

**Tennessee Department of
Mental Health and Substance Abuse Services**

Marie Williams, Commissioner

**CIVIL RIGHTS
COMPLIANCE TRAINING
FOR
AGENCY TITLE VI COORDINATORS**



Department of
**Mental Health &
Substance Abuse Services**

TRAINING OBJECTIVES

- TO UNDERSTAND THE MEANING OF THE WORD “PREJUDICE” AND THE LEGAL DEFINITION OF “DISCRIMINATION” AND COVERED GROUPS.
- TO KNOW THE MAJOR NON-DISCRIMINATION LAWS AND COVERED GROUPS THAT ARE PROTECTED BY THESE PARTICULAR LAWS, AND THE EFFECTS ON THESE GROUPS WHILE DELIVERING SERVICES.
- TO KNOW HOW TO RECOGNIZE A POSSIBLE VIOLATION AND KNOW YOUR OBLIGATIONS AND RESPONSIBILITIES UNDER STATE AND FEDERAL LAWS
- TO UNDERSTAND THE BASIC MEASURES NEEDED IN ORDER TO ACHIEVE NON-DISCRIMINATION COMPLIANCE.



Department of
**Mental Health &
Substance Abuse Services**

OVERVIEW & INTRODUCTION





• "HATING PEOPLE BECAUSE OF THEIR COLOR IS WRONG. AND IT DOESN'T MATTER WHICH COLOR DOES THE HATING. IT'S JUST PLAIN WRONG." — **MUHAMMED ALI**

PREJUDICE

- **“PREJUDICE”** IS AN OPINION OR ADVERSE JUDGMENT TO ANYTHING WITHOUT JUST GROUNDS OR BEFORE HAVING SUFFICIENT KNOWLEDGE. IT IS ALSO AN IRRATIONAL ATTITUDE OF HOSTILITY DIRECTED AGAINST AN INDIVIDUAL, A GROUP, A RACE, OR THEIR SUPPOSED CHARACTERISTICS.
- PREJUDICE CAN BE FOR OR AGAINST AN INDIVIDUAL, GROUP, OR OBJECT. ANY INDIVIDUAL OR GROUP CAN HOLD PREJUDICE(S) TOWARD ANOTHER INDIVIDUAL, GROUP, OR OBJECT.

PREJUDICE - EXAMPLES

- A PERSON CAN BE PREJUDICED IN FAVOR OF (FOR) ANYONE WITH A “SOUTHERN ACCENT” BUT BE PREJUDICED (AGAINST) ANYONE WITH “ANOTHER ACCENT”.
- HE WAS PREJUDICED TO GIVE HER THE SERVICE (I.E. PROGRAM, JOB, EDUCATION, HOUSING ETC.) SOLELY ON HER LOOKS (I.E. SKIN COLOR, ETHNICITY, AGE, GENDER, ILLNESS, RELIGION, ETC.).

DISCRIMINATION

“**Discrimination**” is differential treatment that favors one individual, group, or objective over another. It is illegal treatment of a person or group (either intentional or unintentional) based on race, color, national origin, religion, age, sex, pregnancy, disability, citizenship, familial status, veteran status, or genetic information.

Discrimination is often the result of actions based on prejudicial attitudes.

In most cases, an institution or entity may treat individuals differently UNLESS the individual is in a protected group or class as defined under law.



DISCRIMINATION - EXAMPLES

- It is discriminatory and illegal to deny provided services to an individual based on race, color, national origin or having limited English proficiency (LEP).
- It is discriminatory to provide a service differently (i.e. less favorably) than what is provided to others, at least in part, because of race, color or national origin.
- It is discriminatory and illegal to deny employment to someone based solely on the fact that the person uses a wheelchair.
- It is discriminatory, if an agency offers services to recipients ages 1-21 and you deny persons services because your belief is: “At age 21 recipients do not need the services.”



MODEL
OPEN
FOR
INSPECTION

**EQUAL
RIGHTS
FOR ALL!**

DE TERRACE
ELIMINATES
You?

**FREEDOM
NOW!**

FEDERAL LAWS AND REGULATIONS PROHIBITING DISCRIMINATION

- **TITLE VI(6) OF THE CIVIL RIGHTS ACT OF 1964 FOR PROGRAM SERVICES**
- **TITLE VII(7) OF THE CIVIL RIGHTS ACT OF 1964 FOR EMPLOYMENT**
- **TITLE IX(9) OF THE EDUCATION AMENDMENTS OF 1972**
- **SECTION 504 OF THE REHABILITATION ACT OF 1973**
- **EXECUTIVE ORDER 12898 IN ENVIRONMENTAL JUSTICE (EJ)**
- **AGE DISCRIMINATION ACT OF 1975**
- **AMERICANS WITH DISABILITIES ACT OF 1990**

**TITLE VI (6)
OF THE
CIVIL RIGHTS ACT OF 1964**





ON JULY 2, 1964, THE CIVIL RIGHTS ACT BECOMES FEDERAL LAW.

PRESIDENT LYNDON B. JOHNSON, 36TH U.S. PRESIDENT (LEFT) AND REV. DR. MARTIN LUTHER KING, CIVIL RIGHTS ACTIVIST (RIGHT)

TITLE VI (6)

LEGISLATIVE HISTORY & PURPOSE

THE LANDMARK CIVIL RIGHTS ACT OF 1964, SIGNED BY PRESIDENT LYNDON B. JOHNSON (36TH U.S. PRESIDENT), WAS A PRODUCT OF THE GROWING DEMAND DURING THE EARLY 1960s FOR THE FEDERAL GOVERNMENT TO LAUNCH A NATIONWIDE OFFENSIVE AGAINST RACIAL DISCRIMINATION.

IN CALLING FOR ITS ENACTMENT, PRESIDENT JOHN F. KENNEDY, (35TH U.S. PRESIDENT) IDENTIFIED “SIMPLE JUSTICE” AS THE JUSTIFICATION FOR TITLE VI (6).

JFK'S "SIMPLE JUSTICE"

"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. DIRECT DISCRIMINATION BY FEDERAL, STATE, OR LOCAL GOVERNMENTS IS PROHIBITED BY THE CONSTITUTION. BUT INDIRECT DISCRIMINATION, THROUGH THE USE OF FEDERAL FUNDS IS AS INVIDIOUS; AND IT SHOULD NOT BE NECESSARY TO RESORT TO THE COURTS TO PREVENT EACH INDIVIDUAL VIOLATION."

*JOHN F. KENNEDY
35TH PRESIDENT OF THE UNITED STATES
1961-1963*



WHAT IS TITLE VI (6) (FOR PROGRAMS AND SERVICES)

“NO PERSON IN THE UNITED STATES SHALL ON THE BASIS OF RACE, COLOR OR NATIONAL ORIGIN, BE EXCLUDED FROM PARTICIPATION IN, BE DENIED BENEFITS OF, OR BE SUBJECTED TO DISCRIMINATION UNDER ANY PROGRAM OR ACTIVITY RECEIVING FEDERAL FINANCIAL ASSISTANCE.”

CIVIL RIGHTS ACT OF 1964

TITLE VI (6) (FOR PROGRAMS & SERVICES) PROHIBITED PRACTICES

- **DENIAL OF ANY SERVICE RECIPIENT, ANY SERVICES, OPPORTUNITIES, OR OTHER BENEFITS FOR WHICH THAT INDIVIDUAL IS OTHERWISE QUALIFIED;**
- **PROVIDE ANY SERVICE RECIPIENT WITH ANY SERVICE, OR OTHER BENEFIT, WHICH IS DIFFERENT OR IS PROVIDED IN A DIFFERENT MANNER FROM THAT WHICH IS PROVIDED TO OTHERS IN A PROGRAM;**
- **SUBJECT ANY SERVICE RECIPIENT TO SEGREGATED OR SEPARATE TREATMENT IN ANY MANNER RELATED TO HIS RECEIPT OF SERVICE;**

TITLE VI (6) (FOR PROGRAM & SERVICES) PROHIBITED PRACTICES

- **RESTRICT A SERVICE RECIPIENT IN ANY WAY IN THE EMPLOYMENT OF SERVICES, FACILITIES OR ANY OTHER ADVANTAGE, PRIVILEGE OR OTHER BENEFIT PROVIDED TO OTHERS UNDER THE PROGRAM;**
- **ADOPT METHODS OF ADMINISTRATION WHICH WOULD LIMIT PARTICIPATION BY ANY GROUP OF RECIPIENTS OR SUBJECT THEM TO DISCRIMINATION; AND**
- **ADDRESS A SERVICE RECIPIENT IN A MANNER THAT DENOTES INFERIORITY BECAUSE OF RACE, COLOR, OR NATIONAL ORIGIN.**

TITLE VI (6) (FOR PROGRAMS & SERVICES) LIMITED ENGLISH PROFICIENCY (LEP)

- **“LIMITED ENGLISH PROFICIENCY” – IS DEFINED AS THE INABILITY TO SPEAK, READ, WRITE, OR UNDERSTAND THE ENGLISH LANGUAGE AT A LEVEL THAT PERMITS A SERVICE RECIPIENT TO INTERACT EFFECTIVELY WITH STAFF IN ACCESSING PUBLIC SERVICES AND BENEFITS.**
- **EXECUTIVE ORDER 13166 (AUGUST 11, 2000) REQUIRES ALL AGENCIES THAT RECEIVE FEDERAL FUNDING TO PROVIDE SERVICES THAT ARE ACCESSIBLE TO PERSONS WITH LIMITED ENGLISH PROFICIENCY.**
- **NOT PROVIDING SERVICES THAT ARE ACCESSIBLE CONSTITUTES DISCRIMINATION BASED ON NATIONAL ORIGIN.**

FOUR(4) ELEMENTS OF EFFECTIVE LANGUAGE ASSISTANCE TO BE IN COMPLIANCE

1. DEVELOP AND IMPLEMENT WRITTEN POLICIES AND PROCEDURES FOR LANGUAGE ACCESS.
2. ASSESS LANGUAGE NEEDS OF YOUR CONSUMERS AND COMMUNITY.
3. TRAIN STAFF REGULARLY.
4. MONITOR VIGILANTLY.



TYPES OF LANGUAGE ASSISTANCE SERVICES

- ORAL INTERPRETER SERVICES
- BILINGUAL STAFF
- TELEPHONE INTERPRETER-LINES
- WRITTEN LANGUAGE SERVICES
- COMMUNITY VOLUNTEERS



LIMITED ENGLISH PROFICIENCY VIDEO

- [HTTPS://YOUTU.BE/6M0GAREXC3G?SI=WV_SMBHZGGHOFEGM](https://youtu.be/6M0GAREXC3G?si=WV_SMBHZGGHOFEGM)

**TITLE VII (7) (FOR
EMPLOYMENT)
OF THE
CIVIL RIGHTS ACT OF 1964**



TITLE VII (7) (FOR EMPLOYMENT) OF THE CIVIL RIGHTS ACT OF 1964

- PROHIBITS DISCRIMINATION BY COVERED EMPLOYERS ON THE BASIS OF RACE, COLOR, RELIGION, SEX OR NATIONAL ORIGIN.
- ALSO PROHIBITS DISCRIMINATION AGAINST AN INDIVIDUAL BECAUSE OF HIS OR HER ASSOCIATION WITH ANOTHER INDIVIDUAL OF A PARTICULAR RACE, COLOR, RELIGION, SEX OR NATIONAL ORIGIN, SUCH AS BY AN INTERRACIAL MARRIAGE.

TITLE VII (7) (FOR EMPLOYMENT)

- IN THE LATE 1970s, IT BEGAN TO PROHIBIT SEXUAL HARASSMENT AS SEX DISCRIMINATION.
- IN 2012, EMPLOYMENT DISCRIMINATION ON THE BASIS OF GENDER IDENTITY OR TRANSGENDER STATUS IS PROHIBITED UNDER TITLE VII (7).

TITLE VII (7) (FOR EMPLOYMENT)

- **THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC) AS WELL AS CERTAIN STATE FAIR EMPLOYMENT PRACTICES AGENCIES (FEPAs) ENFORCE TITLE VII (7).**
- **THE EEOC AND STATE FEPAs INVESTIGATE, MEDIATE, AND MAY FILE LAWSUITS ON BEHALF OF EMPLOYEES.**

**SECTION 504
OF THE
REHABILITATION ACT OF
1973**



SECTION 504 OF THE REHABILITATION ACT OF 1973

- SECTION 504 PROHIBITS ORGANIZATIONS AND EMPLOYERS, WHO RECEIVE FEDERAL FINANCIAL ASSISTANCE, FROM EXCLUDING OR DENYING QUALIFIED *INDIVIDUALS WITH DISABILITIES* AN EQUAL OPPORTUNITY TO RECEIVE PROGRAM BENEFITS AND SERVICES.
- IT DEFINES THE RIGHTS OF INDIVIDUALS WITH DISABILITIES TO: PARTICIPATE IN, AND HAVE ACCESS TO PROGRAM BENEFITS, AND SERVICES.

SECTION 504 OF THE REHABILITATION ACT OF 1973

“QUALIFIED *INDIVIDUAL WITH DISABILITIES*” ARE PERSONS WHO
HAVE:

A PHYSICAL OR MENTAL IMPAIRMENT THAT SUBSTANTIALLY
LIMITS MAJOR LIFE ACTIVITIES;

AND ONE OR BOTH OF THE FOLLOWING:

- WITH REASONABLE ACCOMMODATIONS, CAN PERFORM THE ESSENTIAL FUNCTIONS OF THE JOB FOR WHICH THEY HAVE APPLIED OR HAVE BEEN HIRED TO PERFORM; OR
- IN TERMS OF ACCESSING AND RECEIVING PUBLIC SERVICES AND BENEFITS ARE PERSONS WHO MEET THE NORMAL AND ESSENTIAL ELIGIBILITY REQUIREMENTS.

SECTION 504 OF THE REHABILITATION ACT OF 1973

PHYSICAL & MENTAL *DISABILITIES* - INCLUDE BUT ARE NOT LIMITED TO:

- VISUAL, SPEECH, AND HEARING IMPAIRMENTS,
- INTELLECTUAL DISABILITY,
- MENTAL OR EMOTIONAL ILLNESS,
- CEREBRAL PALSY,
- EPILEPSY,
- MUSCULAR DYSTROPHY,
- MULTIPLE SCLEROSIS,
- ORTHOPEDIC CONDITIONS,
- CANCER, HEART DISEASE, OR DIABETES,
- CONTAGIOUS AND NON-CONTAGIOUS DISEASES SUCH AS TUBERCULOSIS AND HIV DISEASES (SYMPTOMATIC OR NOT)

SECTION 504 OF THE REHABILITATION ACT OF 1973

- “REASONABLE ACCOMMODATIONS” — REQUIRES AN EMPLOYER OR GOVERNMENT AGENCY TO TAKE REASONABLE STEPS TO ACCOMMODATE A PERSON WITH A *DISABILITY*, UNLESS IT WOULD CAUSE UNDUE HARDSHIP.
- IN RELATIONSHIP TO ACCESSING PUBLIC SERVICES AND BENEFITS, COVERED ENTITIES MUST TAKE REASONABLE STEPS TO MAKE SURE A PERSON WITH A *DISABILITY* CAN ACCESS PROGRAMS, SERVICES, BENEFITS, OR HAS OPPORTUNITIES TO PARTICIPATE. THIS INCLUDES THE OPPORTUNITY TO PARTICIPATE REGARDLESS OF PHYSICAL BARRIERS.

AMERICANS WITH DISABILITIES ACT OF 1990



AMERICANS WITH DISABILITIES ACT (ADA) OF 1990

- ADA OF 1990 IS BASED ON TITLE VI (6) OF THE CIVIL RIGHTS ACT OF 1964 AND SECTION 504 OF THE REHABILITATION ACT OF 1973.
- IT PROVIDES COMPREHENSIVE CIVIL RIGHTS PROTECTIONS TO INDIVIDUALS WITH **DISABILITIES** IN THE AREAS OF:
 - EMPLOYMENT,
 - STATE AND LOCAL GOVERNMENT SERVICES,
 - PUBLIC ACCOMMODATIONS, TRANSPORTATION, AND
 - TELECOMMUNICATIONS.
- UNLIKE SECTION 504, ADA OF 1990 COMPLIANCE IS MANDATED FOR STATE AND LOCAL GOVERNMENTS OR BUSINESSES THAT SERVICE THE PUBLIC EVEN IF THEY DO NOT RECEIVE FEDERAL FUNDS.

AMERICANS WITH DISABILITIES ACT (ADA) OF 1990

- “*QUALIFIED INDIVIDUAL WITH A DISABILITY*” IS A PERSON WHO HAS:
 - A PHYSICAL OR MENTAL IMPAIRMENT THAT SUBSTANTIALLY LIMITS MAJOR LIFE ACTIVITIES;
 - HAS A RECORD OF SUCH AN IMPAIRMENT; OR
 - IS REGARDED AS HAVING SUCH AN IMPAIRMENT.
- DECISIONS ABOUT WHETHER OR NOT A PARTICULAR CONDITION CONSTITUTES A *DISABILITY* WITHIN THE MEANING OF THE ADA OF 1990 SHOULD BE MADE BASED ON CASE-BY-CASE DETERMINATION.

AMERICANS WITH DISABILITIES ACT (ADA) OF 1990

PHYSICAL & MENTAL **DISABILITIES** - INCLUDE BUT ARE NOT LIMITED TO:

- VISUAL, SPEECH, AND HEARING IMPAIRMENTS,
- INTELLECTUAL DISABILITY,
- MENTAL OR EMOTIONAL ILLNESS,
- CEREBRAL PALSY,
- EPILEPSY,
- MUSCULAR DYSTROPHY,
- MULTIPLE SCLEROSIS,
- ORTHOPEDIC CONDITIONS,
- CANCER, HEART DISEASE, OR DIABETES,
- CONTAGIOUS AND NON-CONTAGIOUS DISEASES SUCH AS TUBERCULOSIS AND HIV DISEASES (SYMPTOMATIC OR NOT)

AMERICANS WITH DISABILITIES ACT (ADA) OF 1990

MAJOR LIFE ACTIVITIES – MEANS FUNCTIONS SUCH AS:

- CARING FOR ONE'S SELF,
- PERFORMING MANUAL TASKS,
- WALKING, OR SEEING,
- EATING OR SLEEPING,
- INTERACTING WITH OTHERS,
- HEARING, SPEAKING, OR BREATHING,
- LEARNING,
- CONCENTRATING,
- THINKING, OR
- WORKING

AMERICANS WITH DISABILITIES ACT (ADA) OF 1990

- **ADA of 1990** – PROHIBITS DISCRIMINATION AGAINST QUALIFIED INDIVIDUALS **WITH DISABILITIES** BASED ON THEIR DISABILITY IN ALL PROGRAMS, ACTIVITIES, OR PUBLIC ENTITIES. PUBLIC ENTITIES INCLUDE STATE AND LOCAL GOVERNMENTS AND THEIR DEPARTMENTS AND AGENCIES. TITLE II (2) APPLIES TO ALL ACTIVITIES AND SERVICES PROGRAMS OF A PUBLIC ENTITY.
- **IMPORTANT NOTE:** PUBLIC ENTITIES MUST CONSIDER THE ABILITY TO ACCESS SERVICES AND BENEFITS AND “REASONABLE ACCOMMODATIONS” ...INTERPRETERS, TELEVISION CAPTIONING, TELECOMMUNICATIONS DEVICES, ACCESSIBLE SIDEWALKS/ DOORS & WATER FOUNTAINS, BRAILLE MATERIALS, LARGER PRINT, AUXILIARY AIDS, ETC...

EXAMPLES OF PREFERRED TERMINOLOGY

ADAPTED FROM THE VANDERBILT UNIVERSITY OPPORTUNITY DEVELOPMENT CENTER ON DESCRIPTIVE WORDS AND IMAGES ,
TENNESSEE DEPARTMENT OF FINANCE , AND ADMINISTRATION BUREAU OF TENNCARE

PREFERRED

OFFENSIVE

- PERSON WITH A DISABILITY, PEOPLE WITH DISABILITIES
- PERSON WITH MENTAL ILLNESS/DISORDER
- PERSON WITH SUBSTANCE USE DISORDER
- PERSON WITH INTELLECTUAL DISABILITY
- NON-DISABLED
- USES A WHEELCHAIR, IS A WHEELCHAIR USER
- USES A WALKER, WALKS WITH THE ASSISTANCE OF A WALKER/CRUTCHES
- PERSON WITH CEREBRAL PALSY
- PERSON WITH POLIO
- PERSON WITH A SPECIFIC LEARNING DISABILITY
- PERSON WITH A SPEECH IMPAIRMENT/IMPEDIMENT
- PERSON WHO IS BLIND OR WITH A VISUAL IMPAIRMENT
- PERSON WHO IS DEAF
- PERSON WITH DOWN SYNDROME
- PERSON WITH EPILEPSY
- PERSON HAS SEIZURES
- CONGENITAL DISABILITY
- PERSONS WITH DIABETES

- CRIPPLED, DEFORMED, THE DISABLED, THE HANDICAPPED
- THE MENTALLY ILL, CRAZY PERSON, LUNATIC, ETC.
- DRUNK, DOPE ADDICT
- MENTALLY RETARDED, MENTALLY DEFICIENT
- ABLE-BODIED, NORMAL, HEALTHY
- IS CONFINED TO A WHEELCHAIR, IS WHEELCHAIR BOUND
- CAN'T WALK
- IS A CEREBRAL PALSY VICTIM
- SUFFERS FROM POLIO
- IS LEARNING DISABLED
- STUTTERER, LISP
- THE BLIND OR THE VISUALLY IMPAIRED
- THE DEAF, DEAF AND DUMB
- THE DOWN SYNDROME CHILD, MONGOLOID (NEVER)
- EPILEPTICS
- FITS
- BIRTH DEFECTED
- HAS SUGAR

AGE DISCRIMINATION IN EMPLOYMENT ACT (ADEA) OF 1967



AGE DISCRIMINATION IN EMPLOYMENT ACT (ADEA) OF 1967

- PROTECTS INDIVIDUALS WHO ARE 40 YEARS OF AGE OR OLDER FROM EMPLOYMENT DISCRIMINATION BASED ON AGE. THE ADEA'S PROTECTIONS APPLY TO BOTH EMPLOYEES AND JOB APPLICANTS.

UNDER THE ADEA, IT IS UNLAWFUL TO DISCRIMINATE AGAINST A PERSON BECAUSE OF HIS/HER AGE WITH RESPECT TO ANY TERM, CONDITION, OR PRIVILEGE OF EMPLOYMENT, INCLUDING HIRING, FIRING, PROMOTION, LAYOFF, COMPENSATION, BENEFITS, JOB ASSIGNMENTS, AND TRAINING.

AGE DISCRIMINATION ACT OF 1975



AGE DISCRIMINATION ACT OF 1975 (FOR PROGRAMS AND SERVICES)

- PROHIBITS DISCRIMINATION ON THE BASIS OF **AGE** IN PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE.
- THE *AGE DISCRIMINATION ACT* APPLIES TO PERSONS OF **ALL AGES**.
- IT DOES NOT COVER EMPLOYMENT DISCRIMINATION. EMPLOYMENT IS COVERED UNDER THE SEPARATE AGE DISCRIMINATION IN EMPLOYMENT ACT OF 1967.

AGE DISCRIMINATION ACT OF 1975 (FOR PROGRAMS AND SERVICES)

- THE AGE DISCRIMINATION ACT DOES ALLOW FOR CERTAIN EXCEPTIONS THAT PERMIT, UNDER LIMITED CIRCUMSTANCES, USE OF AGE DISTINCTIONS OR FACTORS OTHER THAN AGE THAT MAY HAVE A DISPROPORTIONATE EFFECT ON THE BASIS OF AGE.

EXAMPLE: FEDERAL AND LOCAL GOVERNMENT CAN ENACT STATUTES WHICH PROVIDE BENEFITS OR TARGET GROUPS IN AGE-RELATED TERMS SUCH AS THE TENNCARE TENNDERCARE (FEDERAL EPSDT) PROGRAM.

TITLE IX (9) OF THE EDUCATION AMENDMENTS OF 1972



TITLE IX (9) OF THE EDUCATION AMENDMENTS OF 1972

- APPLIES TO EDUCATION PROGRAMS AND ACTIVITIES
- PROHIBITS DISCRIMINATION BASED ON AN INDIVIDUAL'S GENDER

SECTION 1681 OF TITLE IX (9) OF THE EDUCATION AMENDMENTS OF 1972 STATES:

“NO PERSON IN THE UNITED STATES SHALL, ON THE BASIS OF SEX, BE EXCLUDED FROM PARTICIPATION IN, BE DENIED THE BENEFITS OF,

OR BE SUBJECTED TO DISCRIMINATION UNDER ANY EDUCATION PROGRAM OR ACTIVITY RECEIVING FEDERAL FINANCIAL ASSISTANCE...”

TENNESSEE CODE ANNOTATIVE T.C.A. 4-21-904

ON MAY 31, 1993, THE STATE OF TENNESSEE BECAME THE FIRST STATE TO PASS LEGISLATION ENFORCING TITLE VI (6) COMPLIANCE IN ALL OF ITS DEPARTMENTS, PROGRAMS, AND AGENCIES.

EXECUTIVE ORDER 13166

- LIMITED ENGLISH PROFICIENCY (LEP) – EO 13166 REQUIRES FEDERAL AGENCIES TO EXAMINE THE SERVICES THEY PROVIDE, IDENTIFY ANY NEED FOR SERVICES TO THOSE WITH LIMITED ENGLISH PROFICIENCY (LEP), AND DEVELOP AND IMPLEMENT A SYSTEM TO PROVIDE THOSE SERVICES SO LEP PERSONS CAN HAVE MEANINGFUL ACCESS TO THEM.

COMPLIANCE ACTIVITIES



KEYS TO EFFECTIVE CIVIL RIGHTS COMPLIANCE



ENSURE THAT SERVICE RECIPIENTS RECEIVE:

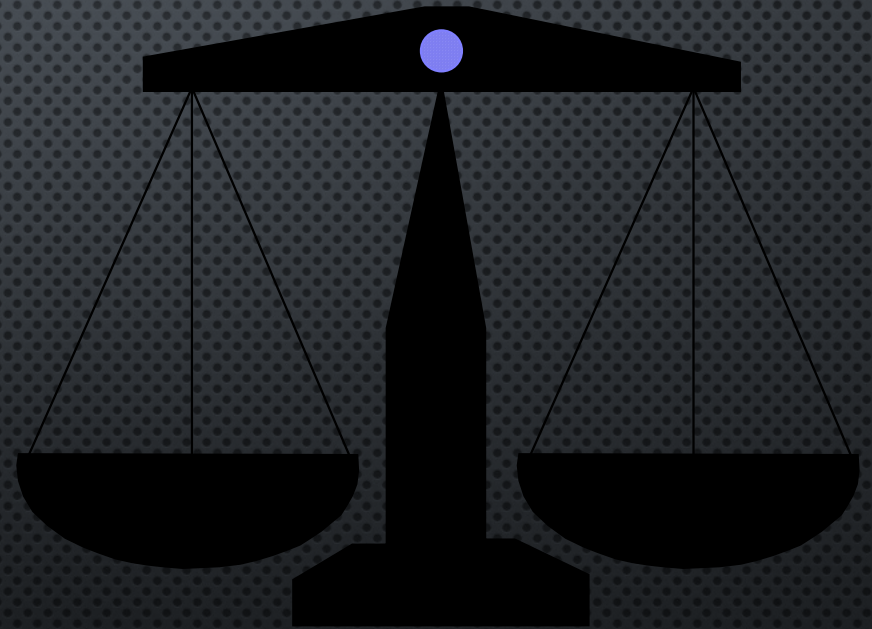
- EQUAL TREATMENT
- EQUAL ACCESS
- EQUAL RIGHTS
- EQUAL OPPORTUNITIES

WITHOUT REGARD TO THEIR:

- RACE,
- COLOR,
- NATIONAL ORIGIN (INCLUDING ENGLISH PROFICIENCY),
- AGE,
- GENDER, OR
- DISABILITY

HOW CIVIL RIGHTS COMPLIANCE IS ENFORCED

1. COMPLAINTS
2. COMPLIANCE REVIEWS
3. AGENCY ACTIVITIES
 - EDUCATION
 - TRAINING
 - TECHNICAL ASSISTANCE



TITLE VI COMPLAINTS

SHOULD A PERSON FEEL THAT THEY HAVE BEEN DISCRIMINATED AGAINST FROM AN AGENCY PROVIDING SERVICES, THEY CAN FILE A DISCRIMINATION COMPLAINT:

- YOUR AGENCY'S TITLE VI OFFICER, OR
- TENNESSEE DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES 1-800-889-9789
- TENNESSEE HUMAN RIGHTS COMMISSION (THRC) AT 800-251-3589, OR
- U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES (DHHS) OFFICE OF CIVIL RIGHTS AT 800-368-1019

DEVELOP A SYSTEM FOR RECEIVING & TRACKING TITLE VI COMPLAINTS

1. DEFINE WHAT CONSTITUTES A COMPLAINT:

2. LEGAL BASIS

3. CONSIDER:

- TIMELINE FOR ACCEPTING A COMPLAINT
- INVESTIGATION AND RESOLUTION TIMEFRAME
- WHO INVESTIGATES THE COMPLAINT
- WHO RESOLVES THE COMPLAINT

DEVELOP A SYSTEM FOR RECEIVING & TRACKING TITLE VI COMPLAINTS (CONT'D)

4. ALSO CONSIDER INCLUDING:

- REASONS FOR DISMISSAL OF A COMPLAINT
- HOW TO RESPOND TO THE COMPLAINANT AND RESPONDENT
(BY PRODUCING THE REPORT, BY WRITING A LETTER OF FINDINGS)?
- WHAT TYPE OF SYSTEM FOR TRACKING COMPLAINTS
- PUBLISHING AND ENSURING ACCESSIBILITY OF COMPLAINTS
(E.G., WRITTEN, TDY)
- TYPES OF LANGUAGE ASSISTANCE MEASURES
- WHEN TO SEND COMPLAINTS TO TDMHSAS

DEVELOP PROCEDURES FOR THE INVESTIGATION OF AND RESOLUTION OF TITLE VI COMPLAINTS

IF ANY COMPLAINTS ARE FILED BECAUSE THE COMPLAINANT BELIEVES HE OR SHE WAS DENIED BENEFITS OF OR EXCLUDED FROM PARTICIPATION IN A PROJECT OR ACTIVITY THAT RECEIVES FEDERAL FUNDING ON THE GROUNDS OF RACE, COLOR, OR NATIONAL ORIGIN, THERE SHOULD BE A PROCESS IN PLACE TO ENABLE THE SUB-RECIPIENT TO IDENTIFY AND CLASSIFY THIS TYPE OF COMPLAINT AS A TITLE VI COMPLAINT.

COMPLAINTS OF FRAUD, WASTE, OR ABUSE

(CONTACT THE TENNESSEE COMPTROLLER OF THE TREASURY)

- CITIZENS AND AGENCIES ARE ENCOURAGED TO REPORT *(NON-CIVIL RIGHTS)* FRAUD, WASTE AND ABUSE IN STATE AND LOCAL GOVERNMENT.
- TO REPORT *(NON-CIVIL RIGHTS)* ILLEGAL, IMPROPER, OR WASTEFUL ACTIVITIES, PLEASE CONTACT THE STATE COMPTROLLER AT 1-800-232-5454 OR AT WWW.COMPTROLLER.TN.GOV/HOTLINE.

RETALIATION

IT IS ILLEGAL TO FIRE, DEMOTE, HARASS, PREVENT SERVICES OR OTHERWISE "RETALIATE" AGAINST PEOPLE, BECAUSE THEY FILED A CHARGE OF DISCRIMINATION, BECAUSE THEY COMPLAINED ABOUT DISCRIMINATION, OR BECAUSE THEY PARTICIPATED IN A DISCRIMINATION PROCEEDING (SUCH AS AN INVESTIGATION OR LAWSUIT).

COMPLIANCE REVIEWS

- TDMHSAS IS MONITORED BY THE TENNESSEE HUMAN RIGHTS COMMISSION (THRC), WHICH IS MONITORED BY U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, OFFICE OF CIVIL RIGHTS.
- TDMHSAS MONITORS ITS AGENCY/PROVIDERS STARTING WITH THE ANNUAL TITLE VI SELF SURVEY, FOLLOWED BY A SCHEDULED ON-SITE MONITORING VISIT.

QUALITY ASSURANCE

- TDMHSAS ANNUALLY PROVIDES TITLE VI TRAINING TO ITS AGENCY-PROVIDER TITLE VI COORDINATORS
- AGENCY-PROVIDER TITLE VI COORDINATORS PROVIDE TRAINING AND OVERSIGHT TO ITS AGENCY FOR CIVIL RIGHTS COMPLIANCE.

AGENCY TITLE VI COORDINATOR'S DUTIES:

- ENSURE THAT ALL NEW EMPLOYEES AND VOLUNTEERS RECEIVE TITLE VI TRAINING DURING NEW EMPLOYEE ORIENTATION.
- CONDUCT OR COORDINATE AN ANNUAL CIVIL RIGHTS IN-SERVICE TRAINING FOR ALL EMPLOYEES AND VOLUNTEERS.
- ENSURE THAT PROCEDURES ARE IN PLACE FOR INFORMING ALL SERVICE RECIPIENTS OF THEIR RIGHTS UNDER TITLE VI AND HOW TO FILE A DISCRIMINATION COMPLAINT.
- ENSURE THAT TITLE VI POSTERS AND BROCHURES (IN ENGLISH AND OTHER LANGUAGES) ARE DISPLAYED AND DISTRIBUTED THROUGHOUT THE AGENCY.
- AS A PART OF QUALITY ASSURANCE, CONDUCT INTERNAL MONITORING ACTIVITIES TO ENSURE STAFF AND VOLUNTEER COMPLIANCE WITH TITLE VI.
- COORDINATE, FACILITATE, AND MONITOR THE AGENCY TITLE VI COMPLAINT PROCESS.
- SUBMIT THE TDMHSAS TITLE VI ANNUAL SELF-SURVEY AND OTHER REQUIRED DOCUMENTS IN A TIMELY MANNER AS REQUESTED BY TDMHSAS, AND
- ALL OTHER DUTIES AS NECESSARY TO ENSURE AGENCY COMPLIANCE WITH TITLE VI REGULATIONS.



THINGS TO KNOW

PROTECTED CLASSES (CHARACTERISTIC OF A PERSON WHICH CANNOT BE TARGETED FOR DISCRIMINATION) UNDER FEDERAL LAW:

- RACE – CIVIL RIGHTS ACT OF 1964
- COLOR – CIVIL RIGHTS ACT OF 1964
- RELIGION – CIVIL RIGHTS ACT OF 1964
- NATIONAL ORIGIN – CIVIL RIGHTS ACT OF 1964
- AGE (40 AND OVER) – AGE DISCRIMINATION IN EMPLOYMENT ACT OF 1967
- SEX – EQUAL PAY ACT OF 1963 AND CIVIL RIGHTS ACT OF 1964
- PREGNANCY – PREGNANCY DISCRIMINATION ACT
- CITIZENSHIP – IMMIGRATION REFORM AND CONTROL ACT
- FAMILIAL STATUS – CIVIL RIGHTS ACT OF 1968 TITLE VIII (8): HOUSING CANNOT DISCRIMINATE FOR HAVING CHILDREN, WITH AN EXCEPTION FOR SENIOR HOUSING
- DISABILITY STATUS – VOCATIONAL REHABILITATION AND OTHER REHABILITATION SERVICES OF 1973 AND AMERICANS WITH DISABILITIES ACT OF 1990
- VETERAN STATUS – VIETNAM ERA VETERANS' READJUSTMENT ASSISTANCE ACT OF 1974 AND UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT
- GENETIC INFORMATION – GENETIC INFORMATION NONDISCRIMINATION ACT

THINGS TO KNOW

INDIVIDUAL STATES CAN, AND DO, CREATE OTHER PROTECTED CLASSES WHICH ARE PROTECTED UNDER THAT STATE'S LAW.

FOR Q&A REGARDING PROTECTED CLASSES, CONTACT
TENNESSEE HUMAN RIGHTS COMMISSION AT:

[HTTP://WWW.TENNESSEE.GOV/HUMANRIGHTS/ABOUT_THRC.HTML](http://www.tennessee.gov/humanrights/about_thrc.html)

THINGS TO KNOW

THE DIFFERENCE BETWEEN T-VI(6) AND T-VII(7)

- **T-VI (6) - PROHIBITS DISCRIMINATION IN PROGRAMS** ON THE BASIS OF RACE, COLOR OR NATIONAL ORIGIN.
- **T-VII (7) - PROHIBITS DISCRIMINATION IN EMPLOYMENT** ON THE BASIS OF RACE, COLOR, NATIONAL ORIGIN, GENDER OR RELIGION.

THINGS TO KNOW

EFFECTIVE COMMUNICATION IS ESSENTIAL FOR MEANINGFUL ACCESS

- PERSONS WHO ARE LIMITED ENGLISH PROFICIENT (LEP) TITLE VI (6) AND ADA, REFER TO -
[HTTPS://WWW.LEP.GOV](https://www.lep.gov)
- PERSONS WHO ARE DEAF OR HARD OF HEARING ADA, REFER TO -
NATIONAL ASSOCIATION OF THE DEAF [HTTP://WWW.NAD.ORG/](http://www.nad.org/)
REGISTRY OF INTERPRETERS FOR THE DEAF [HTTP://WWW.RID.ORG/](http://www.rid.org/)
- PERSONS WHO ARE BLIND OR HAVE LOW VISION ADA, REFER TO -
NATIONAL FEDERATION OF THE BLIND [HTTPS://NFB.ORG/](https://nfb.org/)
- PERSONS WHO HAVE SERVICE ANIMALS ADA, REFER TO -
[HTTPS://WWW.ADA.GOV/SERVICE ANIMALS 2010.HTM](https://www.ada.gov/service_animals_2010.htm)

* HEALTH CARE PROVIDERS HAVE A DUTY TO PROVIDE APPROPRIATE AUXILIARY AIDS AND SERVICES WHEN NECESSARY TO ENSURE THAT COMMUNICATION WITH PEOPLE IS EFFECTIVE FOR ALL.

THINGS TO KNOW

EFFECTIVE COMMUNICATION IS ESSENTIAL FOR MEANINGFUL ACCESS

AUXILIARY AIDS:

- MEDICALLY QUALIFIED AMERICAN SIGN LANGUAGE (ASL) INTERPRETERS.
- VIDEO REMOTE INTERPRETING (VRI).
- LARGE PRINT MATERIAL
- CAPTIONING (OPEN-CLOSED AND REAL-TIME).

QUALIFIED INTERPRETER:

- MUST BE PROVIDED FREE OF CHARGE AND IN A TIMELY MANNER IN ORDER TO ENSURE EFFECTIVE COMMUNICATION WHEN DISCUSSING IMPORTANT INFORMATION WITH CLIENT AND/OR THEIR COMPANION.
- PROVIDERS MAY NOT REQUIRE INDIVIDUALS TO PROVIDE THEIR OWN INTERPRETERS.
- PROVIDERS MAY NOT RELY ON MINOR CHILDREN OR UNQUALIFIED BILINGUAL (OR MULTILINGUAL) STAFF – EXCEPT IN AN EMERGENCY INVOLVING AN IMMEDIATE THREAT TO THE SAFETY OR WELFARE OF THE INDIVIDUAL OR THE PUBLIC WHERE THERE IS NO INTERPRETER AVAILABLE.
- PROVIDERS “MAY NOT” USE LOW QUALITY VIDEO REMOTE INTERPRETING SERVICES.

-SECTION 1557 OF THE AFFORDABLE CARE ACT 2016

THINGS TO KNOW

LIMITED ENGLISH PROFICIENCY (LEP)

- HAVE DOCUMENTED POLICY AND PROCEDURES THAT ADDRESS A LIMITED ENGLISH PROFICIENCY (LEP) PLAN– “A PERSON WHO DOES NOT SPEAK ENGLISH AS THEIR PRIMARY LANGUAGE, AND HAS A LIMITED ABILITY TO READ, SPEAK, WRITE OR UNDERSTAND ENGLISH.”
- PERSONS WHO SPEAK ENGLISH MAY ALSO BE LEP (4TH GRADE EDUCATION)
- PERSONS THAT SPEAK A LANGUAGE MAY NOT BE ABLE TO READ THAT LANGUAGE (AND VICE VERSA).
- DO NOT RELY ON A MINOR CHILD TO INTERPRET OR FACILITATE COMMUNICATIONS, EXCEPT IN AN EMERGENCY INVOLVING AN IMMINENT THREAT TO THE SAFETY OR WELFARE OF AN INDIVIDUAL OR THE PUBLIC WELFARE WHERE THERE IS NO INTERPRETER AVAILABLE.
- DISCOURAGE USING A FAMILY MEMBER OR A DUAL SPEAKING EMPLOYEE. USE A CERTIFIED QUALIFIED (PROGRAM) INTERPRETER.
- AVAZA LANGUAGE SERVICES [HTTP://AVAZA.CO/](http://avaza.co/) 800-482-8292
- CONDUCT AN ANNUAL ASSESSMENT OF THE REGIONAL POPULATION BY USING THE LEP “FOUR FACTOR ANALYSIS:”
 - I. THE NUMBER OR PROPORTION OF LEP PERSONS ELIGIBLE TO BE SERVED OR LIKELY TO BE ENCOUNTERED BY THE PROGRAM OR GRANTEE;
 - II. THE FREQUENCY WITH WHICH LEP INDIVIDUALS COME IN CONTACT WITH THE PROGRAM;
 - III. THE NATURE AND IMPORTANCE OF THE PROGRAM, ACTIVITY OR SERVICE PROVIDED BY THE PROGRAM TO PEOPLE’S LIVES; AND
 - IV. THE RESOURCES AVAILABLE TO THE GRANTEE AND COSTS.

HOW ARE LEP PLANS TYPICALLY IMPLEMENTED? POPULAR STRATEGIES

THINGS TO KNOW

1. PUBLISHING DOCUMENTS IN LANGUAGES OTHER THAN ENGLISH
2. MULTI-LANGUAGE PHONE LINES
3. MULTILINGUAL STAFF IN INFORMATION BOOTHS
4. LANGUAGE IDENTIFICATION USING “I SPEAK” CARDS
5. ADVERTISING IN MINORITY MEDIA

A MODEL LEP PLAN INCLUDES

THINGS TO KNOW

1. NOTICE TO THE PUBLIC
2. TRANSLATED VITAL DOCUMENTS
3. STAFF TRAINING
4. MONITORING PLAN
5. FOUR FACTOR ANALYSIS
6. ACCESS TO THE SERVICES OF A LANGUAGE ASSISTANCE PROVIDER

THINGS TO KNOW FOR AGENCY PROVIDERS

DOCUMENT IN POLICY AND PROCEDURES A LIMITED ENGLISH PROFICIENCY (LEP) PLAN THAT ADDRESSES – “A PERSON WHO DOES NOT SPEAK ENGLISH AS THEIR PRIMARY LANGUAGE, AND HAS A LIMITED ABILITY TO READ, SPEAK, WRITE OR UNDERSTAND ENGLISH.” AND AN ANNUAL ASSESSMENT OF THE POPULATION IS CONDUCTED BY USING THE “FOUR FACTOR ANALYSIS”:

- I. THE NUMBER OR PROPORTION OF LEP PERSONS ELIGIBLE TO BE SERVED OR LIKELY TO BE ENCOUNTERED BY THE PROGRAM OR GRANTEE;
- II. THE FREQUENCY WITH WHICH LEP INDIVIDUALS COME IN CONTACT WITH THE PROGRAM;
- III. THE NATURE AND IMPORTANCE OF THE PROGRAM, ACTIVITY OR SERVICE PROVIDED BY THE PROGRAM TO PEOPLE’S LIVES; AND
- IV. THE RESOURCES AVAILABLE TO THE GRANTEE AND COSTS.

THINGS TO KNOW

EXAMPLES OF PROGRAM SERVICES **NON-COMPLIANCE** WITH TITLE VI (6):

- DENY AN INDIVIDUAL ANY SERVICE, FINANCIAL AID, OTHER BENEFIT PROVIDED UNDER THE PROGRAM.
- PROVIDE A SERVICE OR BENEFIT TO AN INDIVIDUAL WHICH IS INFERIOR (EITHER IN QUANTITY OR QUALITY) TO THAT PROVIDED TO OTHERS IN THE PROGRAM.
- PROVIDE AN INDIVIDUAL WITH A SERVICE OR BENEFIT IN A MANNER DIFFERENT FROM OTHERS UNDER THE PROGRAM.
- SUBJECT AN INDIVIDUAL TO SEGREGATION IN ANY MANNER RELATED TO THE RECEIPT OF SERVICES OR BENEFITS UNDER THE PROGRAM.
- SUBJECT AN INDIVIDUAL TO SEPARATE TREATMENT IN ANY MANNER RELATED TO RECEIVING SERVICES OR BENEFITS, UNDER THE PROGRAM.

THINGS TO KNOW

MORE EXAMPLES OF PROGRAM SERVICES **NON-COMPLIANCE** WITH TITLE VI (6):

- RESTRICT AN INDIVIDUAL IN ANY WAY IN THE RECEIPT OF ANY ADVANTAGE OR PRIVILEGE ENJOYED BY OTHERS UNDER THE PROGRAM.
- REQUIRE DIFFERENT STANDARDS OR CONDITIONS AS PREREQUISITES FOR ACCEPTING AN INDIVIDUAL INTO A PROGRAM.
- DENY A PERSON THE OPPORTUNITY TO PARTICIPATE AS A MEMBER OF PLANNING OR ADVISORY BODY WHICH IS AN INTEGRAL PART OF THE PROGRAM.
- UTILIZE CRITERIA OR METHODS OF ADMINISTRATION WHICH (A) HAVE THE EFFECT OF SUBJECTING INDIVIDUALS TO DISCRIMINATION OR (B) OPERATE TO DEFEAT OR SUBSTANTIALLY IMPAIR THE ACCOMPLISHMENT OF THE OBJECTIVES OF THE PROGRAM.
- PERMIT DISCRIMINATORY ACTIVITY IN A FACILITY BUILT IN WHOLE OR PART WITH FEDERAL FUNDS.

THINGS TO KNOW

MORE EXAMPLES OF PROGRAM SERVICES **NON-COMPLIANCE** WITH TITLE VI (6):

- FAIL TO PROVIDE SERVICES OR INFORMATION IN A LANGUAGE OTHER THAN ENGLISH WHEN SIGNIFICANT NUMBERS OF POTENTIAL OR ACTUAL BENEFICIARIES ARE OF LIMITED ENGLISH SPEAKING ABILITY.
- FAIL TO ADVISE THE POPULATION ELIGIBLE TO BE SERVED OR BENEFITED BY THE PROGRAM OF THE EXISTENCE OF THE PROGRAM.
- SUBJECT AN INDIVIDUAL TO DISCRIMINATORY EMPLOYMENT PRACTICES UNDER A FEDERALLY FUNDED PROGRAM WHOSE OBJECTIVE IS TO PROVIDE EMPLOYMENT.
- LOCATE A FACILITY IN ANY WAY WHICH WOULD LIMIT OR IMPEDE ACCESS TO A FEDERALLY FUNDED SERVICE OR BENEFIT.

THINGS TO KNOW

TO COMPLY WITH PROGRAM SERVICES *TITLE VI (6)*,
AN AGENCY/PROVIDER IS TO:

- APPOINT AN AGENCY TITLE VI(6) COORDINATOR WHO COORDINATES AGENCY TITLE VI FUNCTIONS.
- PROVIDE AND MAINTAIN DOCUMENTATION OF TITLE VI (6) EMPLOYEE/VOLUNTEER TRAINING FOR ALL EMPLOYEES/VOLUNTEERS UPON EMPLOYMENT/VOLUNTEERING, AND THEN, ANNUALLY THEREAFTER.
- DEVELOP AND MAINTAIN TITLE VI (6) POLICY AND PROCEDURES THAT ADDRESS TITLE VI IMPLEMENTATION ISSUES, INCLUDING A COMPLAINT PROCESS, AND LEP.
- DISPLAY POSTERS AND BROCHURES IN BOTH ENGLISH AND SPANISH. THESE CAN BE OBTAINED AT: [HTTP://WWW.TENNESSEE.GOV/BEHAVIORAL-HEALTH/TOPIC/TITLE-VI](http://www.tennessee.gov/behavioral-health/topic/title-vi)

THINGS TO KNOW FOR AGENCY PROVIDERS

- INFORM SERVICE RECIPIENTS ABOUT TITLE VI (6) AND HOW TO FILE A DISCRIMINATION COMPLAINT (I.E. INTAKE FORM) AND DISSEMINATE TITLE VI (6) INFORMATION TO THE PUBLIC (I.E. WEBSITE, POSTER, BILLS, ETC.).
- HAVE A WRITTEN TITLE VI COMPLAINT PROCESS AND COMPLAINT LOG (AN EXAMPLE IS ON [HTTP://WWW.TENNESSEE.GOV/BEHAVIORAL-HEALTH](http://www.tennessee.gov/behavioral-health)), THAT ADDRESSES:
 - HOW TO FILE A COMPLAINT ([WWW.JUSTICE.GOV/CRT/COR/COMPLAINT.PHP](http://www.justice.gov/crt/cor/complaint.php) OR TITLE VI HOTLINE 1-888-848-5306);
 - THAT STATES THAT THE COMPLAINT MUST BE FILED WITHIN 180 DAYS OF THE ALLEGED OCCURRENCE OR WHEN THE ALLEGED DISCRIMINATION BECAME KNOWN TO THE COMPLAINANT;
 - THAT STATES THAT THE COMPLAINT SHOULD BE IN WRITING AND SIGNED BY BOTH THE COMPLAINANT AND THE AGENCY TITLE VI (6) COORDINATOR.

THINGS TO KNOW FOR AGENCY PROVIDERS

ONCE A TITLE VI (6) COMPLAINT HAS BEEN MADE, THEN THE PROVIDER MUST:

- LOG THE COMPLAINT UPON NOTIFICATION; THEN
- NOTIFY TDMHSAS VIA E-MAIL TO GWEN HAMER (MENTAL HEALTH) AT GWEN.HAMER@TN.GOV OR DONATHAN KNOWLES (SUBSTANCE ABUSE) AT DONATHAN.KNOWLES@TN.GOV THAT A TITLE VI COMPLAINT HAS BEEN MADE; THEN
- DETERMINE THE JURISDICTION, ACCEPTABILITY, AND THE NEED FOR ADDITIONAL INFORMATION UPON RECEIPT IN ORDER TO INVESTIGATE THE MERIT OF THE COMPLAINT; THEN
- INVESTIGATE THE COMPLAINT, WITH
- FINAL ACTION IDENTIFIED WITHIN 45 DAYS OF THE INITIAL COMPLAINT, AND

THINGS TO KNOW FOR AGENCY PROVIDERS

- PROVIDE THE COMPLAINANT WITH WRITTEN RESULTS OF THE INVESTIGATIVE FINDINGS WITH APPEAL INSTRUCTIONS. (THAT THEY ARE ADVISED OF THEIR RIGHT TO HAVE THEIR COMPLAINT REVIEWED BY ONE OF THE FOLLOWING AGENCIES; IF THEY ARE NOT SATISFIED WITH THE AGENCY DECISION, THEY CAN CONTACT THE TDMHSAS TITLE VI (6) COMPLIANCE OFFICER, OR THE TENNESSEE HUMAN RIGHTS COMMISSION, OR THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES (DHHS), OFFICE OF CIVIL RIGHTS, REGION IV (4) OFFICE.)
- THEN, LOG THE OUTCOME OF THE COMPLAINT AND NOTIFY TDMHSAS OFFICE OF CIVIL RIGHTS VIA EMAIL OF THE OUTCOME.

THINGS TO KNOW

DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES

500 DEADERICK STREET
NASHVILLE, TN 37243

(800) 560-5767

EMAIL: OCA.TDMHSAS@TN.GOV

[HTTPS://WWW.TN.GOV/BEHAVIORAL-HEALTH#STHASH.2CVT5YQM.DPUF](https://www.tn.gov/behavioral-health#sthash.2CVT5YQM.DPUF)

[HTTP://WWW.TENNESSEE.GOV/BEHAVIORAL-HEALTH/TOPIC/TITLE-VI](http://www.tennessee.gov/behavioral-health/topic/title-vi)

TENNESSEE HUMAN RIGHTS COMMISSION

312 ROSA L PARKS AVE, 23RD FLOOR
NASHVILLE, TN 37243
(800) 251-3589

EMAIL: ASK.THRC@TN.GOV

[HTTP://TN.GOV/HUMANRIGHTS/#STHASH.IHGtKATK.DPUF](http://tn.gov/humanrights/#sthash.IHGtKATK.DPUF)

[HTTP://TN.GOV/HUMANRIGHTS/SECTION/COMPLAINT-STANDARDS](http://tn.gov/humanrights/section/complaint-standards)

SOUTHEAST REGION - ATLANTA

(ALABAMA, FLORIDA, GEORGIA, KENTUCKY, MISSISSIPPI, NORTH CAROLINA, SOUTH CAROLINA, TENNESSEE)

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES – OFFICE FOR CIVIL RIGHTS
SAM NUNN ATLANTA FEDERAL CENTER, SUITE 16T70
61 FORSYTH STREET, S.W.
ATLANTA, GA 30303-8909
CUSTOMER RESPONSE CENTER: (800) 368-1019
FAX: (202) 619-3818
TDD: (800) 537-7697

EMAIL: OCRMAIL@HHS.GOV

[HTTP://WWW.HHS.GOV/OCR/ABOUT-US/CONTACT-US/INDEX.HTML](http://www.hhs.gov/ocr/about-us/contact-us/index.html)

THINGS TO KNOW FOR AGENCY PROVIDERS

TITLE VI (6) DISCLAIMER FOR BROCHURES, WEBSITE, TRAINING, ETC.

“(AGENCY/PROGRAM)” IS FUNDED BY A GRANT FROM THE STATE OF TENNESSEE, DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES (TDMHSAS). WHEREBY, NO PERSON IN THE UNITED STATES OR IN TENNESSEE, SHALL ON THE BASIS OF RACE, COLOR OR NATIONAL ORIGIN, BE EXCLUDED FROM PARTICIPATION IN, BE DENIED BENEFITS OF, OR BE SUBJECTED TO DISCRIMINATION UNDER ANY PROGRAM OR ACTIVITY RECEIVING FEDERAL AND/OR TENNESSEE STATE FUNDING ASSISTANCE (CIVIL RIGHTS ACT OF 1964; T.C.A. 4-21-904).

THINGS TO KNOW FOR AGENCY PROVIDERS

THE ANNUAL TITLE VI (6) SELF-SURVEY

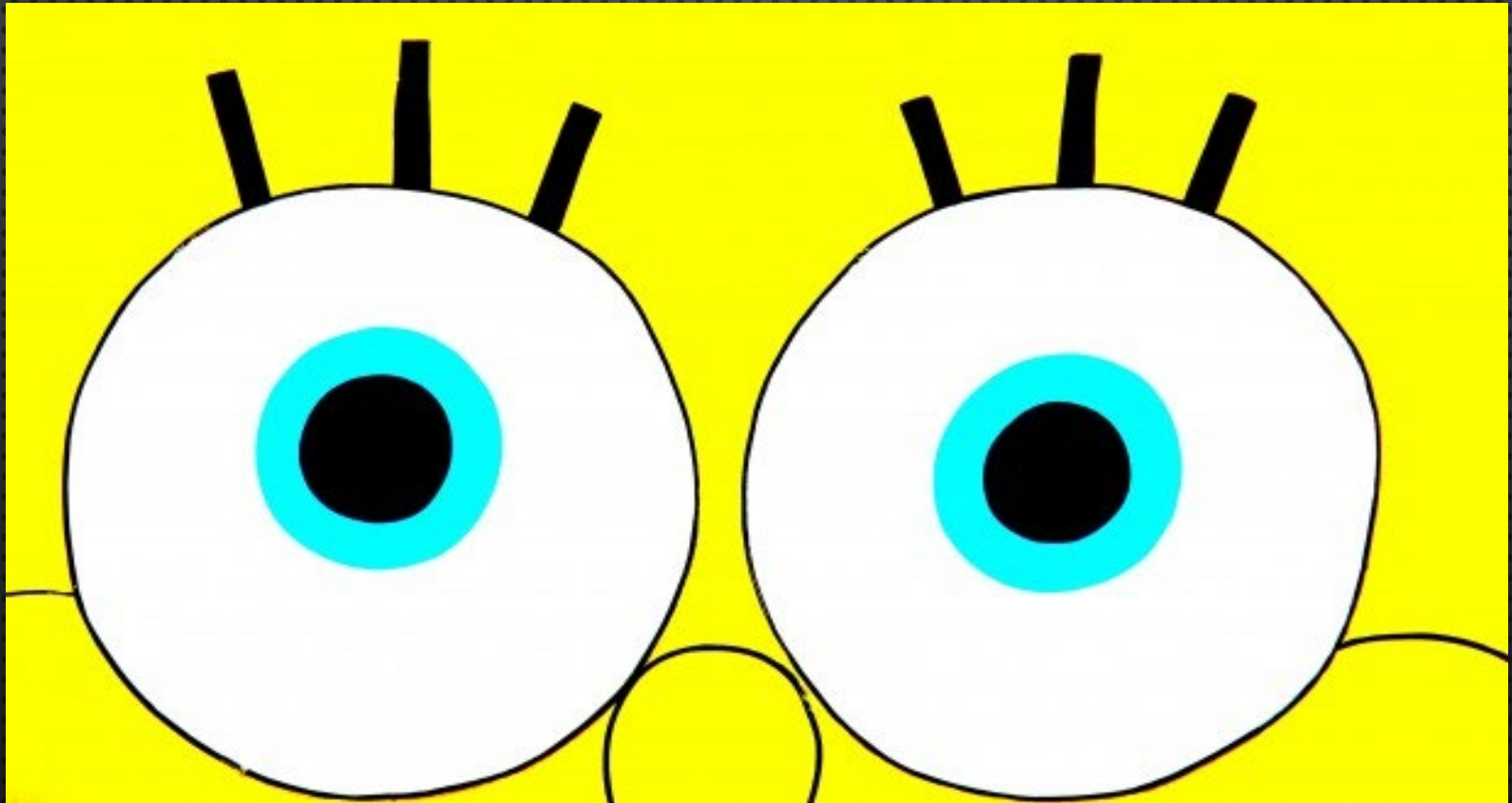
- **TIMELY SUBMIT TO TDMHSAS** A COMPLETED AND SIGNED TDMHSAS TITLE VI(6) SELF-SURVEY WHEN REQUESTED BY TDMHSAS – WHICH IS DUE ANNUALLY (I.E. BETWEEN JULY 1 – JULY 30).

MENTAL HEALTH- GWEN HAMER – GWEN.HAMER@TN.GOV

SUBSTANCE ABUSE – DONATHAN KNOWLES –
DONATHAN.KNOWLES@TN.GOV

IF YOUR AGENCY HAS DUAL CONTRACTS, AS IN BOTH MENTAL HEALTH AND SUBSTANCE ABUSE PLEASE SEND YOUR SELF-SURVEY TO BOTH.

LET'S LOOK AT THIS YEAR'S TITLE-VI AGENCY SELF-SURVEY




THINGS TO KNOW FOR AGENCY PROVIDERS

NON-COMPLIANCE STATEMENT:

FAILURE OR REFUSAL TO COMPLY WITH TITLE VI(6) OF THE CIVIL RIGHTS ACT OF 1964, T.C.A. 4-21-904, AND TDMHSAS TITLE VI GUIDELINES, WILL RESULT WITH THE GRANT CONTRACT AND/OR AUTHORIZATION TO VENDOR AGREEMENT RESULTING IN AN ADMINISTRATIVE CORRECTIVE ACTION THAT MAY LEAD TO SANCTIONS OF WITHHOLDING OF PAYMENTS TO THE RECIPIENT UNDER THE CONTRACT UNTIL THE RECIPIENT COMPLIES, AND/OR CANCELLATION, TERMINATION OR SUSPENSION OF THE GRANT CONTRACT AND/OR AUTHORIZATION TO VENDOR AGREEMENT, IN WHOLE OR IN PART.


Title VI (6) Poster



EQUAL OPPORTUNITY TREATMENT

♦ IS ♦ THE ♦

LAW



Title VI of the Civil Rights Act of 1964 prohibits federally assisted programs from discriminating based on race, color or national origin.

The Tennessee Department of Mental Health and Substance Abuse Services also requires that its services be offered to all eligible persons regardless of race, color or national origin.

Should you feel you have been discriminated against, contact your local Title VI representative listed below:

_____ (name)

_____ (location)

_____ (phone number)


Prohibited Practices Include:

- Denying program services because of race, color or national origin.
- Applying different standards for the same types of services.
- Segregating clients solely because of race, color or national origin.
- Restricting access to program services or benefits.
- Impairing human dignity by manner of address or treatment.
- Failing to make allowances for limited English proficiency (LEP).

Auth. #244001 **OF**

Discrimination Is Prohibited

Tennessee Human Rights Commission, 312 Rosa Parks Blvd., 23rd Floor Snodgrass Bldg., Nashville, TN 37240, 1-800-252-3589



**Department of
Mental Health &
Substance Abuse Services**



LA LEY ESTABLECE LA IGUALDAD DE OPORTUNIDADES



El Título VI del Decreto de Derechos Civiles de 1964 prohíbe que los programas que reciben ayuda del gobierno federal discriminen en base a raza, color o nacionalidad de origen.

El Departamento de Salud Mental y Servicios de Abuso de Sustancias de Tennessee también requiere que sus servicios sean ofrecidos a todas las personas elegibles sin distinción de raza, color, o nacionalidad de origen.

Si usted considera que ha sido víctima de actos de discriminación, póngase en contacto con su representante local del Título VI listado a continuación:

_____ (nombre)

_____ (localidad)

_____ (número de teléfono)

Las Prácticas Prohibidas incluyen las siguientes:

- Negar servicios en base a raza, color, o nacionalidad de origen.
- Aplicar estándares diferentes para el mismo tipo de servicio.
- Segregar a los clientes únicamente en base a raza, color, o nacionalidad de origen.
- Restringir acceso a servicios o beneficios del programa.
- Impedir la dignidad humana por manera de dirigirse o tratamiento.
- No considerar a las personas con dominio limitado del inglés.



Auth. #339541



Se Prohíbe la Discriminación

Comisión de Derechos Humanos de Tennessee, 312 Rosa Parks Blvd., Piso 23 Snodgrass Edificio., Nashville, TN 37240, 1-800-251-3589
Tennessee Human Rights Commission, 312 Rosa Parks Blvd., 23rd Floor, Snodgrass Bldg., Nashville, TN 37240, 1-800-251-3589

TN

Department of
Mental Health &
Substance Abuse Services

For TDMHSAS Title VI (6) Info (i.e Posters, Brochures, Training, etc.)

<https://www.tn.gov/behavioral-health/for-providers/training/crisis-services-and-suicide-prevention-training/title-vi-.html>



IN CONCLUSION....

IN BOTH THE UNITED STATES AND TENNESSEE, *EVERYONE* HAS A RIGHT TO FAIR AND EQUAL DELIVERY OF SERVICES, REGARDLESS OF:

- RACE
- ETHNICITY
- NATIONAL ORIGIN
- RELIGION
- POLITICAL AFFILIATION
- LEVEL OF EDUCATION
- PLACE OF RESIDENCE OR BUSINESS
- AGE
- GENDER
- MARITAL STATUS
- PHYSICAL APPEARANCE
- MENTAL OR PHYSICAL DISABILITY
- SEXUAL ORIENTATION
- GENETIC INFORMATION
- SOURCE OF PAYMENT

PROCESS FOR GETTING A CERTIFICATE OF ATTENDANCE FOR TODAY'S WEBINAR TRAINING

Individually E-mail a request for a certificate of attendance for this webinar training by addressing your e-mail to dave.farmer@tn.gov

- On your e-mail request: identify a) your name, b) the agency that you work for, c) the name of the webinar training, d) the number of the session that you attended, e) the date of the session, f) the name of your agency's Title VI coordinator, and g) the password of the session you attended.
- Several hundred certificates will be processed. If your certificate is not received in two weeks, e-mail Mr. Farmer.

Thank you

**THANK YOU FOR ATTENDING THIS
TRAINING!**

