\$ 274,100
Major Maintenance	\$	\$ 10,300	\$ 10,300
Technical Services	\$ 433,100	\$ 6,877,800	\$ 7,310,900
Homeland Security	\$ 4,151,300	\$ 1,755,600	\$ 5,906,900
TOTALS	\$16,476,700	\$148,370,000	\$164,846,700

C. Organization/Civil Rights Coordinator

The responsibility for coordinating Title VI in the Department of Safety is assigned to the Title IV Coordinator, Shannon Hall, who is the Director of the Strategic Planning division. Administrative responsibilities are assigned to each program director of individual federal grants for the purpose of monitoring compliance. The Legal Division and the Human Resources Division of the Department of Safety serve as advisors to the Title VI Coordinator and project directors of programs that receive federal funds.

D. Civil Rights Policy Guidelines

The purpose of Title VI of 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, are allowed to participate in these federally funded programs. To ensure that the Tennessee Department of Safety meets its responsibility to provide for monitoring of Title VI Compliance activities and complaint processing, the

Department welcomes input from members of the public to revise and update its Title VI plan.

E. Definitions

1. **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 right laws and regulations.
2. **Beneficiaries:** Those persons to whom assistance, services or benefits are ultimately provided.
3. **Civil Rights Compliance Reviews:** Regular systematic inspections of agency programs conducted to determine regulatory compliance with civil rights laws and regulations. Compliance reviews determine compliance and noncompliance in the delivery of benefits and services in federally assisted programs. 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 reviews may be conducted on-site or through desk audits.
4. **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.
5. **Compliance:** The fulfillment of the requirements of Title VI, or other applicable laws, implementing regulations and instructions to the extent that no distinctions are made in the delivery of any service or benefit on the basis of race, color, or national origin. (See also conciliatory agreement and noncompliance).
6. **Conciliatory Agreement:** A voluntary agreement between a federal agency and the state or between the state and a sub-recipient that provides for corrective action to be taken by a recipient to eliminate discrimination in any program receiving federal assistance.
7. **Contractor:** A person or entity that agrees to perform services as a specified price.
8. **Desk Audit:** A desk audit is a structured paper review of statistical and narrative information submitted by recipients or agency program offices of compliance information obtained before or without going on site, conducted according to review procedures. Desk audits include routine reviews of assurance forms or other documents to ensure that they have been properly completed.

9. **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.
10. **Federal Assistance:** Any funding, property, or aid provided for the purpose of assisting a beneficiary.
11. **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.
12. **Noncompliance:** Failure or refusal to comply with Title VI of the Civil Rights Act of 1964, other applicable civil rights laws, and implementing Departmental regulations. (See Compliance.)
13. **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.
14. **Post-Award Review:** A routine inspection of agency programs during and after federal assistance has been provided to the beneficiary or recipient. These reviews may be cyclical or based on a priority system contingent upon the potential for noncompliance through on-site visits; however, desk audits and other mechanisms may also be used to assess operation of federally assisted programs. A post-award review may result in a written report that shows the compliance status of agency program offices and recipients. When necessary, the report will contain recommendations for corrective action. If the program office or recipient is found to be in noncompliance, technical assistance and guidance must be provided to bring the recipient into voluntary compliance. If voluntary compliance cannot be secured, formal enforcement action is then initiated.
15. **Potential Beneficiaries:** Those persons who are eligible to receive federally assisted program benefits and services.
16. **Pre-Award Review:** A desk audit of the proposed operations of a program applicant for federal assistance prior to the approval of the assistance. The Department must determine that the program or facility will be operated such that program benefits will be equally available to all eligible persons without regard to race, color, or national origin. The applicant may provide methods of administering the program designed to ensure that the primary recipient and sub-recipients under the program will comply with all applicable regulations and correct any existing or developing instances of noncompliance. If the documentation provided by the applicant for the desk audit is inadequate to determine compliance, then on-site evaluation may be necessary.

17. **Public Notification:** The process of publicizing information on the availability of programs, services and benefits to minorities and statements of non-discrimination. This is attained through use of newspapers, newsletters, periodicals, radio and television, community organizations, and grassroots and special needs directories, brochures, and pamphlets.
18. **Recipient:** Any state, political subdivision of any state, or instrumentality of any state or political subdivision, any public or private agency, institution, or organization, or other entity or any individual in any state to whom federal financial assistance is tended, directly or through another recipient, for any program, including any successor, assignee, or transferee thereof, but not including any ultimate beneficiary under such program.
19. **Service Delivery Area:** The area served by a service delivery point in the administration of federally assisted programs.
20. **Service Delivery Point:** The place in which federally assisted program services or benefits are administered to the public.
21. **Title VI of the Civil Rights of 1964, 42 U.S.C. 2000d:** The 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.

F. Staffing and Budgetary Resources

The resources of the Tennessee Department of Safety committed to Title VI monitoring and enforcement include staff time assigned to coordination, planning, data analysis, reporting, and monitoring. Each of these functions requires the time of professional staff and assistance from support staff. No reliable methods are available to project the specifics of the staffing required.

G. Discriminatory Practices:

It is the policy and intention of the Tennessee Department of Safety to fully comply with Title VI.

Prohibited discriminatory practices include:

1. Discriminatory practices to an individual based upon race, color, or national origin for services or for information and assistance of any program;
2. Providing any service or other benefit to an individual which is different, or is provided in a different manner, from that provided to another individual, such as the mode or style of service;

3. Subjecting an individual to segregation or separate treatment in any matter related to his or her receipt of any service or any other benefit;
4. Restricting an individual in any way in the enjoyment of services, facilities, or any other advantage, privilege, or other benefit provided to others under any program;
5. Adopting methods of administration that would limit participation by any group of recipients or subject them to discrimination, including submitting bids for services and receiving contracts of subcontracts, and personnel specifics such as hiring, firing and granting raises;
6. Denying a person the opportunity to participate as a member of a planning or advisory body that is an integral part of the Title VI. Every application of federal assistance shall contain, as a condition of approval, an assurance that the program will be conducted in compliance with all requirements imposed by Title VI. In administration of programs, when recipients have previously discriminated against persons on the grounds of race, color, or national origin, the recipients will take affirmative action to overcome the effects of prior discriminations;
7. Addressing an individual in a manner that denotes inferiority because of race, color, or national origin.

H. Federal Assistance/Guidance

The Tennessee Department of Safety receives general guidance and direction from various federal and state agencies in disseminating information through posters, brochures, pamphlets, and other public information related to civil rights and in filing complaints against civil rights discrimination.

II. Approach to Major Civil Rights Functions

A. Statement of Assurances

The Tennessee Department of Safety has developed and does implement this plan in order to ensure that benefits and services available are provided in a non-discriminatory manner, as Title VI requires.

B. Public Notification

The Tennessee Department of Safety informs potential employees, beneficiaries, and others about Title VI. Written information is distributed that details what Title VI encompasses and how someone may file a complaint under Title VI.

C. Compliance Reviews

The Title VI coordinator of the Tennessee Department of Safety compiles an annual compliance report that includes a report of the Department's findings and recommendations concerning compliance with Title VI.

D. Complaints of Discrimination

This complaint procedure pertains to Title VI only. Other charges of discrimination are processed in accordance with established policies and procedures and are not in any way associated with Title VI.

A complaint alleging discrimination against a facility or division of the Tennessee Department of Safety may be filed as an internal complaint and/or as an external complaint. An internal complaint may be filed with the Title VI Coordinator. An external complaint may be filed at the federal level, which is the regional Office for Civil Rights, U.S. Department of Justice.

Internal complaints must be filed in writing, preferably, on Form DOS VI-1. (All forms are attached in the Appendix). The form can be filled out by the complainant, by his or her representative, or by the Title VI Coordinator. A copy of the complaint must be sent to the Title VI Coordinator. If the complainant is unwilling to complete Form DOS VI-1, the complainant may write, or have someone write, a letter stating the circumstances of the complaint. The Title VI Coordinator must then fill out Form DOS VI-1 and attach it to the complainant's letter. The Title VI Coordinator has the primary responsibility for receiving, acknowledging, and investigating complaints, and for the findings.

When the Title VI Coordinator receives a complaint, a fact-finding investigation will be conducted by the Office of Professional Responsibility within thirty (30) calendar days from receipt of the complaint. The Title VI Coordinator will then issue a report (Form DOS VI-3) in a timely manner. If the report finds a violation of Title VI, the Title VI Coordinator should include any proposed remedial action in the report. Within five (5) calendar days after the issuance of this report, the written findings will be given to the complainant. The complainant's right to appeal, which will include instructions for filing, will also be provided at this time.

An appeal by a complainant regarding a finding made by the Title VI Coordinator may be filed with the Commissioner's designee. This appeal opportunity constitutes the second, and last, level in the Department's internal complaint system.

When a finding is appealed from the Title VI Coordinator to the Commissioner's designee, the Title VI Coordinator must forward a copy of the complaint (Form DOS VI-1), the findings (Form DOS VI-3), and the request for appeal (Form DOS VI-4) within ten (10) calendar days after the date of the appeal. The Title VI Coordinator must maintain a Title VI complaint log identifying information and type and status of each complaint filed.

When an appeal is filed, the Commissioner's designee has wide latitude to review the case and make a finding. Procedures can include, but are not limited to, discussing the complaint with the complainant and the alleged offender, reviewing any documents or appropriate information, and interviewing the initial reviewer in order to ascertain the facts. The Commissioner's designee must conduct a complete fact finding investigation within thirty (30) days after receipt of the appeal. When an appeal is concluded, a copy of the findings will be sent to the Title VI Coordinator. The complainant will then be informed of the findings in writing.

Once the Commissioner's designee has issued a written finding, a complainant who wishes to pursue the complaint further may choose to appeal the charges to the federal level, which is the U.S. Department of Justice. Appeal rights should be explained to the complainant at this time.

If the complaint is filed both within the Department and external to the Department, the external federal complaint will supersede the internal complaint. Therefore, the internal complaint procedures of the Department of Safety will be suspended pending the outcome of the external, or federal, complaint.

Form DOS VI-2 (Withdrawal of Complaint or Appeal for Fair Hearing) should be used if a complaint or a request for an appeal is withdrawn.

An external appeal to the U.S. Department of Justice can be filed at any time within one hundred and eighty (180) days from the date of the alleged discrimination.

E. Data Collection and Analysis

The federal reporting system currently in place requires reporting of participants in the following racial and ethnic categories;

1. American Indian/Alaskan Native;
2. Asian/Pacific Islander;
3. Black, not Hispanic; and
4. Hispanic

The Tennessee Department of Safety ensures the enforcement of Title VI guidelines.

F. Minority Representation

When a planning or advisory body, such as a board or a committee, is an integral part of the recipient's program, the division or agency will take the necessary steps to ensure that minorities are notified of its existence and are provided equal opportunity to participate as members.

G. Documentation of Minority Input in the Development of the Plan

For the purpose of monitoring compliance activities, the Department of Safety may establish an advisory counsel with minority representation.

H. Compliance Reporting

The Title VI Coordinator of the Department of Safety prepares an annual summary of monitoring activities and complaint processing. Copies of the annual reports will be maintained on permanent file and will be available for audit.

I. Coordination With Other Agencies

The Tennessee Department of Safety may coordinate with any other agencies on Title VI matters.

J. Effecting Compliance and Monitoring

Annually the Department will conduct a survey and/or assessment with agency divisions and contracting agencies to evaluate their compliance with the provisions of Title VI.

The Highway Patrol has implemented a block of instruction on Title VI for the in-service training of all commissioned personnel, which began in March 2008. This Title VI training will continue with all future in-service classes. Also, there are portions of Title VI covered in various THP courses.

Additionally, the Department of Safety provides training on Cultural Diversity, Police Ethics and Legal Issues, and Safe and Legal Traffic Stops (SALTS), to all recruits during initial training on an annual basis. The training is certified by Peace Officer Standards Training (POST). The curriculum is designed to address ethical core values and legal issues that law enforcement officers may encounter during routine traffic stops and the contents of the Civil Rights Act of 1964 Title VI bill. Title VI information is also being referenced in all Respectful Workplace classes taught to new departmental employees.

For those programs that utilize contractors or agents that act on behalf of the department (e.g. county clerks), random visits will be conducted by a representative of the department to ensure the facility is serving the public is in compliance with Title VI guidelines. These entities will also be asked to complete a Title VI self-survey and return it to the department on an annual basis.

Any contracting agency or division found guilty of violating the provisions of Title VI shall be given a written notice. The failure to eliminate further discrimination within thirty (30) days from receipt of notice will be considered as a violation of the terms of the contract and a basis for contract suspension, termination, or rejection. The enforcement procedure used by the Department of Safety for the termination of a contract agency from participation as a recipient of federal financial assistance will be in accordance with enforcement procedures. Any

contracts for services are conducted through the established processes of the Tennessee Department of General Services.

If an employee of the Tennessee Department of Safety is found guilty of any discriminatory practice based on Title VI provisions, the employee shall be disciplined. The Department shall utilize progressive discipline.

III. Goals and Objectives

A. Goals

Title VI of the Civil Rights Act of 1964 has been established to prohibit programs that receive federal funds from discriminating against participants or clients on the basis of race, color, or national origin. The emphasis of Title VI is on services provided by a government agency to the citizens of a given area. The goal of the Department of Safety is to ensure that services are delivered in a non-discriminatory manner to all persons regardless of race, color, or national origin.

B. Major Objective

In order to achieve the Department of Safety's objective of complying with Title VI, appropriate activities, forms, monitoring documents, complaint processing, inquiry responses and assurance statements are activated in any programs which receive federal and/or state funding, in whole or in part. This policy and procedure for Title VI compliance of the Civil Rights Act of 1964 by the Department of Safety took effect on July 1, 1995. Examples of the forms and a summary of monitoring activities are included in the appendix of this report.

C. Strategies

The Department uses various approaches to carry out the goals and objectives of Title VI compliance. Such strategies include targeted outreach, training, and self-assessment activities. An overview of this year's initiatives and activities is included in the appendix.

APPENDIX
TITLE VI FORMS AND ACTIVITIES
TENNESSEE DEPARTMENT OF SAFETY

- DOS VI-1 Complaint Under Title VI of Civil Rights Act of 1964
- DOS VI-2 Withdrawal of Complaint or Appeal For Fair Hearing
- DOS VI-3 Report of Investigation
- DOS VI-4 Appeal From Finding
- DOS VI-5 Title VI Compliance Initial Survey
- DOS VI-6 Annual Compliance Assessment
- DOS VI-7 Annual Monitoring Activities Summary
- DOS VI-8 Implementation Highlights
- DOS VI-9 Listing of Personal Services Contracts
- DOS VI 10 Annual Title VI Compliance Survey Response
- DOS VI 11 TDOS Title VI Posters



STATE OF TENNESSEE
TENNESSEE DEPARTMENT OF SAFETY

COMPLAINT UNDER TITLE VI OF CIVIL RIGHTS ACT OF 1964

To: Tennessee Department of Safety

I, _____, hereby file an official complaint against
(Complainant's Name)

_____ located at: _____
(Name of Person or Agency)

Complainant's Name: _____

Complainant's Address: _____

Basis of Complaint: _____

(Attach extra paper if necessary)

Date of alleged discrimination: _____

Signed: _____

Date: _____

To be completed by the Tennessee Department of Safety

Complaint received on _____
Date

Title VI Coordinator

Form: DOS VI-1



**STATE OF TENNESSEE
TENNESSEE DEPARTMENT OF SAFETY**

WITHDRAWAL OF COMPLAINT OR APPEAL FOR FAIR HEARING

DATE: _____

TO: Tennessee Department of Safety

I, _____, hereby withdraw my complaint or appeal

Filed on _____ against _____ located at
(Date) (Name)

(Address)

Complainant's Name: _____

Complainant's Address: _____

Reason for Withdrawal: _____

(Attach extra paper if necessary)

Signed: _____



STATE OF TENNESSEE
TENNESSEE DEPARTMENT OF SAFETY

REPORT OF INVESTIGATION

I, _____, representing _____
(Investigator) (Name)

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

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

The results of the investigation are as follows: (Circle the appropriate letter)

- 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 DOS VI-2.

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:

(Investigator)

(Date)



**STATE OF TENNESSEE
TENNESSEE DEPARTMENT OF SAFETY**

APPEAL FROM FINDING

I, _____, wish to appeal the finding made on _____
(Date of Finding)

by _____ of () Non-Discrimination or () The proposed remedial
action by the agency in the Title V I complaint as filed by:

_____ on _____ against
(Complaint) (Date of filing)

_____ at _____
(Person or Agency) (Location)

Signed: _____
(Appellant)

(Address)

(Date of Appeal)



**STATE OF TENNESSEE
TENNESSEE DEPARTMENT OF SAFETY**

TITLE VI INITIAL SELF-SURVEY

1. Date of Survey: _____
2. Type of Survey: () Initial () Other
3. Name of Facility/Division: _____
Street Address: _____
City, County, State _____
4. Name of Administrative Head: _____
Title: _____
5. Non-Discrimination Policies: Does your division 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, FOR INITIAL SURVEY ONLY.
6. Posters: Are posters containing Title VI information prominently displayed within the facility?

Yes _____ No _____
7. Do these posters show the name of Title VI Coordinator to whom complaints should be referred?

Yes _____ No _____
8. Records: Are permanent records kept of all Title VI complaints?

Yes _____ No _____

8. Complaints: If applicable, describe below any complaints received in this reporting period:

Name of complaint	Race	Charge	Findings

10. Dissemination: Is Title VI information disseminated to your employees and your clients/applicants? Yes _____ No _____

If yes, describe how employees are informed: _____

Describe how clients/applicants are informed: _____

11. Are you confident that applicants and clients are clearly aware of their rights under Title VI, including the right to file a complaint? Yes _____ No _____

12. Are new employees clearly informed about their specific responsibilities to clients under Title VI? Yes? _____ No _____

13. Are staff members periodically re-oriented or refreshed on information detailing their Title VI responsibilities? Yes? _____ No _____

14. If yes, state by whom and how: _____

15. Compliance Assurance: Do all contracts to provide direct services to clients contain a Title VI statement of compliance? Yes _____
 No _____

16. Are you confident that each of your sub-contractors or vendors, if any, are clearly aware of your agency's commitment to Title VI? Yes _____ No _____

17. Courtesy Titles: Does a written policy exist which states that courtesy titles (i.e., Mr., Mrs., Ms., Miss) Will be used by staff to address clients without regard to

race, color, or national origin in both oral and written communications?

Yes _____ No _____

18. Are all physical areas (e.g., exits, waiting room, dining areas, rest room, etc.) provided and used without regard to race, color, or national origin of clients?

Yes _____ No _____

If no, identify the areas which are not used jointly and explain why.

19. Is there a particular Title VI area in which you like in assistance? Please describe: _____

20. Comments: State below any particular problems you find with the manual, self-survey, etc: _____

DERCLARATION OF RESPONDENT: I declare that I have completed the data in this survey and to the best of my knowledge and belief, it is true, correct, and complete.

Signature of Person Completing Self-Survey

Date

Position: _____

DECLARATION OF ADMINISTRATIVE HEAD: I declare that I have reviewed and approved that information provided in this self-survey and to the best of my knowledge and belief, it is true, correct, and complete.

Administrative Head Signature

Date

Form: DOS VI-5



**STATE OF TENNESSEE
TENNESSEE DEPARTMENT OF SAFETY**

TITLE VI ANNUAL COMPLIANCE ASSESSMENT

Instructions: This report is used annually to evaluate your division's or agency's organization regarding Title VI compliance. Please respond to each question and provide any supporting documentation requested.

NAME OF DIVISION/AGENCY/ORGANIZATION:

ADDRESS _____

CONTACT NAME _____ **CONTACT PHONE** _____

		Yes	No
1.	Are services from this division or organization provided to clients without regard to race, color, or national origin?	<input type="checkbox"/>	<input type="checkbox"/>
2.	Does a written procedure exist for hearing and reviewing Title VI complaints.	<input type="checkbox"/>	<input type="checkbox"/>
3.	Are records maintained regarding all alleged cases of discrimination.	<input type="checkbox"/>	<input type="checkbox"/>
4.	Are notices and posters prominently displayed and used to emphasize the Title VI program and complaint opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
5.	Are notices and posters available in languages other than English?	<input type="checkbox"/>	<input type="checkbox"/>
6.	Are all clients specifically informed about their individual rights under Title VI?	<input type="checkbox"/>	<input type="checkbox"/>
7.	Are new and existing employees clearly informed about their responsibilities to clients under Title VI?	<input type="checkbox"/>	<input type="checkbox"/>
8.	Do contracts between this agency/organization and another party include a Title VI statement of compliance clause?	<input type="checkbox"/>	<input type="checkbox"/>

9. Are other parties which contract with this agency (e.g., vendors, sub-contractors) clearly informed by this agency about their own responsibilities to clients under Title VI standards?

10. Does a written policy exist which states that the staff will use courtesy titles (Mr., Mrs., Ms., Miss) to address clients without regard to race, color, or national origin in both oral and written communications?

11. How do you ensure persons with Limited English Proficiency (LEP) can access your services?

12. Please list any active complaints or lawsuits filed within the last year against your agency, organization, or division which alleges discrimination on the basis of race, color, or national origin. Include the nature of the complaint and summary of findings.

13. Please list any federal, state, or local Title VI compliance review(s) received by your agency, organization, or division in the last year. Include who conducted the review and any findings of non-compliance.

DERCLARATION OF RESPONDENT: I declare that I have completed the data in this survey and to the best of my knowledge and belief, it is true, correct, and complete.

Signature of Person Completing Assessment Date

Position: _____

DECLARATION OF ADMINISTRATIVE HEAD: I declare that I have reviewed and approved that information provided in this self-survey and to the best of my knowledge and belief, it is true, correct, and complete.

Administrative Head Signature Date

Form: DOS VI-6



STATE OF TENNESSEE TENNESSEE DEPARTMENT OF SAFETY

Annual Title VI Monitoring Summary FY 08-09

Division	Complaints	Findings	Appeals	Inquiries	Withdrawals
Administration	0	0	0	0	0
Driver License Issuance	0	0	0	0	0
Highway Patrol	0	0	0	0	0
Motorcycle Education	0	0	0	0	0
Auto Theft Investigations	0	0	0	0	0
Motor Vehicle operations	0	0	0	0	0
Driver Education	0	0	0	0	0
Major Maintenance	0	0	0	0	0
Technical Services	0	0	0	0	0
Total	0	0	0	0	0

Activities: DOS VI-7



STATE OF TENNESSEE TENNESSEE DEPARTMENT OF SAFETY

Title VI Implementation Highlights FY 08-09

The Department strives annually to engage in activities that are aligned with the goals and objectives of Title VI of the Civil Rights Act of 1964. A variety of activities were undertaken by divisions within the Department to ensure services were delivered to all persons in a non-discriminatory manner. Again this year a special emphasis was placed on making sure our services were easily accessible to individuals with Limited English Proficiency (LEP) and individuals of various nationalities.

The Driver License Issuance Division continued to work this year to improve delivery of services to international customers and individuals with limited English proficiency. During Fiscal year 2008-2009, the division conducted policy and procedure training for all new examiners and supervisors statewide. During this training staff were informed of the department's commitment to the goals and objectives of Title VI, their responsibilities under Title VI, as well as customer service techniques for processing LEP applicants. The division also surveyed all the county clerks who serve as contract agents to deliver driver license services in order to determine what resources the clerks require for Title VI compliance. As a result of this survey, new Title VI posters are being created in Spanish, and will be distributed to all of the contract agents for display in their public areas.

In a continued effort to make our documents more accessible and easy to read, the Department offers various documents translated into languages other than English. The Tennessee Highway Patrol's Child Restraint Device Safety brochure has been translated into Spanish. The Legal Division has also made available in Spanish a brochure on administrative hearings procedures. The department has brochures available online that pertain to DUI laws and Graduated Driver Licenses. Applicants for a driver license can obtain copies of the DL manual in Spanish, and can take the computerized DL test in Spanish, Korean, and Japanese. Applicants whose first language is not English may also use a translation dictionary if taking the English-language version.

For the past several years, Tennessee Highway Patrol has been contracted with Open Communications Interpreting and Translating services. If a trooper needs an interpreter he or she can either call, or have dispatch call, a toll free number. The preferred method is for troopers to allow dispatch to call and patch the trooper through to the translating service. This way, each phone conversation is recorded for future reference or verification, if needed. Each district has been given an access code and client id. The caller dials the toll free number and enters these numbers, then advises what language needs to be interpreted. Someone speaking that language will then come online and interpret for the trooper..

The Highway Patrol has implemented a block of instruction on Title VI for the in-service training of all commissioned personnel, which began in March 2008. This Title VI training will continue with all future in-service classes. Also, there are portions of Title VI covered in various THP courses.

Additionally, the Department of Safety provides training on Cultural Diversity, Police Ethics and Legal Issues, and Safe and Legal Traffic Stops (SALTS), to all recruits during initial training on an annual basis. The training is certified by Peace Officer Standards Training (POST). The curriculum is designed to address ethical core values and legal issues that law enforcement officers may encounter during routine traffic stops and the contents of the Civil Rights Act of 1964 Title VI bill. Title VI information is also being referenced in all Respectful Workplace classes taught to new departmental employees.

In the forthcoming year the Department will continue to seek avenues to promote non-discriminatory access to our programs, services, and activities covered under the Title VI laws.

Activities: DOS VI-8

TENNESSEE DEPARTMENT OF SAFETY CONTRACTS

Contracting Agent	Amount	Description	Start	Ending	Contract Type	Employees
STATE AGENCIES						
Agriculture	\$ 129,600	Testing of Scales	7/1/2006	6/30/2009	SINGLE SOURCE	Multiple
TRICOR	\$ 1,030,000	Keying of Accident Reports	7/1/2006	6/30/2010	SINGLE SOURCE	Multiple
TRICOR	\$ 1,640,000	Data Entry Services	12/01/2007	9/30/2012	SINGLE SOURCE	Multiple
TDOT	\$ 275,000	Site preparation & maintenance for 7 storage Lots	3/1/2007	12/31/2011	SINGLE SOURCE	Multiple
Commerce & Insurance	\$ 220,000	Psychological Exams	10/01/2008	9/30/2013	SINGLE SOURCE	Multiple
Total State	\$ 3,294,600					
LOCAL GOVERNMENT						
Anderson County Clerk	\$ -	Issue Driver License No Cost	10/1/2008	9/30/2009	SINGLE SOURCE	1
Benton County Clerk	\$ --	Issue Driver License	7/1/2008	6/30/2010	SINGLE SOURCE	1
Campbell County Clerk	\$ -	Issue Driver License	7/1/2008	6/30/2010	SINGLE SOURCE	1
Chester County Clerk	\$ -	Issue Driver License No Cost	10/1/2008	9/30/2009	SINGLE SOURCE	1
Claiborne County Clerk	\$ -	Issue Driver License	7/1/2008	6/30/2010	SINGLE SOURCE	1
Clay County Clerk	\$ -	Issue Driver License	10/1/2008	9/30/2009	SINGLE SOURCE	1
Cocke County Clerk	\$ -	Issue Driver License No Cost	10/1/2008	9/30/2009	SINGLE SOURCE	1
Davidson County Clerk	\$ -	Issue Driver License No Cost	10/1/2008	9/30/2009	SINGLE SOURCE	1
Grundy County	\$ -	Issue Driver License	7/1/2008	6/30/2010	SINGLE SOURCE	1
Hamblen County Clerk	\$ -	Issue Driver License No Cost	10/1/2008	9/30/2009	SINGLE SOURCE	1
Hamilton County Clerk	\$ -	Issue Driver License No Cost	10/1/2008	9/30/2009	SINGLE SOURCE	1
Hancock County Clerk	\$ -	Issue Driver License	7/1/2008	6/30/2010	SINGLE SOURCE	1
Hawkins County Clerk	\$ -	Issue Driver License	7/1/2008	6/30/2010	SINGLE SOURCE	1
Haywood County Clerk	\$ -	Issue Driver License No Cost	10/1/2008	9/30/2009	SINGLE SOURCE	1
Henderson County Clerk	\$ -	Issue Driver License	7/1/2008	6/30/2010	SINGLE SOURCE	1
Henry County Clerk	\$ -	Issue Driver License	7/1/2008	6/30/2010	SINGLE SOURCE	1
Houston County Clerk	\$ -	Issue Driver License	10/1/2008	9/30/2009	SINGLE SOURCE	1
Humphreys County Clerk	\$ 25,000	Issue Driver License	8/1/2004	6/30/2010	SINGLE SOURCE	1
Jefferson County Clerk	\$ -	Issue Driver License	7/1/2008	6/30/2010	SINGLE SOURCE	1
Johnson County Clerk	\$ -	Issue Driver License	7/1/2008	6/30/2010	SINGLE SOURCE	1
Knoxville, City of	\$ 196,533	CMV Enforcement	4/1/2007	9/30/2009	SINGLE SOURCE	1
Knox County Clerk	\$ -	Issue Driver License	7/1/2008	6/30/2010	SINGLE SOURCE	1
Lake County Clerk	\$ -	Issue Driver License	7/1/2008	6/30/2010	SINGLE SOURCE	1
Marshall County Clerk	\$ -	Issue Driver License	7/1/2008	6/30/2010	SINGLE SOURCE	1

McMinn County Clerk	\$	-	Issue Driver License No Cost	10/1/2008	9/30/2009	SINGLE SOURCE	1
Monroe County Clerk	\$	-	Issue Driver License	7/1/2008	6/30/2010	SINGLE SOURCE	1
Morgan County Clerk	\$	-	Issue Driver License No Cost	10/1/2008	9/30/2009	SINGLE SOURCE	1
Pickett County Schools	\$	34,000	Dare Mentor	7/1/2007	6/30/2010	SINGLE SOURCE	1
Polk County Clerk	\$	-	Issue Driver License	7/1/2008	6/30/2010	SINGLE SOURCE	1
Rhea County Clerk	\$	-	Issue Driver License No Cost	12/1/2005	6/30/2010	SINGLE SOURCE	1
Robertson County Clerk	\$	-	Issue Driver License No Cost	10/1/2008	9/30/2009	SINGLE SOURCE	1
Scott County Clerk	\$	-	Issue Driver License	7/1/2008	6/30/2010	SINGLE SOURCE	1
Sequatchie County Clerk	\$	-	Issue Driver License No Cost	10/1/2008	9/30/2009	SINGLE SOURCE	1
Shelby County Clerk	\$	-	Issue Driver License No Cost	7/1/2006	6/30/2011	SINGLE SOURCE	1
Union County Clerk	\$	-	Issue Driver License	10/1/2008	9/30/2009	SINGLE SOURCE	1
Total Local Government	\$	255,533					

OTHER CONTRACTS

Karl Batson	19,340	Rider Coach Prep Classes West TN	10/1/2008	8/31/2013	Altrnative Competitive	Karl Batson
Bill Gleason	19,340	Rider Coach Prep Classes West TN	10/10/2008	8/31/2013	Altrnative Competitive	Bill Gleason
Bill Gleason	19,340	Rider Coach Prep Classes East TN	10/10/2008	8/31/2013	Altrnative Competitive	Bill Gleason
Carroll Bales	19,340	Rider Coach Prep Classes East TN	10/10/2008	8/31/2013	Altrnative Competitive	Carroll Bales
Carroll Bales	38,680	Rider Coach Prep Classes Middle TN	12/1/2008	8/31/2013	Altrnative Competitive	Carroll Bales
Donna Morris	38,680	Rider Coach Prep Classes Middle TN	12/1/2008	8/31/2013	Altrnative Competitive	Donna Morris
Karl Batson	54,450	Motorcycle Rider Education - QAR Region 1	12/1/2008	8/31/2013	Altrnative Competitive	Karl Batson
Karl Batson	46,320	Motorcycle Rider Education - QAR Region 2	12/1/2008	8/31/2013	Altrnative Competitive	Karl Batson
William Carroll Bales	46,320	Motorcycle Rider Education - QAR Region 3	12/1/2008	8/31/2013	Altrnative Competitive	William Carroll Bales
Bill Gleason	40,530	Motorcycle Rider Education - QAR Region 4	12/1/2008	8/31/2013	Altrnative Competitive	Bill Gleason
Court Reporters	125,000	Court Reporters for Hearings	7/1/2009		DPA	Court Reporters
General Physics Corp	1,248,247	Homeland Security Excerise Program	2/6/2008		RFP	General Physics Corp

IDMS	1,845,566	Crash Software	8/15/2007	6/30/2010	SINGLE SOURCE	IDMS
Intergraph Public Safety	1,898,944	Computer Aided Dispatch System	10/1/2004		RFP	Intergraph Public Safety
Total Other	10,400,225					
TOTAL CONTRACTS	13,950,358					

Contracts: DOS VI-9



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