



**STATE OF TENNESSEE
HUMAN RIGHTS COMMISSION**
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Memorandum

To: Matthew Stephenson
Title VI Director

From: Beverly L. Watts *Beverly L. Watts*
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Date: September 22, 2016

Subject: Title VI Implementation Plan for Fiscal Year 2016-2017

Attached for your review, please find the Title VI Implementation Plan for the Tennessee Human Rights Commission for fiscal year 2016-2017.



TENNESSEE HUMAN RIGHTS COMMISSION

FY 2016 - 2017

TITLE VI IMPLEMENTATION PLAN

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Tennessee Human Rights Commission
FY 2016 – 2017
Title VI Implementation Plan

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THE TENNESSEE HUMAN RIGHTS COMMISSION

1. OVERVIEW

a) **Mission:** The Mission of the Tennessee Human Rights Commission is to enforce the Tennessee Human Rights Act (THRA) and the Tennessee Disability Act (TDA) by conducting thorough investigations and by educating the public about their rights with respect to discrimination.

b) **Structure:** The Tennessee Human Rights Commission is supervised by (9) Commissioners. Five of which are appointed by the Governor and the Senate and Legislature each appoint (2) commissioners. An Executive Director appointed by the Commissioners establishes and supervises the day to day activities of (29) Commission investigators and administrative staff located in four major cities throughout the state. The central office with investigators and administrative staff is located in Nashville and investigative staff is located in Memphis, Knoxville and Chattanooga. A copy of the THRC organizational chart is included in the Appendix to this plan.

c) **Operations:** The Commission operates under the authority of T.C.A. 4-21-101 et seq. and its staff receives, processes, investigates, seeks to resolve and hold other necessary litigation upon complaints alleging discrimination in employment, public accommodations, housing and Title VI. Commission investigators conduct investigations throughout the state of Tennessee and conciliate or mediate complaints and prepare reports of their findings that are reviewed by the Commission's legal staff and approved by the Executive Director. The Commission also conducts statewide outreach and training for the public and private organizations and non-profits regarding the laws enforced by the Commission. The Commission coordinates compliance through reviews and investigations regarding Title VI by all state agencies. Total state funding for Commission operations during the period of July 1, 2015 to June 30, 2016 was \$1,688,171.00.

d) **Non-Discrimination policy:** It is the policy of the Tennessee Human Rights Commission to provide equal opportunity and access to its services by the public and in its employment of applicants and to its current employees. To that end, the Commission prohibits discrimination in providing service and employment on the basis of race, color, creed, religion, sex, national origin, age, or disability. The Commission adheres to the state's affirmative action and harassment programs, promotes the full realization of equal opportunity in every aspect of personnel policy and practice in the employment development, advancement, and treatment of employees.

2. DEFINITIONS

The Tennessee Human Rights Commission adopts the Title VI definitions contained in the Tennessee Human Rights Act 4-24-101 et seq:

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

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

Commission: The Tennessee Human Rights Commission.

Commissioner: A member of the commission.

Compliance: The fulfillment of the requirements of the Title VI and applicable laws, and 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.

Complainant: A person for or on whose behalf a complaint alleging unlawful discrimination has been filed or issued.

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 treatment to persons or groups of persons because of race, color or national origin.

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.

Contractor: A person or entity that agrees to perform services at a specified price.

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.

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.

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.

Employer: Includes the state, or any political or civil subdivision thereof, and persons employing eight (8) or more persons within the state, or any person acting as an agent of an employer, directly or indirectly.

Employment Agency: Includes any person or agency, public or private, regularly undertaking with or without compensation to procure employees for an employer or to procure for employees opportunities to work for an employer and includes any person.

Familial Status: One (1) or more individuals, who have not attained eighteen (18) years of age, being domiciled with:

- A parent or another person having legal custody of such individual or individuals; or
- The designee of such parent or other person having such custody, with the written permission of such parent or other person. The protections against discrimination on the basis of familial status shall apply to any person who is pregnant or is in the process of securing legal custody of any person who has not attained the age of eighteen (18) years.

Federal Assistance: Any funding, property, or aid provided for the purpose of assisting a beneficiary.

Financial Institution: A bank, banking organization, mortgage company, insurance company, or other lender to whom application is made for financial assistance for the purchase, lease, acquisition, construction, rehabilitation, repair, maintenance, or improvements of real property, or an individual employed by or acting on behalf of any of these.

Handicap: Means, with respect to a person:

- A physical or mental impairment that substantially limits one or more of such person's major life activities;
- A record of having such an impairment; or
- Being regarded as having such an impairment;

Handicap" does not include current, illegal use of, or addiction to, a controlled substance.

Hearing Examiner(s): One (1) or more persons or commissioners designated by the commission to conduct a hearing. The Commission has the sole power to determine qualifications of the examiner.

Housing Accommodation: Includes improved and unimproved property and means a building, structure, lot or part thereof which is used or occupied, or is intended, arranged or designed to be used or occupied, as the home or residence of one (1) or more individuals.

Labor Organization: Any organization which exists for the purpose, in whole or in part, of collective bargaining or of dealing with employers concerning grievances, terms or conditions of employment, or for other mutual aid or protection in relation to employment or any agent acting for organizations.

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.

National Origin: Includes the national origin of an ancestor.

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.)

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.

Person: Includes one (1) or more individuals, governments, governmental agencies, public authorities, labor organizations, corporations, legal representatives, partnerships, associations, trustees, trustees in bankruptcy, receivers, mutual companies, joint stock companies, trusts, unincorporated organizations, or other organized groups of persons

Places of Public Accommodation, Resort or Amusement: Includes any place, store or other establishment, either licensed or unlicensed, which supplies goods or services to the general public or which solicits or accepts the patronage or trade of the general public, or which is supported directly or indirectly by government funds; except that:

- a) A bona fide private club is not a place of public accommodation, resort or amusement if its policies are determined solely by its members; and
- b) Its facilities or services are available only to its members and their bona fide guests.

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 in individual programs. Reviews are normally conducted 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.

Potential Beneficiaries: Those persons who are eligible to receive federally assisted program benefits and services.

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 would comply with all applicable regulations, and correct any existing or developing instances of noncompliance. If the documentation that is provided by the applicant for the desk audit is inadequate to determine compliance, then an on-site evaluation may be necessary.

Public Notification: Process of publicizing information on the availability of programs, services, and benefits to minorities and statements of nondiscrimination. This is attained through use of newspapers, newsletters, periodicals, radio and television, community organizations, and grassroots and special needs directories, brochures, and pamphlets.

Real Estate Broker" or "Real Estate Salesperson: An individual, whether licensed or not, who, on behalf of others, for a fee, commission, salary, or other valuable consideration, or who with the intention or expectation of receiving or collecting the same, lists, sells, purchases, exchanges, rents or leases real estate, or the improvements thereon, including options, or who negotiates or attempts to negotiate on behalf of others such activity; or who advertises or holds such individual out as engaged in such activities; or who negotiates or attempts to negotiate on behalf of others a loan secured by mortgage or other encumbrance upon a transfer of real estate, or who is engaged in the business of charging an advance fee or contracting for collection of a fee in connection with a contract whereby such individual undertakes to promote the sale, purchase, exchange, rental, or lease of real estate through its listing in a publication issued primarily for such purpose; or an individual employed by or acting on behalf of any of these.

Real Estate Operator: Any individual or combination of individuals, labor unions, joint apprenticeship committees, partnerships, associations, corporations, legal representatives, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees in bankruptcy, receivers or other legal or commercial entities, or the county or any of its agencies, that is engaged in the business of selling, purchasing, exchanging, renting or leasing real estate, or the improvements thereon, including options, or that derives income, in whole or in part, from the sale, purchase, exchange, rental or lease of real estate; or an individual employed by or acting on behalf of any of these.

Real Estate Transaction: Includes the sale, exchange, rental or lease of real property.

Real Property: Includes buildings, structures, real estate, lands, tenements, leaseholds, cooperatives, condominiums, and hereditaments, corporeal and incorporeal, or any interest in the above.

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.

Respondent: A person against whom a complaint alleging unlawful discrimination has been filed or issued. The "Respondent" can be a workplace supervisor, a loan-processing agency, a landlord, or any person who has acted in a way that can be construed as discriminating against the Complainant. The "Respondent" is the person who must respond to the Complainant's charge.

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

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

Similarly Situated Person: A person who meets both of the following criteria: She/he performed a similar-in-kind or similar-in-effect as the Complainant, and she/he is also in the same comparable relationship to the Respondent (i.e., is also supervised by the Respondent, also applied for a loan from the Respondent, etc.). In other words, similarly situated means in similar circumstances.

Similar-In-Kind: Means the same kind of action. For example, if the Respondent fired the Complainant for being tardy five times in two weeks, a similar-in-kind person would be another person supervised by the Respondent who was also tardy five times in a 2-week period.

Similar-In-Effect: Means an action which, while not exactly the same has similar consequences. For example, a similar effect behavior to being tardy five times in two weeks could be on-the-job.

3. FEDERAL PROGRAMS OR ACTIVITIES

The Commission accepts and dual files complaints of discrimination with two different federal agencies. THRC has an active work-share agreement with the federal Equal Opportunity Commission (EEOC), created under § 705 of the Civil Rights Act of 1964, (42 U. S. C. § 2000e-4), and a cooperative agreement with the Department of Housing and Urban Development (HUD) in enforcing the Fair Housing Act of 1968, (42 U. S. C. § 3601 et seq), in

order to achieve the purposes of those acts as well as the purposes of the THRA and the TDA. Pursuant to § 709(b) of the Civil Rights Act of 1964, (42 U.S. C. § 2000e-8), and § 816 of the Fair Housing Act of 1968, (42 U. S. C. § 3616). T.C.A. 4-21-202 allows the Commission to accept reimbursement for services rendered in assisting these federal agencies. During the reporting period of July 1, 2015 through June 30, 2016 the Commission received \$ 174,400 from EEOC and \$ 288,600 from HUD for a total of \$ 463,000 in federal funding. The Commission received no other federal grants, loans or subsidies, nor were there opportunities for contracts, grants or RFP's that were not included in these reported amounts

4. ORGANIZATION OF THE CIVIL RIGHTS OFFICE/CIVIL RIGHTS COORDINATOR

The Tennessee Human Rights Commission is a small agency with a total of twenty four (24) employees as of June 30, 2016 and as such does not have a Civil Rights Department. The Commission has appointed F.H. Guzman as its Title VI Coordinator with the responsibility for training staff, preparing and monitoring its Title VI Plan and the investigation of any Title VI complaints received by the Commission. Mr. Guzman can be reached at 615-741-5825/615-532-3391. This position reports directly to the Executive Director.

It is the responsibility of the Coordinator to ensure that Title VI information is disseminated to all Commission employees and to identify and recommend specific training or activities for individual employees. The Commission supervisors, as needed, assist the Title VI Coordinator with the implementation of the Title VI plan.

The Commission's Title VI Coordinator's primary objective in complaint resolution is to resolve the Complainant's allegations of discrimination promptly and appropriately. THRC has a variety of tools for resolving complaints and any approach, or combination of approaches, may be initiated at any time utilizing the investigative etc. processes within Title VI and T.C.A. 4-21-904/905.

5. DATA COLLECTION AND ANALYSIS

The Tennessee Human Rights Commission investigates discrimination in employment under the bases of: Race; Color; Creed; National Origin; Religion; Sex; Age and Disability. Discrimination under the Housing Laws is investigated on the bases of: Race; Color; Creed; National Origin; Religion, Sex; Familial Status and Disability. Discrimination in Public Accommodations is investigated on the bases of Race; Color; Creed; National Origin; Religion; Sex; and Age. Discrimination under Title VI is investigated under the bases of Race, Color and National Origin.

Racial and ethnic data demonstrating the extent to which members of protected classes under Title VI benefited from the services provided by the Tennessee Human Rights Commission has been collected in the below format that is also reported to the general public in our annual report.

1) Racial and Ethnic data collected: numbers and percentages:

a) Employment Investigations: During the reporting period of July 1, 2015 through June 30, 2016 the Commission received 623 employment discrimination inquiries and accepted 368 complaints for investigation. The most common basis of alleged discrimination was Retaliation 23.6%, followed by race 19.1% and disability 18.3%. The number of complaints for top three industries was manufacturing 82, healthcare industry 78, and food services 67.

b) Housing Investigations: During the reporting period of July 1, 2015 through June 30, 2016 the Commission received a total of 382 inquiries of Housing discrimination. Of these inquiries 148 were accepted for investigation. The most common basis of alleged discrimination was disability at 53%, race 28%, and familial status 9%.

c) The data collected within the federal data base of the EEOC and HUD utilized by THRC is not in a format making it available for reporting purposes. However, the 2015 U.S. Census data for the state of Tennessee as of July 1, 2015 shows an estimated total population of **6,346,275** with a percentage breakdown of:

- Black persons 17.0%
- American Indian and Alaska Native persons 0.4%
- Asian persons 1.8%
- Native Hawaiian and other Pacific Islander 0.1%
- Persons reporting two or more races 1.7%
- Persons of Hispanic or Latino Origin 5.2%
- White persons not Hispanic 78.8%

During the reporting period of July 1, 2015 through June 30, 2016, the Commission received 9,238 telephone inquiries, a 0.98% increase. There were 1,174 complaint forms sent by U.S. mail and email. In addition to its regular phone lines the Commission maintains a Spanish language telephone line (866)-856-1252 that is given out during Hispanic outreach efforts for the use of LEP persons to obtain information and help them file complaints. The Nashville office received and responded to 97 Spanish, 16 Arabic, 28 Albanian and 2 Korean telephone calls.

2) Minority representation of the Tennessee Human Rights Commission staff:

As of June 30, 2016 there were a total of Twenty (24) employees of which Fifteen (15) were minorities. The ethnic breakdown of THRC employees was as follows:

- Black male: 3 13%
- Black female: 10 42%
- White male: 2 8%
- White female: 7 29%

- Asian female: 1 4%
- Hispanic male: 1 4%

3) Number of Title VI complaints received during the reporting period:

- a) Number of complaints closed: 0
- b) Number of complaints referred: 0

4) Number of Title VI lawsuits filed against THRC: 0

5) Participation Data of persons filing Title VI complaints:

- a) Race: n/a
- b) Color: n/a
- c) National Origin: n/a

6) Comparison of collected data related to Title VI complaints received by THRC:

- a) Beneficiaries and Participants: n/a
- b) Analysis of census data to determine the eligible population to be served: n/a
- c) Demographic data:
 - 1) Maps: n/a
 - 2) Census Tracts: n/a

6. DISCRIMINATORY PRACTICES

The following are some examples of what could be discriminatory practices by THRC personnel and are prohibited by Title VI in its delivery of services under federally assisted programs.

Examples of discrimination in Federally THRC Assisted Programs

- **Refusal to accept a complaint.** Failure to accept a complaint unless it is clearly written in the English language because there is no one available to translate the complaint.
- **Failure to provide a complete and impartial investigation of a complaint.** An investigator does not interview a witness because it is difficult to understand a foreign accent. Or, the Complainant has difficulty articulating their complaint to the investigator.
- **Subject an individual to segregation in any manner.** When the THRC waiting area is full a black Complainant is made to wait in the outside hallway while a white

person is allowed to wait inside a vacant THRC office.

- **Denying a person the opportunity to participate as a member of a planning or advisory body.** During a Commission meeting or listening session not allowing or cutting short the remarks of a person based on their Race, Color or National Origin.
- **Utilize criteria or methods of administration which (a) have the effect of subjecting individuals to discrimination.** Not conducting outreach programs in a densely populated minority area; or **(b) operates to defeat or substantially impair the accomplishment of the objectives of the program.** The training facilities used by THRC are located outside the range of the community's public transportation system.

7. LIMITED ENGLISH PROFICIENCY (LEP)

a. IDENTIFYING LEP PERSONS AND THEIR LANGUAGE

The Tennessee Human Rights Commission (THRC) will promptly identify the language and communication needs of an LEP person. If necessary, staff will use the language identification card (or "I speak cards" or posters) provided by Avanza Language Services Corp, the state language contractor, to determine the appropriate language. In addition, when records are kept of past interactions with individuals or their family members, the language used to communicate with the person will be included as part of the record.

b. OBTAINING A QUALIFIED INTERPRETER

F.H. Guzman, Title VI Officer at 615-741-5825/800-251-3589 is responsible for assisting THRC staff to locate a qualified interpreter:

- The state of Tennessee has contracted with Avanza Language Services Corp., located at 5209 Linbar Drive, Suite 603, Nashville, TN 37211, telephone numbers: 615-534-3400/800-482-8292; or www.avanza.co to provide qualified interpreter services. A copy of the Avanza Language Services Corp's written instructions and Language Identification Chart has been given to all THRC staff and included in the yearly all staff training; a copy is included in the appendices to this report. During the period of July 1, 2015 through June 30, 2016, THRC used Avanza's services 61 times to translate 15 Arabic, 16 Spanish, 2 Korean, and 28 Albanian language intake telephone calls, in-person interviews, or written language translations.
- THRC has 2 Spanish speaking employees and 1 employee who is fluent in French and several African languages. Avanza Language Services for Spanish and French are used when in-house translation staff is not available to perform language services.
- During July 1, 2015 through June 30, 2016 there were 33 Spanish language written complaints translated into English and 81 Spanish language intake

telephone calls in-house by THRC staff. All interpretations and translations needed to comply with THRC's - LEP policy are provided to the public without cost to the person being served by THRC.

- It is the policy of the Tennessee Human Rights Commission is to ensure meaningful communications with persons who require LEP services at no cost to them so they may clearly express their complaints allowing the Commission to properly investigate allegations of discrimination. THRC policy also provides for the communication of information in vital documents such as complaint forms in the Spanish language; a website that the reader can convert to the Spanish language by pressing a button; and an 800 telephone number dedicated to Spanish language persons seeking information.
- During July 1, 2015 through June 30, 2016 several Hispanic and Middle Eastern persons came to the Nashville THRC office to file Title VII complaints in-person. Some of these Complainants brought adult family members or friends to act as their translators and did not require the use of Avanza Language Service Corp. translators to file their complaints. However, it is THRC policy that family members or friends of a person needing LEP assistance will not be used as interpreters unless specifically requested by that individual; and only after the person has understood that THRC will furnish them with an interpreter at no charge. Such an offer and the person's response to the THRC offer will be documented in the person's file. If the person still chooses to use a family member or friend as an interpreter, issues of privacy, competency of interpretation, confidentiality, and conflict of interest will be considered by THRC. If the family member or friend is not competent or appropriate for any of these reasons, competent interpreter services will be provided to the person at no cost to them. Children (e.g. persons under the age of 18) will not be used to interpret, in order to ensure confidentiality of information and accurate communications.
- All of the complaints received by THRC during July 1, 2015 through June 30, 2016, were filed and accepted for investigation under the provisions of Title VII, HUD and the Tennessee Human Rights Act which requires that complaints are filed in writing and by statute they are confidential. Because of this most complaints received by THRC come by mail and are in English. THRC is under contract with EEOC and HUD and is required to use their computer systems which do not contain a Limited English Proficiency (LEP) tracking system. Effective October 1, 2012 all THRC staff performing intake and answering THRC phone lines were required to ask anyone they believe has Limited Language Proficiency in the English language if they require the services of a translator. If THRC staff receives a positive response a translator will be provided for that person at no cost to them. THRC intake and telephone staff will document all LEP calls when received in an LEP log maintained on the THRC – H drive.
- THRC tracks the number of telephone calls received at the Nashville central

office in the Spanish language. During the reporting period of July 1, 2015 through June 30, 2016 THRC received 9,042 telephone inquiries of which 81 telephone calls were from Hispanic persons requiring LEP assistance.

8. COMPLAINT PROCEDURES

Any person who believes that an employee of the Tennessee Human Rights Commission has discriminated against them on the basis of race, color or national origin in violation of Title VI may file a complaint within 180 days of the discriminatory act. The THRC Title VI Coordinator will furnish any complainant with the appropriate forms or advise the Complainant that they can obtain a form to file a Title VI complaint from the THRC website located at: www.tn.gov/humanrights.

The Title VI Coordinator will determine how a specific complaint will be investigated to ensure their investigation is within the parameters established by the below complaint procedures.

	Action	Responsible Parties	Time Frame
1	Receive Complaint	Title VI Coordinator. Send letter of Acknowledgement of Receipt.	Upon receipt by THRC
2	Investigation of Complaint	Title VI Coordinator	30 days from receipt of complaint.
3	Resolution of Complaint	Title VI Coordinator	Completion of Investigation.
4	Appeal of Resolution	Complainant	30 days from receipt of Resolution.
5	Review of Appeal	Executive Director	30 days from Receipt of Appeal.
6	Review of Appeal to EEOC or HUD.	Complainant	30 days from Receipt of Review of Appeal.
7	Review of THRC Action	EEOC or HUD	Within federal agency guidelines.

At a minimum the investigation will consist of an in-depth interview of the Complainant, the Respondent and other persons identified by the Complainant or determined by the investigator as necessary to ensure a thorough understanding of the complaint. THRC will obtain any information and/or evidence necessary to substantiate or refute the complaint. Upon completion of the investigation a written report will be prepared and reviewed by appropriate THRC personnel with a copy of the final report of the investigation being sent to the Complainant and Respondent.

A copy of the THRC complaint form utilized for Title VI complaints is available on the THRC internet website or by calling the Title VI Coordinator at 615-741-5825 or 1-800-251-3589. A copy of the THRC Title VI complaint form is attached to the appendix in this report.

The following Title VI disclaimer is posted on the THRC brochures and its website:

The Tennessee Human Rights Commission will not discriminate against its program beneficiaries or participants on the basis of race, color, sex, religion, ancestry, national origin, age, disabilities, or veteran status as required by applicable federal and state laws and regulations. Parties who wish to file a complaint against the Tennessee Human Rights Commission for violation of Title VI of the Civil Rights Act of 1964 under 42 U.S.C. § 2000d, T.C.A. § 4-21-904 or any other federal and/or state law (i.e., Title VII, ADA, Section 504, etc.) should direct such complaints to either the Tennessee Human Rights Commission, United States Department of Housing and Urban Development Office of Fair Housing and Equal Opportunity, or the United States Equal Employment Opportunity Commission.

9. COMPLIANCE REVIEWS

During May of 2016, THRC contracted with the West Tennessee Legal Services (WTLS) to partner in presenting a minimum of two (2) fair housing workshops for housing providers and other associated residential housing organizations focusing on assistance and service animals under the Fair Housing Amendments Act, Section 504 of the Rehabilitation Act of 1973 and the Americans with disabilities Act. Each workshop will consist of a two (2) to three (3) hours session with a question and answer component conducted in East and the other in West Tennessee prior to December 2016.

WTLS is a private non-profit corporation incorporated under the laws of the state of Tennessee and a Qualified Fair Housing Organization pursuant to HUD regulations. WTLS has been administering grants under the Fair Housing Initiatives Program – fair Housing Organization Initiative (FHIP-FHOI) and the Fair Housing Initiatives Program – Education and Outreach since 1994. A copy of the signed contract is attached in the appendices.

A. Pre-Award Procedures - Assurances & Data Collection:

- WTLS will provide a "statement of assurances" regarding Title VI once they provide the services called for in the contract.
- WTLS has been working with THRC and HUD for many years in different housing venues and is well aware of Title VI requirements.
- THRC will furnish WTLS with their Title VI training power point presentation.
- THRC will develop or utilize additional procedures as necessary.

B. Post-Award Procedures:

- THRC will be partnering with WTLS in conducting the workshops and as such will be conducting simultaneous on-site review.

- WTLS will certify they have received and complied with Title VI training presented to them by THRC.
- WTLS will identify all federal or state department/agencies to which they furnish or shares Title VI reports.
- THRC will develop or utilize additional procedures as necessary.

C. Minority Representation:

- WTLS will prepare and submit reports to identify minority representation of sub-recipients or contractors.
- WTLS will identify the total number of all contractor and percentages of minority contractors;
- WTLS will identify the dollar amounts and percentages awarded to minority contractors by race, color or national origin for federally funded programs and activities, including procurement of materials and equipment.

D. Public Notice and Outreach:

- WTLS will identify their non-discrimination policies.
- WTLS will not be using any sub-recipients or contractors.
- WTLS will identify their complainant procedures.
- WTLS will identify minority participation on planning boards and advisory bodies.

E. Procedures for Non-compliance:

- THRC will be partnering with WTLS while conducting the training and monitoring them on-site during the term of the contract.
- THRC will develop or utilize additional procedures as necessary

10. COMPLIANCE/NON-COMPLIANCE REPORTING

- THRC will establish compliance records and other information designed to show compliance by the THRC sub-recipients and contractors with Title VI and maintain the records using state record retention procedures.
- THRC will identify all federal or state department/agencies to which a sub-recipient or contractor of THRC furnishes or shares Title VI reports.
- THRC will identify all federal or state reporting requirements to which the state

department or agency is responsible. Include a citation of the applicable Code of Federal Regulations (CFR) citation and/or federal departmental circular that governs each program, activity or federal funds.

11. TITLE VI TRAINING PLAN

The Tennessee Human Rights Commission has appointed a Title VI Coordinator and the Coordinator is responsible for training all staff regarding Title VI. The Coordinator ensures that Title VI information is disseminated to all Commission employees by their respective supervisors and when necessary identifies and/or recommends specific training for individual employees and responds to requests made by individual employees. On a yearly basis the Title VI Coordinator or a designee provides Title VI training to the entire THRC staff. On December 8, 2015, THRC staff consisted of 27 employees and during the yearly all staff training at the central office in Nashville, TN, Title VI training was attended by 25 THRC employees and 1 Commissioner. The annual Title VI training for the missing 2 THRC employees who were on sick leave was accomplished via telephone during December 2015. A copy of the THRC training power point is included in the appendices of this report.

During the contract period of the above sub-recipients and contractors THRC will report the following:

- Description of training program, number of total staff of the department, total number of sub-recipients and/or contractors, with the actual number and percentages or protected category person trained, including dates of training.
- A list of proposed future training dates offered to staff of sub-recipients and Contractors.

12. PUBLIC NOTICE AND OUTREACH

In an effort to reach the public during the July 1, 2015 through June 20, 2016 reporting period THRC used the following methods to enhance their Title VI outreach efforts:

- THRC brochures mailed out or handed out to individuals and groups at seminars and conferences that explain THRC's non-discrimination policies under Title VI and inform the reader of the process and with whom they may file complaints.
- An internet website in English and Spanish that explains THRC's non-discrimination policies under Title VI and provides guidance to state agencies and the public. There is also easy access to complaint forms in English and Spanish and links to the websites of the EEOC, HUD and U.S. Department of Justice.

- A copy of the THRC Title VI Implementation Plan is available at the main office and may be requested by anyone who contacts the THRC Title VI officer.
- THRC has developed rules and regulations applicable to 42 state agencies that THRC evaluates and oversees in the implementation of its Title VI Compliance Program for state agencies. The rules and regulations were passed by the Tennessee General Assembly Government Operations Committee and became effective on February 13, 2011.
- The THRC annual report addresses the THRC Title VI program and is sent to the Governor, the General Assembly and is available to the general public upon request.
- The Commission has advertised its mission including Title VI in a series of television and radio commercials.

During the reporting period of July 1, 2015 through June 30, 2016, Commission staff partnered with 112 state and federal agencies, grassroots, faith-based, immigrant and women's groups and private organizations to promote eliminating discrimination and explaining Title VI. Most often Commission staff worked with members of the community by traveling across the state, participating in 127 education and outreach events reaching 35,000 individuals. These efforts included organizing educational seminars, conducting workshops, making presentations, distributing THRC information at conferences and seminars, attending meetings, and speeches.

The Commission also gained exposure to the public through a variety of media outlets. These included traditional media interactions featuring radio spots, public service announcements, broadcast interviews, as well as articles and opinion. These media interactions featured the Commission and were broadly representative of the THRC's mission and goals. The Commission reached 1.1 million people through the Tennesseean and Pride, 200,000 people through the Human Rights day coverage on Metro Channel 3 and 1.1 million people through Clear Channel and women's radio.

Using online media there were 4,693 views of [facebook.com/TNHumanRights](https://www.facebook.com/TNHumanRights); over 5,000 views on [youtube.com/Tennessee-HumanRights](https://www.youtube.com/Tennessee-HumanRights) and over 53,000 visits to tn.gov/humanrights. The Commission is expected to have reached more than 2.2 million individuals using both traditional and social media.

In addition, the Commission hosted its Annual Employment Law Seminar, which had an attendance of 177 professionals who received updates on decisions in discrimination law. Attending attorneys earned 6.5 CLE credits and HR personnel earned 6.5 HRCI credits.

Minority Representation on THRC Planning Boards, or Advisory Boards: The Tennessee Human Rights Commission Board from July 1, 2015 through June 30, 2016 consisted of a nine (9) member policy making body. Five (5) of these Commissioners were appointed by the Governor, two (2) appointed by the Tennessee Senate, and two being (2) appointed by

the Tennessee House of Representatives.

Minority Representation on the Board of Commissioners from January 1, 2015 through June 30, 2016 consists of:

Commissioners	Total – 9 Board Members	% (of total Board Members)
African-American (females)	2	0.22
African-American (males)	3	0.33
Caucasian (females)	2	0.22
Caucasian (males)	2	0.22

Board of Commissioners July 1, 2015 – June 30, 2016

Name

Term Expires

East Tennessee

Comm. Chrystal Horne
 Comm. Annazette Houston
 Comm. Robin Derryberry

06/30/2019 (BF)
 06/30/2019 (BF)
 06/30/2017 (WF)

Middle Tennessee

Comm. Eric Crafton
 Comm. Bill Martin
 Comm. Julius Sloss

06/30/2017 (WM)
 06/30/2021 (BM)
 06/30/2021 (BM)

West Tennessee

Comm. Rieta Selberg
 Comm. Ralph White
 Comm. Chris Crider

06/30/2017 (WF)
 06/30/2019 (BM)
 06/30/2021 (WM)

Abbreviations: (WF) white female; (WM) white male; (BM) black male; (BF) black female

Outside input is solicited during all public meetings from all attendees. All Commission meetings are advertised in the appropriate media as being open to the public and to solicit input from the public. A record of all Commission meetings is documented in written minutes that are kept in the Nashville office and are open for public inspection. The Commission minutes are also published on the Commission website at www.tn.gov/humanrights for review by the public. In its outreach efforts the Commission frequently participates in call-in radio programs and newspaper interviews whose targeted audience is the general public and minority communities. The Commission also publishes

an annual report detailing all of its activities that is available on the Commission's website and a copy is sent to the Governor of the State of Tennessee.

13. EVALUATION PROCEDURES

Once an investigation is completed THRC evaluates its customer service by requesting parties to respond to an internal Customer Service Survey. THRC investigators mail a written survey to every complainant and respondent. THRC also captures all legible emails from complainants and respondents listed on their written complaint forms and enter them into Survey Monkey, a website on the internet, on a monthly basis and send them the same survey as above.

Further, THRC conducts telephonic random witness interviews which are selected from closed cases from the prior month. The Special Projects Officer (SPO), or other designated staff, will randomly select a minimum of two (2) cases per employment investigator and one (1) case per housing investigator for witness contact verification. Staff will then contact at least one witness per case and administer the survey. Staff will make two attempts to contact and interview each selected witness.

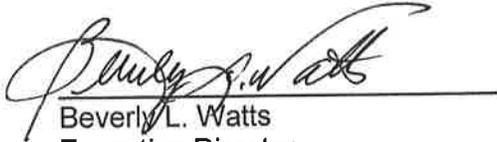
The SPO, or other designated THRC staff, on a monthly basis calls every person who has requested a complaint form to verify if they received the complaint form. If the person has not received the form another complaint form is mailed to them. If the person has received the complaint form they are asked if they have any questions, or need help filling it out.

On a monthly basis, the SPO will convert survey responses into a written narrative with charts for review by the Deputy Director and Executive Director. The information received from these surveys is reviewed for policy updates, training, and/or employee development where necessary. All results are shared with the THRC Commissioners during their regularly scheduled meetings.

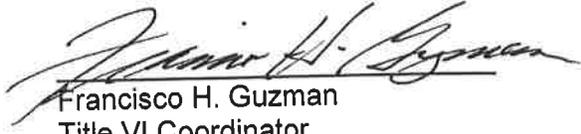
During May of 2016 THRC signed a contract for services with a sub-recipient and vendor. A specific time for completion of the contract has not been decided as there are details such as format, dates and location being developed and THRC will conduct their compliance review within 45 days of determination of these details. The sub-recipient review will contain a specific time line for completion. This review will include a schedule and a post-award compliance review procedure to insure that all sub-recipient employees receive appropriate training and comply with all phases of Title VI requirements.

14. RESPONSIBLE OFFICIALS

The officials within the Tennessee Human Rights Commission responsible for carrying out and preparing the Title VI implementation plan and their location are:



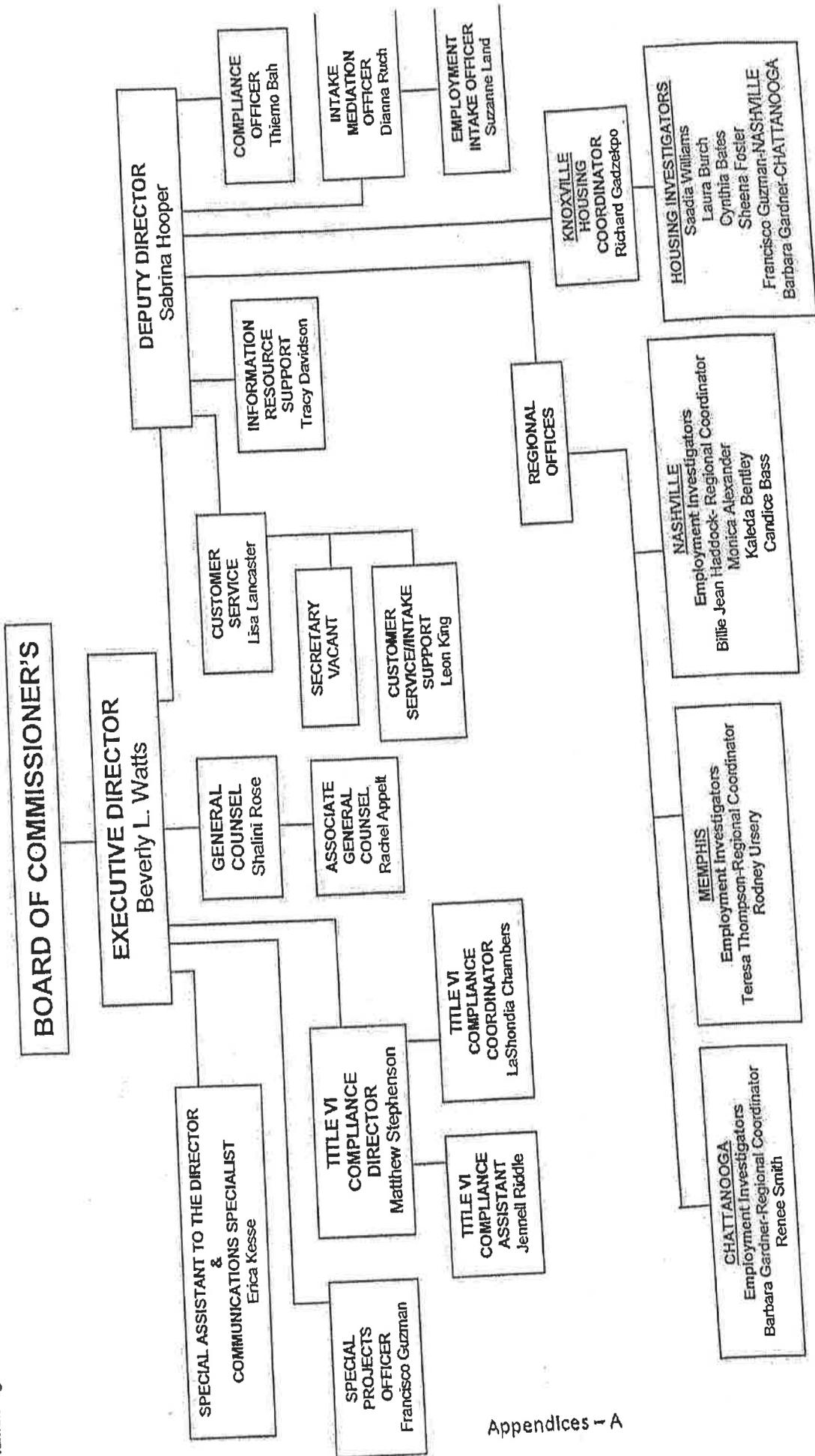
Beverly L. Watts
Executive Director
Tennessee Human Rights Commission
710 James Robertson Parkway – RM 100
Nashville, TN 37243



Francisco H. Guzman
Title VI Coordinator
Tennessee Human Rights Commission
710 James Robertson Parkway – RM 100
Nashville, TN 37243

15. APPENDICES

- A. THRC - Organizational Chart
- B. THRC and Title VI Complainant Forms in English and Spanish
- C. THRC - 2015 Title VI Employee Training Agenda
- D. THRC - Agency Brochures with Title VI notices in English and Spanish
- E. THRC - LEP - Contractor Contact Process - AVAZA Language Services Corp.
- F. THRC - LEP - AVANZA - Language Identification Guide Poster
- G. THRC - LEP Administrative Policy and Log
- H. DOHR - Policy # 12-008
- I. THRC Contract with West Tennessee Legal Services, Inc.



DOHR provides Personnel Services
Centralized Billing provides AP Services



STATE OF TENNESSEE
TENNESSEE HUMAN RIGHTS COMMISSION
CENTRAL OFFICE
TENNESSEE TOWER
312 ROSA L PARKS AVE, 23RD FLOOR
NASHVILLE, TENNESSEE 37243
(615) 741-5825 Fax (615) 253-1886
Toll Free: 1-800-251-3589
Spanish Toll Free Line: 1-866-856-1252
www.tn.gov/humanrights

**FILING A DISCRIMINATION COMPLAINT
WITH THE TENNESSEE HUMAN RIGHTS COMMISSION (THRC)**

The Tennessee Human Rights Commission is an independent state agency which investigates allegations of discrimination in housing, employment, Title VI and places of public accommodations. If you feel that you have been discriminated against because of your race, color, gender, disability, national origin, religion, creed, familial status or age (40 and over) then you may file a complaint of discrimination. If the complaint is jurisdictional, then THRC will investigate the matter. Complaints of discrimination must be filed with the Commission within 180 days of the alleged discriminatory act.

Please note that a delay could occur in the investigation of your charge if the complaint is not filled out properly. To assist the Tennessee Human Rights Commission with providing efficient service to you, please make sure that you do all of the following:

- Clearly print your answers;
- Answer all questions that apply to your allegations;
- Sign and date the complaint form;
- Submit the original form to the Commission; and,
- Keep the Commission informed of any changes in your address or contact numbers.

A copy of this complaint and any documents which you attach to it, except for the witness list, will be forwarded to the respondent whom you allege discriminated against you. The respondent will be given an opportunity to respond to your allegations, and a THRC Investigator will be assigned to investigate your complaint.

Title VI Notice

Title VI of the Civil Rights Act of 1964 (42 United States Code § 2000d) and Tennessee Code Annotated § 4-21-904 provide that any entity receiving Federal financial assistance may not discriminate against their program beneficiaries or participants based on their race, color, or national origin. The Tennessee Human Rights Commission does not discriminate against any person based on race, color, national origin, gender, religion, disability, age, creed, familial status, or on any other basis legally prohibited by or protected by Federal or State law. Parties who wish to file a complaint against the Tennessee Human Rights Commission for violation of Title VI of the Civil Rights Act of 1964 under 42 U.S.C. § 2000d or under T.C.A. § 4-21-904 should direct such complaints to either the Tennessee Human Rights Commission, the United States Department of Housing and Urban Development Office of Fair Housing and Equal Opportunity, or the United States Equal Employment Opportunity Commission.

RD4 1654



**STATE OF TENNESSEE
 TENNESSEE HUMAN RIGHTS COMMISSION
 CENTRAL OFFICE
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 NASHVILLE, TENNESSEE 37243
 (615) 741-5825 Fax (615) 253-1886
 Toll Free: 1-800-251-3589
 Spanish Toll Free Line: 1-866-856-1252
www.tn.gov/humanrights**

DISCRIMINATION COMPLAINT
 (DEPARTMENT USE ONLY)

THRC# _____ HUD# _____ EEOC# _____

1. TYPE OF COMPLAINT. Check which type of complaint you are filing:
 EMPLOYMENT HOUSING PUBLIC ACCOMMODATION TITLE VI

2. COMPLAINANT CONTACT INFORMATION. Provide your name and address.

NAME _____		ADDRESS _____		
TELEPHONE () _____	CELL () _____	APT No. _____	CITY _____	
E-MAIL _____	DATE OF BIRTH _____	COUNTY _____	STATE _____	ZIP _____

Provide the contact information of someone who can assist us in contacting you should we have difficulty in reaching you.

NAME _____		ADDRESS _____		
TELEPHONE () _____	CELL () _____	CITY _____	STATE _____	ZIP _____

3. RESPONDENT CONTACT INFORMATION.

Provide the name of the entity (employer / housing provider/ business/agency) and address that you believe discriminated against you:

ENTITY _____		ADDRESS _____		
TYPE OF BUSINESS _____		CITY _____	STATE _____	ZIP _____
(FOR EMPLOYMENT ONLY) NAME OF IMMEDIATE SUPERVISOR _____		TELEPHONE () _____	COUNTY _____	

4. WHEN DID THE DISCRIMINATORY ACT(S) OCCUR?

Beginning date of the alleged discriminatory act? _____

Most recent date of the alleged discriminatory act? _____

Is the alleged discriminatory act ongoing? YES NO

EMPLOYMENT COMPLAINTS ONLY

(COMPLETE THIS BOX ONLY IF YOU ARE SUBMITTING AN EMPLOYMENT COMPLAINT)

EMPLOYMENT HISTORY

EMPLOYMENT BEGAN ON: _____

EMPLOYMENT ENDED ON: _____

PAY RATE/SALARY: _____

JOB TITLE AT THE TIME OF HIRE: _____

CURRENT JOB TITLE OR TITLE AT THE TIME OF TERMINATION: _____

NAME OF HR/PERSONNEL DIRECTOR: _____

NUMBER (#) OF EMPLOYEES: _____

DID YOU FILE WITH THE EEOC?

YES NO

BASIS OF DISCRIMINATION: Why do you believe you were discriminated against? *Please mark below only the categories which apply. Specify within the categories you mark.*

- RACE: _____
- COLOR: _____
- NATIONAL ORIGIN: _____
- DISABILITY: _____

- SEX/GENDER: MALE FEMALE
- RELIGION: _____
- CREED: _____
- AGE (40 AND OVER): _____

RETALIATION

Check below if you were retaliated against because of any of the following:

- FILED A COMPLAINT OF DISCRIMINATION
- GAVE TESTIMONY OR OTHERWISE PARTICIPATED IN A DISCRIMINATION INVESTIGATION
- OPPOSED OR OBJECTED TO DISCRIMINATION
- OTHER: _____

WHICH OF FOLLOWING EMPLOYMENT ACTION(S) WERE TAKEN AGAINST YOU? *(Check only those that apply.)*

- | | | |
|---|---|---|
| <input type="checkbox"/> DISCHARGED | <input type="checkbox"/> TRANSFERRED | <input type="checkbox"/> DENIED BENEFITS (LEAVE, INSURANCE, ETC.) |
| <input type="checkbox"/> LAID OFF | <input type="checkbox"/> DEMOTED | <input type="checkbox"/> DENIED PAY RAISE |
| <input type="checkbox"/> SUSPENDED | <input type="checkbox"/> FAILURE TO HIRE | <input type="checkbox"/> DENIED RELIGIOUS ACCOMMODATION |
| <input type="checkbox"/> HARASSED/INTIMIDATED | <input type="checkbox"/> FAILURE TO PROMOTE | <input type="checkbox"/> DENIED DISABILITY ACCOMMODATION |
| <input type="checkbox"/> RETALIATED AGAINST | <input type="checkbox"/> FAILURE TO RECALL | <input type="checkbox"/> OTHER: _____ |

HOUSING COMPLAINTS ONLY

(COMPLETE THIS BOX ONLY IF YOU ARE SUBMITTING A HOUSING COMPLAINT)

RESPONDENT INFORMATION

IS THE RESPONDENT ONE OF THE FOLLOWING? (MARK ALL THAT APPLY)

- OWNER BUILDER BROKER SALESPERSON MANAGER BANK OR OTHER LENDER OTHER, SPECIFY _____

WHAT KIND OF PROPERTY WAS INVOLVED?

- SINGLE FAMILY HOUSE HOUSE OR BUILDING FOR 2 OR MORE FAMILIES BUILDING FOR 5 OR MORE FAMILIES OTHER _____

WHAT IS THE ADDRESS OF THE HOUSE OR PROPERTY? (STREET, CITY, COUNTY, STATE)

WAS THE HOUSE OR PROPERTY:
 FOR SALE FOR RENT

DID THE OWNER LIVE AT THE PROPERTY?
 YES NO

BASIS OF DISCRIMINATION: Why do you believe you were discriminated against? *Please mark below only the categories which apply. Specify within the categories you mark.*

- RACE _____
 COLOR _____
 NATIONAL ORIGIN _____
 DISABILITY _____

- SEX/GENDER: MALE FEMALE
 RELIGION _____
 CREED _____
 FAMILIAL STATUS (CHILDREN UNDER 18 OR PREGNANT)

RETALIATION

Check below if you were retaliated against because of any of the following:

- FILED A COMPLAINT OF DISCRIMINATION
 GAVE TESTIMONY OR OTHERWISE PARTICIPATED IN A DISCRIMINATION INVESTIGATION
 OPPOSED OR OBJECTED TO DISCRIMINATION
 OTHER _____

WHICH OF THE FOLLOWING ACTIONS WERE TAKEN AGAINST YOU? *Check only those that apply*

- REFUSAL TO SELL, RENT OR NEGOTIATE WITH YOU
 FALSELY DENIED THAT HOUSING WAS AVAILABLE
 INTIMIDATED, INTERFERED OR COERCED
 DIFFERENT TERMS OR CONDITIONS OF THE SALE/ RENTAL
 RETALIATED AGAINST

- DISCRIMINATED IN FINANCING
 ADVERTISED IN A DISCRIMINATORY MANNER
 DISCRIMINATED IN REAL ESTATE SERVICES
 REFUSAL TO MAKE MODIFICATION / ACCOMMODATION
 OTHER _____

PUBLIC ACCOMMODATION ONLY*

(COMPLETE THIS BOX ONLY IF YOU ARE SUBMITTING A PUBLIC ACCOMMODATION COMPLAINT)

*Denial of service or access to a place of public accommodation

BASIS OF DISCRIMINATION: Why do you believe you were discriminated against? Please mark below only the categories which apply. Specify within the categories you mark.

RACE _____

SEX/GENDER: MALE FEMALE

COLOR: _____

RELIGION: _____

NATIONAL ORIGIN: _____

CREED: _____

AGE (40 AND OVER) _____

RETALIATION

Check below if you were retaliated against because of any of the following:

FILED A COMPLAINT OF DISCRIMINATION

GAVE TESTIMONY OR OTHERWISE PARTICIPATED IN A DISCRIMINATION INVESTIGATION

OPPOSED OR OBJECTED TO DISCRIMINATION

OTHER: _____

TITLE VI* COMPLAINTS ONLY

(COMPLETE THIS BOX ONLY IF YOU ARE SUBMITTING A TITLE VI COMPLAINT)

*For discrimination in programs and activities receiving federal financial assistance.

BASIS OF DISCRIMINATION:

Please specify the categories which you marked.

RACE: _____

COLOR: _____

NATIONAL ORIGIN: _____

RETALIATION: _____

Check below if you were retaliated against because of any of the following:

FILED A COMPLAINT OF DISCRIMINATION

GAVE TESTIMONY OR OTHERWISE PARTICIPATED IN A DISCRIMINATION INVESTIGATION

OPPOSED OR OBJECTED TO DISCRIMINATION

OTHER: _____

WHICH OF THE FOLLOWING ACTIONS WERE TAKEN AGAINST YOU? (Check only those that apply and describe below.)

DENIED PROGRAM SERVICE, AID, OR BENEFIT

RECEIVED SERVICE OR BENEFIT DIFFERENTLY OR INFERIOR TO THOSE PROVIDED TO OTHERS

SUBJECTED TO SEGREGATE OR SEPARATE TREATMENT RELATED TO THE RECEIPT OF ANY SERVICE OR BENEFIT

DENIED OPPORTUNITY TO PARTICIPATE AS MEMBER OF PLANNING OR ADVISORY BODY

RETALIATED AGAINST

OTHER: _____

IMPORTANT NOTICE

To file in state court: For Employment, Housing and Public Accommodation Complaints:

You, as the Complainant, have the right to hire an attorney and file a civil lawsuit in the state court system, either Chancery or Circuit, at any time during the investigation of this complaint. If you choose this option, you must file suit within one (1) year after the alleged discriminatory practice ceases, and prior to any determination being made by the Tennessee Human Rights Commission (THRC). Unlike federal law, state law does not toll the statute of limitations on your claim while your charge is being investigated and/or mediated by this agency. You are not required to file a complaint with the THRC, nor do you need the THRC's permission before you can file suit in Chancery or Circuit court. If you file a civil lawsuit in Chancery or Circuit court, then pursuant to state law, THRC must administratively close its investigation of your complaint.

If THRC issues a *final* determination in your case, and you subsequently file a civil lawsuit in state court asserting the same allegations as your THRC complaint, then your case may be dismissed. However, within 30 days of receipt of THRC's *final* determination, you may file a private action in either Chancery or Circuit court appealing the determination.

For Housing Complaints only:

If a federal law is involved, this agency will send the Department of Housing and Urban Development (HUD) a copy of our Notice of Determination. HUD will then mail the parties a Notice of Closure of this case. Notwithstanding the determination by HUD, the Fair Housing Act provides that the complainant may file a civil action in an appropriate court within two (2) years after the occurrence or termination of the alleged discriminatory housing practice. The computation of this two-year period does not include the time during which this administrative proceeding was pending.

For Employment Complaints only:

If a federal law is involved, this agency will send the Equal Employment Opportunity Commission (EEOC) a copy of our Notice of Determination. The EEOC will then mail the parties a Notice of Closure of this case and/or a Right to Sue in federal court. A lawsuit must be filed in an appropriate court within ninety (90) days of receipt of the EEOC Notice of Closure/Right to Sue.

For Title VI Complaints only:

An individual has the right to file an administrative complaint against any state department or agency (recipient), or subrecipient receiving Federal financial assistance.

By signing this complaint form, you are acknowledging that you have read and understand your rights as set forth above.

Declaration: I declare under penalty of perjury that the foregoing information in my complaint is true and correct.

Complainant Signature

Date

WITNESSES. Please list any individuals that may have information that supports or clarifies your complaint. Include as much contact information as possible. *This list will not be provided to the Respondent(s) named in your complaint.*

1. Name _____
 First _____ Last _____
Address _____ Apt # _____ City _____ State _____ Zip _____
Phone Number () _____

2. Name _____
 First _____ Last _____
Address _____ Apt # _____ City _____ State _____ Zip _____
Phone Number () _____

3. Name _____
 First _____ Last _____
Address _____ Apt # _____ City _____ State _____ Zip _____
Phone Number () _____

4. Name _____
 First _____ Last _____
Address _____ Apt # _____ City _____ State _____ Zip _____
Phone Number () _____

5. Name _____
 First _____ Last _____
Address _____ Apt # _____ City _____ State _____ Zip _____
Phone Number () _____

6. Name _____
 First _____ Last _____
Address _____ Apt # _____ City _____ State _____ Zip _____
Phone Number () _____

OPTIONAL: For statistical and informational purposes only. Please select all that apply.

What is your race/ethnicity?
 ASIAN AMERICAN INDIAN OR ALASKA NATIVE BLACK PACIFIC ISLANDER WHITE

Are you of Hispanic, Latino, or Spanish origin? YES NO

If yes, please specify (i.e., MEXICAN, PUERTO RICAN, ETC.): _____

OTHER ORIGIN, SPECIFY: _____

How did you learn about the Tennessee Human Rights Commission?
 Radio Television Friend Other, specify _____



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www.tn.gov/humanrights

INSTRUCCIONES PARA PRESENTAR UNA QUEJA DE DISCRIMINACIÓN A LA COMISIÓN DE DERECHOS HUMANOS DE TENNESSEE (THRC)

La Comisión de Derechos Humanos de Tennessee es una agencia independiente del estado que investiga las alegaciones de discriminación en el empleo, Título VI, los lugares de acomodación pública, y de la vivienda. Si usted se siente que usted ha sido una víctima de discriminación en su lugar de empleo, por causa de su raza, el color, el género, la edad (sobre 40), la incapacidad, el origen nacional, el credo, religión, o estatus familiar, entonces usted puede presentar una queja de discriminación en el empleo. Si la queja es jurisdiccional, entonces THRC investigará el asunto. Las quejas de la discriminación se deben entregar a la Comisión dentro de 180 días del acto discriminatorio que se alega.

Por favor tomar en consideración que la investigación de su caso puede tener una demora si la queja no es llenada apropiadamente. Para ayudar la Comisión de Derechos Humanos de Tennessee con proporcionar el servicio eficiente, por favor asegúrese que usted haga todo lo siguiente:

- Escriba sus respuestas claramente;
- Conteste todas las preguntas relacionadas con su queja;
- Asegúrese de firmar y poner la fecha en la forma; y
- Asegúrese que la Comisión sea informada de cualquier cambio en su información de contacto como su dirección o número(s) de teléfono.

Una copia de la queja (menos la lista de testigos), y de cualquier documento que usted incluya, será enviado al lugar de su empleo a quien usted alega cometió la discriminación. Al lugar de empleo se dará una oportunidad de responder a sus alegaciones, y un investigador de THRC será asignado para investigar su queja.

Aviso de Título VI

Título VI del Acta de Derechos Civiles de 1964 (42 Código de Estados Unidos § 2000d) y Código de Tennessee. Comentado § 4-21-904 establece que cualquier entidad que reciba asistencia financiera federal no puede discriminar los beneficiarios del programa o los participantes en función de su raza, color, u origen nacional. La Comisión de Derechos Humanos de Tennessee no discrimina contra ninguna persona por motivos de raza, color, origen nacional, sexo, religión, discapacidad, edad, credo, estatus familiar, o en cualquier otra base legalmente prohibido o protegido por la ley federal o estatal. Las Partes que deseen presentar una queja en contra de los Derechos Humanos de Tennessee, el T.C.A. § 4-21-904 debe dirigir esas denuncias ya sea a la Comisión de Derechos Humanos de Tennessee, el Departamento de Vivienda y Desarrollo Urbano Oficina de Vivienda Justa e Igualdad de Oportunidades, o La Comisión para la Igualdad de Oportunidades en el Empleo de los Estados Unidos.



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www.tn.gov/humanrights

QUEJA DE DISCRIMINACION
 (PARA EL USO DEL DEPARTAMENTO)

THRC# _____ HUD# _____ EEOC# _____

1. TIPO DE QUEJA. Indica que tipo de queja que esta presentando
- EL EMPLEO LA VIVIENDA ACOMODACION PUBLICA TITULO VI

2. INFORMACION DEL DEMANDANTE. PROPORCIONE SU NOMBRE, DIRECCION, Y NUMEROS DE TELEFONO.

NOMBRE _____	DIRECCION _____
TELÉFONO () _____	APT. NO. _____ CIUDAD _____
CELULAR () _____	CONDADO _____ ESTADO _____ CÓDIGO POSTAL _____
E-MAIL: _____	FECHA DE NACIMIENTO _____

Proporcione la información de alguien que pueda ayudarnos a contactarle.

NOMBRE _____	DIRECCION _____
TELÉFONO () _____	CIUDAD _____ ESTADO _____ CÓDIGO POSTAL _____
CELULAR () _____	

3. INFORMACION DEL DEMANDADO.
 PROPORCIONE EL NOMBRE Y LA DIRECCION DE LA ENTIDAD (PROVEEDOR DE VIVIENDA / EMPLEADOR / EMPRESA / AGENCIA) QUE USTED CREE QUE DISCRIMINO EN SU CONTRA:

ENTIDAD _____	DIRECCION _____
TIPO DE NEGOCIO _____	CIUDAD _____ ESTADO _____ CÓDIGO POSTAL _____
(SOLO POR EMPLEO) NOMBRE DEL SUPERVISOR INMEDIATO _____	TELÉFONO () _____ CONDADO _____

4. CUANDO OCURRIÓ ESTE ACTO(S)

- ¿La fecha que comenzó el acto de discriminación? _____
- ¿La fecha más reciente que ocurrió el acto de discriminación? _____
- ¿El acto de supuesta discriminación esta en curso? SI No

QUEJAS DE EMPLEO

(LLENE ESTE CUADRO SOLAMENTE SI ESTÁ PRESENTANDO UNA QUEJA DE EMPLEO)

HISTORIA DEL EMPLEO

CUANDO COMENZÓ EL EMPLEO: _____

CUANDO TERMINÓ EL EMPLEO: _____

SUELDO/SALARIO: _____

EL TÍTULO DE SU PUESTO AL SER CONTRATADO: _____

EL TÍTULO DE SU PUESTO AL SER DESPEDIDO: _____

RAZÓN DE LA DISCRIMINACIÓN: ¿Por qué cree que le han discriminado? Por favor marque a continuación solo las categorías que se aplican, y asegúrese de especificar las categorías que usted marcó.

RAZA: _____

GÉNERO HOMBRE MUJER

COLOR: _____

RELIGIÓN: _____

ORIGEN NACIONAL: _____

CREDO: _____

INCAPACIDAD: _____

EDAD (MÁS 40): _____

REPRESALIA

Marque a continuación si se tomaron represalias en su contra por alguna de las siguientes acciones:

- PRESENTO UNA QUEJA DE DISCRIMINACIÓN
- DIO TESTIMONIO EN UNA INVESTIGACIÓN DE LA DISCRIMINACIÓN
- SE OPUSO A UN ACTO DE DISCRIMINACIÓN
- OTRA: _____

HISTORIA DE LA DISCRIMINACIÓN ALEGADA:

¿Cuál de las siguientes acciones fueron tomadas en su contra? (Marque solo las que se aplican.)

- | | | |
|---|---|---|
| <input type="checkbox"/> ME DESPIDIERON | <input type="checkbox"/> ME TRANSFIRIERON | <input type="checkbox"/> ME NEGARON BENEFICIOS (VACACIONES, SEGURO, ETC.) |
| <input type="checkbox"/> ME DIERON EL ALTA | <input type="checkbox"/> ME BAJARON DE PUESTO | <input type="checkbox"/> ME NEGARON AUMENTO |
| <input type="checkbox"/> ME SUSPENDIERON | <input type="checkbox"/> NO FUI CONTRATADO | <input type="checkbox"/> NO ME ACOMODARON POR RELIGION |
| <input type="checkbox"/> ACOSO/INTIMIDACIÓN | <input type="checkbox"/> ME NEGARON UN ACENSO | <input type="checkbox"/> NO ME ACOMODARON POR DISCAPACIDAD |
| <input type="checkbox"/> REPRESALIA | <input type="checkbox"/> NO OFRECIERON REGRESAR | <input type="checkbox"/> OTRA: _____ |

QUEJAS DE LA VIVIENDA

(LLENE ESTE CUADRO SOLAMENTE SI ESTA PRESENTANDO UNA QUEJA DE LA VIVIENDA)

INFORMACIÓN DEL DEMANDADO

¿ES EL DEMANDADO UNO DE LOS SIGUIENTES? (MARQUE TODOS LOS QUE SE APLICAN)

DUEÑO CONSTRUCTOR AGENCIA INMOBILIARIA VENDEDOR DIRECTOR BANCO O PRESTAMISTA OTRA: _____

¿QUE TIPO DE PROPIEDAD FUE INVOLUCRADO?

CASA DE UNA FAMILIA CASA O EDIFICIO DE 2 FAMILIAS O MÁS EDIFICIO DE 5 FAMILIAS O MÁS OTRA: _____

¿CUAL ES LA DIRECCIÓN DE LA CASA O PROPIEDAD? (CALLE, CIUDAD, CONDADO, ESTADO)

FUE LA CASA O PROPIEDAD PARA

VENTA ALQUILAR

¿VIVIO EL DUEÑO EN LA PROPIEDAD?

SI No

RAZÓN(ES) DE LA DISCRIMINACIÓN: ¿Por qué cree que le han discriminado? *Por favor marque a continuación solo las categorías que se aplican, y asegúrese de especificar las categorías que usted marcó.*

RAZA: _____
 COLOR: _____
 ORIGEN NACIONAL: _____
 INCAPACIDAD: _____

GENERO HOMBRE MUJER
 RELIGION: _____
 CREDO: _____
 ESTATUS FAMILIAR (HIJOS MENOR DE 18 AÑOS O MUJERES EMBARAZADAS)

REPRESALIA

Marque a continuación si se tomaron represalias en su contra por alguna de las siguientes acciones:

PRESENTO UNA QUEJA DE DISCRIMINACION
 DIO TESTIMONIO EN UNA INVESTIGACION DE LA DISCRIMINACION
 SE OPUSO A UN ACTO DE DISCRIMINACION
 OTRA: _____

HISTORIA DE LA DISCRIMINACIÓN ALEGADA: ¿Qué pasó? *Marque solo las que se aplican*

LE NEGARON RENTARLE, VENDERLE, O NEGOCIAR CON USTED LE DISCRIMINARON DURANTE EL FINANCIAMIENTO
 LE NEGARON FALSAMENTE QUE HABIA VIVIENDA DISPONIBLE SE ANUNCIO DE MANERA DISCRIMINATORIA
 LO INTIMIDARON, INTERFIRIERON O FORZARON LE DISCRIMINARON EN AGENCIA INMOBILIARIA
 DIFERENTES TERMINOS Y CONDICIONES DE RENTA/VENTA LE NEGARON UNA MODIFICACION/ACOMODAMIENTO
 REPRESALIAS EN SU CONTRA OTRA: _____

ACOMODACIÓN PÚBLICA

(LLENE ESTE CUADRO SOLAMENTE SI ESTÁ PRESENTANDO UNA QUEJA DE ACOMODACIÓN PÚBLICA)

*Negación de servicios o acceso a un lugar público

RAZÓN DE LA DISCRIMINACIÓN: ¿Por qué cree que le han discriminado? Por favor marque a continuación solo las categorías que se aplican, y asegúrese de especificar las categorías que usted marcó

RAZA _____

GÉNERO HOMBRE MUJER

COLOR: _____

RELIGIÓN: _____

ORIGEN NACIONAL _____

CREDO: _____

EDAD (MÁS 40) _____

REPRESALIA*

Marque a continuación si se tomaron represalias en su contra por alguna de las siguientes acciones:

PRESENTO UNA QUEJA DE DISCRIMINACIÓN

DIO TESTIMONIO EN UNA INVESTIGACIÓN DE LA DISCRIMINACIÓN

SE OPUSO A UN ACTO DE DISCRIMINACIÓN

OTRA: _____

QUEJAS DE TÍTULO VI*

(LLENE ESTE CUADRO SOLAMENTE SI ESTÁ PRESENTANDO UNA QUEJA DE TÍTULO VI)

*Por discriminación en programas y actividades recibiendo asistencia financiera federal

RAZÓN(ES) DE LA DISCRIMINACIÓN:

RAZA: _____

COLOR: _____

ORIGEN NACIONAL: _____

REPRESALIA

Marque a continuación si se tomaron represalias en su contra por alguna de las siguientes acciones:

PRESENTO UNA QUEJA DE DISCRIMINACIÓN

DIO TESTIMONIO EN UNA INVESTIGACIÓN DE LA DISCRIMINACIÓN

SE OPUSO A UN ACTO DE DISCRIMINACIÓN

OTRA: _____

HISTORIA DE LA DISCRIMINACIÓN ALEGADA:

¿Cuál de las siguientes medidas fueron tomadas en su contra? (Marque solo las que se aplican y explique abajo)

NEGADO SERVICIO, ASISTENCIA, O BENEFICIO DEL PROGRAMA

RECIBÓ SERVICIO O BENEFICIO DE MANERA DIFERENTE O INFERIOR A LOS PREVISTOS A OTRAS PERSONAS

RECIBÓ TRATAMIENTO DE SEGREGACIÓN R O SEPARACIÓN AL RECIBIR CUALQUIER SERVICIO O BENEFICIO

NEGADO LA OPORTUNIDAD DE PARTICIPAR COMO MIEMBRO DE PLANIFICACIÓN U ORGANIZACIÓN CONSULTIVA

REPRESALIAS EN SU CONTRA

OTRA: _____

AVISO LEGAL IMPORTANTE

Para presentar en el tribunal estatal: Quejas de empleo, vivienda y lugares público:

Usted, como Demandante, tiene el derecho de contratar un abogado y presentar una demanda privada en el sistema de la Corte Estatal, Tribunal de Cancillería o Tribunal de Circuito, en cualquier momento durante la investigación de esta queja. Si decide esta opción, debe presentar su demanda dentro de un (1) año después que la presunta práctica discriminatoria cese y antes que la Comisión de Derechos Humanos de Tennessee (THRC) haga cualquier determinación final en su caso. A diferencia de la ley Federal, la ley Estatal no calcula el tiempo de estatuto de limitaciones en su reclamo mientras que su cargo está siendo investigado o mediado por esta agencia. Usted no está obligado a presentar una queja ante la Comisión de Derechos Humanos de Tennessee (THRC) ni necesita permiso de THRC para demandar en el Tribunal de Cancillería o Tribunal de Circuito; sin embargo, si usted presenta una demanda en el Tribunal de Cancillería o el Tribunal de Circuito, conforme con la ley estatal, la THRC cerrará su queja administrativamente.

Si la THRC hace una determinación final en su caso, y usted posteriormente presenta una demanda civil en un Tribunal Estatal afirmando los mismos argumentos que su queja con la THRC, su caso puede ser desestimado. Sin embargo, dentro de los 30 días de la recepción de la determinación final de THRC, usted puede presentar una acción privada en el Tribunal de Cancillería o el Tribunal de Circuito para apelar la determinación.

Solamente para quejas de la vivienda:

Si alguna ley federal está involucrada, esta agencia enviara una copia de la Notificación de Resolución al Departamento de Vivienda y Desarrollo Urbano (HUD). Posteriormente HUD enviara por correo una Notificación de Conclusión de este caso. No obstante la determinación de HUD, la Ley de Equidad de Vivienda prevé que el denunciante puede presentar una acción civil en un tribunal competente dentro de dos (2) años después de la aparición o la terminación de la práctica de la supuesta discriminación de vivienda. El cómputo de este período de dos (2) años no incluye el tiempo durante el cual este proceso administrativo estaba pendiente.

Solamente para quejas de la vivienda:

Si alguna ley federal está involucrada, esta agencia enviara una copia de la Notificación de Resolución a la Comisión de los Estados Unidos para la Igualdad de Oportunidades en el Empleo (EEOC). Posteriormente, la EEOC enviara por correo una Notificación de Conclusión de este caso y/o un Aviso de su Derecho a Demandar en la Corte Federal. Esta demanda deberá ser presentada a la Corte Federal dentro de noventa (90) días después del recibo de la Notificación de Conclusión y el Aviso de su Derecho a Presentar un Pleito en el tribunal federal de la EEOC.

Solamente para quejas de Título VI:

Un individuo tiene derecho a presentar una queja administrativa en contra de cualquier departamento o agencia del Estado (receptor), o beneficiarios secundarios que reciben asistencia financiera federal.

Al firmar este formulario de queja, usted reconoce que ha leído y entiende sus derechos según lo establecido anteriormente

Declaración: Declaro bajo pena del perjurio que la información anterior en mi denuncia es verdadera y correcta.

Complainant Signature/ Firma del Demandante

Date / Fecha

Title VI of the Civil Rights Act of 1964

Overview of the
Tennessee Human Rights Commission
Title VI policies

F. H. Guzman
Title VI Officer

12/10/2014 all staff training session

Title VI of the 1964 Civil Rights Act

- 1) Prohibits Discrimination in any Federally funded program.
- 2) No one can be excluded from participation, or denied benefits on the basis of Race, Color, or National Origin.

Why Title VI applies to THRC

- 1) THRC is a state agency that is a direct recipient of federal funds.
- 2) THRC receives payments from EEOC and HUD for conducting investigations in employment and housing.

THRC Programs & Services

- Investigation of discrimination in Employment, Housing and Public Accommodations.
- Commissioners Roundtable discussions.
- Legal Conferences and Seminars
- Housing Seminars
- Participation in panels
- Training of public and private groups
- Data collection and analysis
- Monitor Title VI for all state agencies.

What acts does Title VI prohibit?

- 1) Denying an individual any service, or benefit based on their race, color or national origin.
- 2) Providing services or benefits to individuals that are different or inferior to those THRC provides to other persons.
- 3) Not accepting a complaint in a language other than English.
- 4) Failure to provide an interpreter or translator at no cost for a person with LEP.
- 5) Retaliation for filing a complaint.

Title VI requires THRC

To submit a written plan October 1st of each year detailing THRC activities related to Title VI.

- Annual training of THRC Staff and contractors
- Public Outreach and Education
- Internal Complaint Procedures
- Assessing THRC Compliance
- Racial and Ethnic Data Collection of THRC staff and complainants

- THRC website, 800 telephone number, brochures and complaint forms in “regularly encountered languages other than English” which in Tennessee is the Spanish language.
- Information and services provided by THRC in “languages other than English” for persons with Limited English Proficiency (LEP) to insure meaningful communications.
- Encourage the participation of minorities as members of planning or advisory bodies for programs receiving federal funds.

THRC LEP Policy

- 1) Requires compliance with THRC internal LEP Policy dated October 1, 2012.
- 2) That all persons contacting THRC that have difficulty speaking English be asked if they need a translator and if so one will be provided at no cost to them.
- 3) Requires that all THRC staff document contact with persons receiving LEP services in the THRC LEP Log located on our H drive under AF04_share.

THRC LEP Policy (cont)

That all questions listed on the LEP Log must be filled in with:

- date of call, visit or contact
- name of the caller, visitor or contact
- complaint, inquiry, or telephone number
- language spoken by the person
- reason for the call, visit or contact

THRC LEP Policy (cont)

4)THRC staff will discourage the use of family members and friends as interpreters, but use them to establish appointments as necessary.

This will ensure language competency of the interpreter/translator and accuracy of information received by THRC.

5)THRC staff will not use anyone under the age of 18 as an interpreter except in an unusual circumstance and document reason.

THRC LEP Policy (cont)

6) Use in-house interpreters when available before using outside services:

- Spanish language:
 - Frank Guzman and
 - Matthew Stephenson
- French:
 - Poolar : a Foulani language spoken from Mauritania to the North all the way to Cameroon on the west coast of Africa.
 - Thierno Bah

All persons are located at the THRC Nashville central office

THRC LEP Policy (cont)

- Ghanaian Languages: Twi, Ewe and Ga.
- Richard Gadzekpo located at the Knoxville office.

THRC also has a contract with the Nashville Conflict Resolution Center for a Spanish language mediator that is administered by the Employment Intake Supervisor Dianna Ruch.

THRC LEP Policy (cont)

7) If outside interpreters are needed call Avaza Language Service Corp. in Nashville, TN at 615-534-3405; 615-534-3400 or 800-482-8292.

- Press 1 for Spanish and 2 for other languages.
- The THRC client id is: 900-525
- The THRC access code is: 32402
- Try to use two phones in conference mode so the person with LEP can speak to the interpreter.

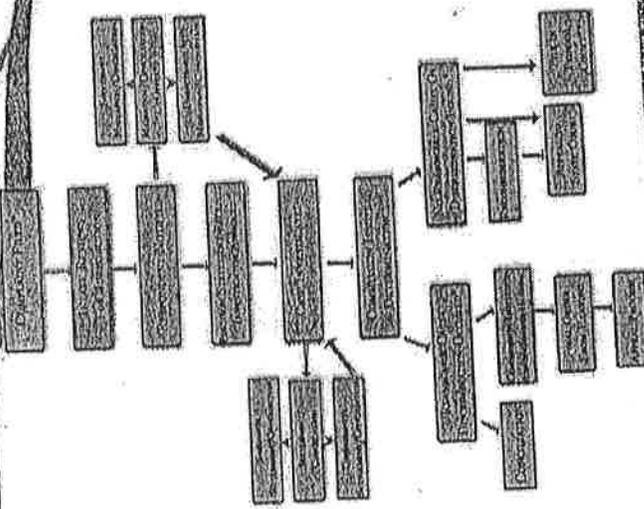
How to assist a Title VI complainant file a complaint against THRC

- Use a standard THRC complaint form and complete the Title VI information box.
- Submit the complaint to F.H. Guzman the THRC Title VI Officer for intake processing and investigation.
- Investigation process of Title VI complaint is similar to that of an employment/housing complaint with shorter time limits.

Direct all Title VI questions or
problems to Frank Guzman at
615-741-5825 or 800-251-
3589.

FILING A COMPLAINT OF DISCRIMINATION

An individual who feels he or she has been illegally discriminated against in employment, housing, public accommodations or in services delivered by a state agency, should file a complaint with the Commission. Complaint forms are available at no cost by calling or visiting a Commission office. Forms are also available at www.tn.gov/humanrights online.



FOR MORE INFORMATION ABOUT THE PROCESS OF FILING A COMPLAINT OR GENERAL QUESTIONS OF DISCRIMINATION, CONTACT THE COMMISSION AT 615-251-3589.

COMPLAINT PROCESS

- The Commission reviews complaints for jurisdiction.
- Respondents are notified when a complaint is jurisdictional.
- Mediation is offered free-of-charge to all parties to reach a mutually acceptable resolution. If an agreement is obtained, the case is closed. If no agreement is obtained, the complaint is assigned for investigation. Discussions during mediation remain confidential.
- After a thorough investigation, if the Commission finds no reasonable cause that discrimination has occurred, the case is closed.
- Complainants receive a final letter outlining up to three options for appeal should she or he wish to pursue the matter further.
- If the Commission finds reasonable cause discrimination has occurred, conciliation attempts are made to end the discriminatory practice.
- If conciliation fails, the Commission will present the case

CONTACT INFORMATION
 WILLIAM R. SNODGRASS TENNESSEE TOWER
 312 Rosa L. Parks Avenue, 25th Floor
 Nashville, TN 37243-1102
 Phone: (615) 741-5825
 Fax: (615) 259-1886
 WWW.TN.GOV/HUMANRIGHTS 1-800-251-3589

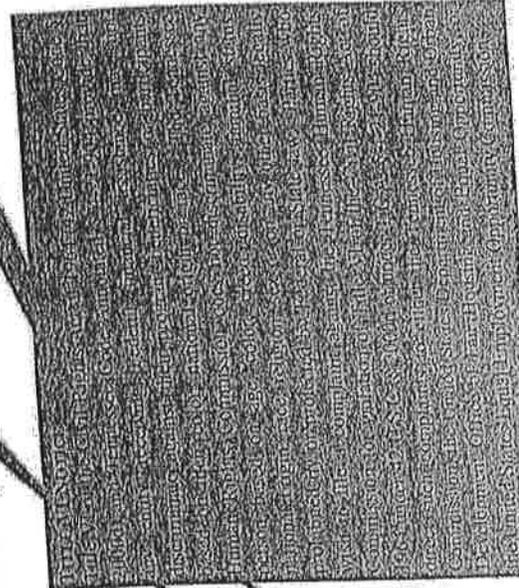


**SAFEGUARDING INDIVIDUALS FROM
 DISCRIMINATION THROUGH
 ENFORCEMENT AND EDUCATION**

TENNESSEE HUMAN RIGHTS COMMISSION
 Created in 1963, the Tennessee Human Rights Commission has worked to eradicate discrimination for over fifty years. The Commission, an independent state agency, enforces the Tennessee Human Rights Act and the Tennessee Disability Act. The Commission is also responsible for coordinating the State of Tennessee's compliance with Title VI of the Civil Rights Act of 1964.

The Commission has cooperative agreements with the U.S. Department of Housing and Urban Development and the Equal Employment Opportunity Commission. These agreements allow the Commission and federal agencies to coordinate investigations and avoid duplication of efforts.

The Commission safeguards individuals from discrimination through enforcement and education. This is accomplished through a staff of investigators, attorneys and other professional support personnel.



TENNESSEE HUMAN RIGHTS COMMISSION
 WILLIAM R. SNODGRASS TENNESSEE TOWER
 312 ROSA L. PARKS AVE., 23RD FLOOR
 NASHVILLE, TN 37243
 1-800-251-3589
 WWW.TN.GOV/HUMANRIGHTS



EMPLOYMENT

It is illegal for employers to discriminate in employment actions based on

AGE (40+) COLOR CREDIT NATIONAL ORIGIN RACE RELIGION SEX

The Tennessee Human Rights Act & Tennessee Disability Act prohibit discrimination related to employment actions that include

ADVERSEMENT BENEFITS DISCIPLINE COMPENSATION DISCHARGE HARASSMENT FILING LEAVE PROMOTION SUSPENSION TRAINING FAVOR

The law applies to any Tennessee employer, prospective employer, employment agencies or labor organizations with eight or more employees. Only one employee is required in complaints alleging disability or retaliation.

HOUSING

It is illegal for housing providers to discriminate in housing actions based on

COLOR CREDIT DISABILITY FINANCIAL STATUS NATIONAL ORIGIN RACE RELIGION SEX

The Tennessee Human Rights Act prohibits discrimination related to housing, residential or commercial, including

ADVERTISEMENTS FINANCING NEGOTIATING RENTALS REAL ESTATE TRANSACTIONS SALES

The law applies to

ASSOCIATIONS BUILDERS BROKERS DEVELOPERS INSURANCE AGENTS LANDLORDS MANAGERS OPERATORS OWNERS

This brochure provides an overview of the Tennessee Human Rights Act and the Tennessee Disability Act. Exceptions and other details may apply. Contact the Commission with any questions or for more information.

PUBLIC ACCOMMODATIONS

It is illegal for a place of public accommodations to refuse or deny the full and equal enjoyment of goods, facilities and accommodations based on

AGE (40+) COLOR CREDIT NATIONAL ORIGIN RACE REGION SEX

The law applies to any business, accommodation, refreshment, entertainment, recreation or transportation facility, licensed or not, whose goods, services, facilities and privileges are extended, offered, sold or otherwise made available to the public.

This law includes prohibitions on publishing, circulating or displaying any material that communicates that any person is unwelcome on the basis of unlawful discrimination.



TITLE VI COMPLIANCE

The THRC is responsible for ensuring all state departments, agencies and qualifying sub-recipients receiving Federal financial assistance are in compliance with the federal law, Title VI of the Civil Rights Act of 1964.

Title VI prohibits discrimination in providing a service or program on the basis of

COLOR NATIONAL ORIGIN RACE

Title VI prohibits:

DENIAL OF SERVICES AND BENEFITS

PROMOTING DIFFERENT SERVICES AND BENEFITS

SEPARATING INDIVIDUALS IN ANY MANNER RELATED TO RECEIVING PROGRAM SERVICES OR BENEFITS

RETALIATION

It is illegal to retaliate against an individual because he or she filed a charge of discrimination, because they complained to his or her employer, housing provider or other covered entity about discrimination, or because they participated in an discrimination proceeding such as an investigation or lawsuit. Retaliation protections exist regardless of the outcome of any discrimination proceeding.

MEDIATION

Mediation is strongly encouraged by the Commission after a complaint has been filed and throughout the entire complaint process. Mediation is an informal negotiation process for settling disputes. The goal is to assist both parties in reaching a mutually acceptable resolution of the issue. It is a free, voluntary, service offered by the Commission. Regardless of the outcome, discussions during mediation remain confidential.

FREQUENTLY ASKED QUESTIONS

Is there a time limit to file a complaint? Yes. An individual has 180 days from the date of discriminatory act to file a complaint with the Commission. If more than 180 days but less than a year has passed you may have more options. Contact the Commission to learn more.

Is this a lawsuit in court? No. The filing of a complaint with the Commission is an administrative process.

Do I need an attorney? No, you are not required to have an attorney but you are allowed to at anytime. If an attorney is obtained, complainants are encouraged to inform his or her investigator.

Does the Commission represent me? No. The Commission is a neutral fact finding agency charged to investigate each complaint of discrimination to determine if a violation of the law has occurred.

EDUCATION & OUTREACH

THRC is committed to educating the public, employers, housing providers and places of public accommodation about their rights and responsibilities under our law. To request a speaker to discuss the Tennessee Human Rights Act and Tennessee Disability Act, the Commission and complaint process or issues related to discrimination, please call the Nashville office.

To learn about upcoming educational seminars from the Commission, visit www.tn.gov/humanrights/events.html

To stay connected to the Commission, follow us on Facebook. Learn more through educational videos on the Commission YouTube channel.



Tennessee Human Rights Commission, Authorization no. 316640, (01/14) 3,000 copies. This public document was promulgated at a cost of \$0.15 per copy.

VIVIENDA

Es ilegal discriminar en la venta, renta o financiación de una vivienda basándose en raza, color, religión, origen nacional, sexo, incapacidad o estado familiar. La Ley cubre discriminación ilegal en la venta o renta de propiedad residencial o comercial. Esto aplica al dueño o cualquier otra persona que forma parte de la transacción de propiedad. La ley se aplica a instituciones financieras, agentes de seguro, dueños o gerentes de unidades en renta y dueños independientes que ponga su propiedad en el mercado de propiedad mediante un anuncio o aviso.

Las leyes de vivienda de Tennessee prohíben:

- Negarse a entrar en una transacción de propiedad;
- Alterar los términos, condiciones o privilegios del servicio de transacción;
- Negarse a recibir o transmitir una oferta actual para iniciar la transacción;
- Tergerse que la propiedad no esta disponible para inspección, renta o venta cuando si lo está;
- Negarse a permitir que las personas con incapacidades puedan hacer modificaciones razonables en la propiedad;
- No diseñar hogares multi-familiares para acomodar a los incapacitados;
- No mostrar avisos de propiedades;
- Discriminar en contra de familias con hijos menores de 18 años;
- Negarse a rentar, vender, o discriminar en los términos, condiciones o privilegios, o renta o venta a personas ciegas, sordas o incapacitadas físicamente que usen animales de apoyo

COMODIDADES PÚBLICAS

Es contra la ley que un proveedor de comodidades publicas niegue el placer complete e igual de bienes, instalaciones y comodidades basándose en la raza, credo, color, religion, sexo, edad u origen nacional de un individuo.

Esta ley se aplica a cualquier comodidad en un negocio, instalaciones de entretinimiento, recreación, refrescamiento, o transporte, con o sin licencia, los cuales sus bienes, servicios, instalaciones y privilegios son extendidos, ofrecidos, vendidos o de otra manera hechos disponibles al público.

Las leyes de comodidades publicas de Tennessee prohíben:

- Negar el placer complete e igual de una comodidad; y
- Publicar, circular o mostrar cualquier material que comuniqué que cualquier persona no es bienvenida basándose en discriminación ilegal.

EMPLEO

Es ilegal que un proveedor de empleo discrimine basándose en raza, color, religion, origen nacional, sexo, incapacidad o edad (mas de 40 años).

La ley se aplica a cualquier empleador en Tennessee con ocho o mas empleados.

Las leyes de empleo en Tennessee prohíben:

- A empleadores, agencias de empleo y organizaciones laborales de negarse a contratar, clasificar o aceptar aplicaciones o limitar las oportunidades de empleo o capacitación.
- A cualquier empleador, empleado, o agente de un empleador, agencia de empleo u organización laboral de participar en actos de acoso

- A cualquier empleador de privar a cualquier individuo de oportunidades de empleo o capacitación.

- A cualquier empleador de despedir a cualquier empleado; y
- A cualquier empleador de discriminar en contra de un individuo en referencia con los términos, condiciones, compensación o privilegios del trabajos basándose en discriminación ilegal.

TITULO VI

Es ilegal para las recipientes de asistencia financiera federal discriminar por motivos de raza, color u origen nacional bajo cualquier programa o actividad.

Esta ley se aplica a cualquier departamento o agencia estatal (recipientes principales) , así como los beneficiarios secundarios como un condado o el gobierno local u otras entidades gubernamentales que recibe asistencia financiera federal de un departamento o agencia estatal para llevar a cabo un programa o actividad.

La ley de Título VI de Tennessee prohíbe:

- Negar cualquier servicio, asistencia financiera o beneficio;
- Proporcionar un servicio, ayuda, o beneficio distinto o proveerlos de una manera distinta de lo que se proporcionan a los demás; o
- Segregar o tratar a los individuos por separado de cualquier manera relacionada con la recepción de servicios del programa o beneficios.

Si siente que ha sido discriminado, es importante que conozca sus derechos bajo la ley. Póngase en contacta con la THRC para obtener un formulario de queja y hablar con un representante que le pueda ayudar.

Welcome State of Tennessee!

We would like to take this opportunity to welcome all users from State government and express that we are excited to be your foreign language services vendor and look forward to a relationship that provides meaningful access for the LEP populations in the State of Tennessee. SWC 176 will be transitioned and managed by a project team. This team will remain as your sole source of contact throughout the contract period.

Katerine Rebelledo, Senior State Manager
k.rebolledo@avaza.co
615.534.3404

Melanie Velasquez, Senior State Manager
m.velazquez@avaza.co
615.534.3403

Minh Nguyen, Project Manager
m.nguyen@avaza.co

Our goal is to provide a seamless transition of services. Users will have the option to keep Access Codes and Client ID numbers for ease of use. We will also be sending out training packets statewide through state point-of-contacts.

Your first step is to contact a member of the project team and we will take it from there!

Again, welcome to AVAZA Language Services.

Minh Nguyen
President/CEO
AVAZA Language Services Corp

**Administrative Policies
State of Tennessee Human Rights Commission**

Subject: Limited English Proficiency (LEP) Policy

Effective Date: October 1, 2013

I. APPLICATION: All employees of the Tennessee Human Rights Commission

II. POLICY: It is the policy of the Tennessee Human Rights Commission (THRC) to comply with the requirements of Title VI of the Civil Rights Act of 1964 and T.C.A. 4-21-904/905. Therefore, it is THRC policy to ensure meaningful communications with persons of Limited English Proficiency (LEP) so they can express themselves and/or their complaints allowing THRC to investigate allegations of discrimination. This policy provides for communication of verbal and written information contained in vital documents to our beneficiaries. In support of this policy THRC will utilize complaint forms in the Spanish language, a website where the reader can convert information in the English language to the Spanish language by pressing a button and maintain an 800 telephone number dedicated to the Spanish language for the use of complaints or persons seeking information..

III. PROCEDURES: All Tennessee Human Rights Commission (THRC) employees will promptly identify the language and communication needs of any person who contacts the Commission. If a person has an accent or difficulty speaking English the person will be advised that if they require a translator one will be provided for them at NO COST to them.

IN GENERAL:

a) If a person with limited English is in the office, staff will use a language identification card (or "I speak cards" or posters) provided by the current state language contractor, to determine the appropriate language spoken by the person.

b) The state of Tennessee has contracted with a company to provide THRC with qualified interpreter services. The THRC Title VI Officer will provide all employees with a copy of the current contact information and procedures to obtain interpreter and translation services.

c) If anyone needs assistance in obtaining a qualified interpreter they may contact F.H. Guzman at 615-741-5825 or by calling him at 800-251-3589 for assistance.

d) If interpreter services in the Spanish language are needed employees are to first contact F.H. Guzman or Matthew Stephenson before calling and using the outside language interpreter service. Thierno Bah should be called for interpreter services in French and Pooler an African language. Richard Gadzekpo should be called for interpreter services in the Ghanaian languages of Twi, Ewe and Ga. These in-house interpreters can all be reached at 615-741-5825 or by calling them at 800-251-3589. If they are unavailable you may call the state contracted interpreter service directly.

e) In the event a person specifically wishes to use a friend or family member as their interpreter it is THRC policy that they will still be offered the no cost services of an outside

interpreter. The person's specific request to use a friend or family member in lieu of an in-house or the state contracted interpreter service will be documented in the investigative report and as a note in IMS and/or Teapots.

f) THRC must also consider the implications of a complainant using a friend or family member as their interpreter as it regards privacy issues, competency of the interpreter in the English language, confidentiality and conflict of interest issues.

g) In order to insure confidentiality, accuracy of information and avoid embarrassment to the person needing an interpreter NO ONE under the age of 18 will be used as an interpreter.

TELEPHONES: Both IMS and Teapots computer systems have no provisions to track complaints filed by persons needing assistance by an interpreter. Therefore, effective immediately a computerized log will be maintained by all THRC staff that identifies anyone needing an interpreter. The LEP log is located on the THRC - H drive under AF04_share. The LEP log consists of:

- a) Date of call or contact,
- b) Name of caller,
- c) Complaint or inquiry number if it exists, or a telephone number;
- b) Language of the person needing an interpreter i.e. Spanish, Russian etc.
- c) The reason for the call or visit by the person needing an interpreter i.e. seeking information, filing a complaint etc. Investigators and intake staff have to document every time they speak with a person needing an interpreter, respondent or witnesses during an open investigation.
- d) It is the responsibility of every THRC employee "answering the phones, taking messages, covering the front desk or performing intake" to log these calls.
- e) The LEP log must be available to the Special Projects Officer for inclusion in the annual THRC Title VI report. In addition to which he must prepare a monthly report for the Executive Director of all contacts with persons needing the services of an interpreter.

IV: Forms: LEP Log

	A	B	C	D	E
	Date	Name of Caller	Complaint/Inquiry/Tel. No.	Callers Language	Reason for Call
1					
2					



D^{OH}HR

POLICY

Approved by: Rebecca R. Hunter, Commissioner	Policy Number: 12-008
Signature: <i>Rebecca R. Hunter</i>	Supersedes: 11-009, 10-021
Application: Executive Branch Agencies, All Employees	Effective Date: October 3, 2012
Authority: T.C.A. § 4-3-1703, T.C.A. § 4-21-101, T.C.A. § 8-30-104, T.C.A. § 8-50-104	Rule: Chapter 1120-07

Subject:

Workplace Discrimination and Harassment¹

The State of Tennessee is firmly committed to the principle of fair and equal employment opportunities for its citizens and strives to protect the rights and opportunities of all people to seek, obtain, and hold employment without being subjected to illegal discrimination and harassment in the workplace. It is the State's policy to provide an environment free of discrimination and harassment of an individual because of that person's race, color, national origin, age (40 and over), sex, pregnancy, religion, creed, disability, veteran's status or any other category protected by state and/or federal civil rights laws.

In the absence of an agency-specific policy, employees or applicants for employment who believe they have been discriminated against or harassed on any of these bases should utilize the procedures set forth in this policy.

Definitions of Discrimination and Harassment in the Workplace

A. Workplace Discrimination and Harassment

This policy prohibits unequal and unlawful treatment of an individual on the basis of a person's race, color, national origin, age (40 and over), sex, pregnancy, religion, creed, disability, or veteran's status or any other category protected by state and/or federal civil rights laws. This policy further prohibits any unwelcome verbal, written, physical conduct, or electronic communication that either degrades or shows hostility or aversion towards a person because of that person's race, color, national origin, age (40 and over), sex, pregnancy, religion, creed, disability, or veteran's status or any other category protected by state and/or federal civil rights laws.

¹ While the State of Tennessee is committed to the principles embodied in this policy, the policy itself is not intended to state contractual terms and does not constitute a contract between the State and its employees, applicants for employment, or parties who do business with the State. This policy supersedes all policies that conflict with the terms of this policy.

Furthermore, this statement constitutes ONLY the policy of the State of Tennessee. A finding violation of this policy does not mean that the conduct violates state and/or federal laws.

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DOHR Policy: Workplace Discrimination and Harassment

Policy Number: 12-008

To aid employees in identifying prohibited behavior, the following specific examples of workplace discrimination and harassment are provided. These examples are not exhaustive; they illustrate, however, the types of conduct that violate this policy:

- Undermining a person's authority or work performance because of the person's protected characteristics, such as age or religion;
- Using stereotypes or assumptions to guide decision-making about a person's career;
- Unwelcome touching or near-touching, which can encompass leaning over, cornering, hugging, or pinching, sexual innuendos, teasing and other sexual talk such as jokes, personal inquiries, persistent unwanted courting and sexist put-downs;
- Slurs and jokes about a class of persons, such as disabled persons or a racial group;
- Distributing via electronic means epithets, slurs, jokes or remarks that are derogatory, demeaning, threatening or suggestive to a class of persons or a particular person or that promote stereotypes of a class of persons;
- Display of explicit or offensive calendars, posters, pictures, drawings or cartoons that are sexually suggestive or that reflect disparagingly upon a class of persons or a particular person; or
- Derogatory remarks about a person's national origin, race, language, or accent.

B. Hostile environment

Hostile environment harassment occurs when a victim is subjected to comments based on race, color, national origin, age (40 and over), sex, pregnancy, religion, creed, disability, veteran's status or any other category protected by state and/or federal civil rights laws. A hostile work environment may also be created by innuendoes, touching, electronic communications or other conduct.

C. Sexual Harassment

Sexual harassment involves any unwelcome sexual advance, request for sexual favors, or verbal, written, electronic, or physical conduct of a sexual nature by a manager, supervisor, co-worker, or non-employee (third party). Managerial harassment occurs when a manager or a supervisor gives or withholds a work-related benefit in exchange for sexual favors from the victim or takes an adverse action against an employee for refusing a request for sexual favors. In some circumstances, threatening to take such actions may also be a violation of this policy. Certain actions may also create a hostile work environment. (See the definition for "hostile work environment" above.)

D. Retaliation

Retaliation is any act of reprisal, interference, restraint, penalty, discrimination, intimidation, or harassment against an individual or individuals exercising rights under this policy.

E. Third Parties

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Third parties are individuals who are not state employees but who have business interactions with state employees. Such individuals include, but are not limited to, customers, such as applicants for state employment or services, vendors, contractors, or volunteers.

Conduct Prohibited by the State of Tennessee

The State of Tennessee strictly forbids and will not tolerate discrimination or harassment of any employee, applicant for employment, or third party on the basis of an individual's race, color, national origin, age (40 and over), sex, pregnancy, religion, creed, disability, veteran's status or any other category protected by state and/or federal civil rights laws. The fact that an alleged offender meant no harm or was teasing will not excuse conduct that violates this policy.

The State of Tennessee strictly forbids and will not tolerate any form of retaliation directed against an employee, applicant for employment, or third party who either complains about discrimination or harassment or who participates in any investigation concerning discrimination or harassment.

How to Report Incidents of Discrimination or Harassment

If an employee, applicant for employment, or third party believes he/she has been subjected to discriminatory or harassing conduct that violates this policy, he/she must report those incidents as soon as possible after the event occurs.

Employees and applicants for employment may file a complaint with their department's human resources director, the department head, their supervisor(s), or any individual designated by the department to receive such reports. Under no circumstances is the individual alleging workplace discrimination or harassment required to file a complaint with the alleged harasser. If an employee or applicant believes he/she cannot file a complaint within his/her agency, that person should contact the Department of Human Resources, Office of General Counsel and Employee Relations at 615-741-2958.

Individuals who wish to file a complaint are encouraged, but are not required, to submit the complaint in writing and to include a description of the incident(s) as well as the date(s), time(s), place(s) and any witnesses.

If a complaint involves an executive director, assistant commissioner, deputy commissioner, or the commissioner, an employee or applicant for employment may file the complaint directly with the Department of Human Resources, Office of General Counsel and Employee Relations.

How to Report Retaliation Incidents

If an employee, applicant for employment, or third party believes he/she has been subjected to retaliation for engaging in protected conduct under this policy, he/she must report those incidents as soon as possible after the event occurs.

Any employee, applicant for employment, or third party who makes complaints of workplace discrimination or harassment or provides information related to such complaints will be protected against retaliation. If retaliation occurs, the employee, applicant for employment, or third party should

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report the retaliation in the same manner as he/she would report a workplace discrimination or harassment complaint.

How Complaints are Investigated and Resolved

The affected department will conduct a thorough and neutral investigation of all reported complaints of workplace discrimination, harassment or retaliation as soon as practicable. Generally, an investigation will include an interview with the complainant to determine if the conduct in issue violates this policy. If the department determines that the conduct falls within the terms of this policy, the department will interview the alleged offender and any other witnesses who have direct knowledge of the circumstances of the allegations.

The department retains the sole discretion to determine whether a violation of this policy has occurred and to determine what level, if any, of disciplinary action is warranted.

If a complaint involves an executive director, assistant commissioner, deputy commissioner, or the commissioner, the Department of Human Resources, Office of General Counsel and Employee Relations will investigate the complaint on behalf of the department and report the results to the appropriate agency or authority.

How Confidentiality is Treated

To the extent permitted by law, the State will try to maintain the confidentiality of each party involved in a workplace harassment investigation, complaint or charge, provided it does not interfere with the department's ability to investigate the allegations or to take corrective action. However, state law may prevent the state from maintaining confidentiality of investigations. Therefore, the State does not guarantee confidentiality.

Directive to Supervisory Personnel

Supervisory personnel who receive a complaint alleging workplace discrimination or harassment or learn by any means of conduct that may violate this policy must immediately report any such event to the department's human resources director, EEO officer or to the person designated by the agency to receive the information.

Corrective Action for Violation of this Policy

Any employee who engages in conduct that violates this policy or who encourages such conduct by others will be subject to corrective action. Such corrective action includes, but is not limited to, mandatory participation in counseling, training, disciplinary action, up to and including termination, and/or changes in job duties or location.

Supervisory personnel who allow workplace discrimination, harassment or retaliation to continue or fail to take appropriate action upon learning of such conduct will be subject to corrective action. Such corrective action includes, but is not limited to, mandatory participation in counseling, training, disciplinary action, up to and including termination, and/or changes in job duties or location.

Questions regarding this policy may be directed to the Office of the General Counsel.

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TENNESSEE HUMAN RIGHTS COMMISSION
CENTRAL OFFICE

WILLIAM R. SNODGRASS TENNESSEE TOWER
312 ROSA L PARKS AVENUE, 23RD FLOOR
NASHVILLE, TN 37243-1102
615-741-5825 FAX: 615-253-1886
Toll-Free: 1-800-251-3589 Toll-Free Spanish: 1-866-856-1252
www.tn.gov/humanrights

Tennessee Human Rights Commission and West Tennessee Legal Services
partnering with
2016 Fair Housing Assistance Program Partnership Funds

Tennessee Human Rights Commission partnering with the West Tennessee Legal Services, Inc., "WTLS", will present a minimum of two (2) fair housing workshops in during July through December 2016 for housing providers and other associated with residential housing, focusing upon housing provision for persons with disabilities and reasonable modification and reasonable accommodation. A central component of the training will be assistance animals and service animals under the Fair Housing Amendments Act, "FHAA"; §504 of the Rehabilitation Act of 1973, "§504"; and the Americans with Disabilities Act, "ADA". The workshops will explore the rights of persons with disabilities when their housing is being affected because of their protected class; the process to request a reasonable modification and/or reasonable accommodation; and the difference in applicability of the FHAA, §504 and the ADA when an assistance animal or service animal is requested as a reasonable accommodation, in order that the person with the disability may have the equal opportunity to use and enjoy a dwelling.

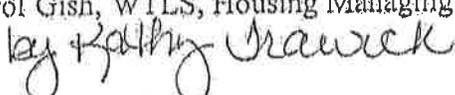
One workshop will be conducted in West Tennessee and one will be conducted in East Tennessee. Each workshop will last from 2 to 3 hours and will contain a "Question and Answer" component.

West Tennessee Legal Services, Inc., "WTLS", is a private non-profit corporation incorporated under the laws of the state of Tennessee and is a Qualified Fair Housing Organization pursuant to HUD regulations. WTLS has administering grants under the Fair Housing Initiatives Program - Private Enforcement Initiative (FHIP-PEI), the Fair Housing Initiatives Program - Fair Housing Organization Initiative (FHIP-FHOI), and the Fair Housing Initiatives Program - Education and Outreach since 1994.

WTLS will present the workshops for a flat rate of \$6,000. The presenter will be Carol Gish. Materials will be prepared by WTLS and will be printed by THRC.


Beverly J. Waits, THRC Executive Director

May 10, 2016
Date


Carol Gish, WTLS, Housing Managing Attorney


5/11/16
Date