

TDEC Title VI Compliance Application within TDEC's Grants Management System (GMS)

Information for Sub-Recipients

As the recipient of federal funds, the Tennessee Department of Environment and Conservation (TDEC) is required to comply with Title VI of the Civil Rights Act of 1964 and other applicable nondiscrimination laws and regulations. These requirements apply to any recipient of federal funding, including both direct recipients (such as TDEC) and subrecipients who indirectly receive assistance to implement a program or activity. A subrecipient may include, but is not limited to, a city, county, college/university, nonprofit organization, contractor, or subgrantee.

This document details requirements for subrecipients or other indirect recipients of TDEC funds to comply with Title VI and other nondiscrimination laws and regulations.

Title VI Compliance Application – *Separate from the grant application.*

Any organization pursuing funding from TDEC must complete a Title VI Compliance Application annually through [TDEC's Grants Management System \(GMS\)](#). Approved applications are valid for one year and apply to any source of TDEC funding. This application requests the following information, organized by tabs:

- Title VI Survey: The Title VI Survey asks for demographic information about your service area and governing board, and questions related to Title VI documentation and compliance requirements. The [U.S. Census Bureau American Fact Finder](#) can be used to determine demographic information. The survey also asks for certification of the entity's Title VI/nondiscrimination practices.
- Title VI Policy Attachments: This section asks for your organizational policies related to compliance with Title VI and other nondiscrimination laws. The following information should be included in your uploaded documents:
 1. Nondiscrimination Policy: A notice detailing that your organization complies with applicable nondiscrimination laws, including identifying a Title VI Coordinator.
 2. Limited English Proficiency (LEP) Plan: A plan or procedures about how your organization ensures access to programs and activities for people with LEP. Also known as a Language Access Plan (LAP).
 3. Complaint Procedures: Procedures regarding how complaints of discrimination are submitted and investigated by your organization.
 4. Title VI Training Program: Information regarding how Title VI training is provided to your employees or a completed training certificate from a state or federal agency. See "Title VI Training Certificate" section for additional information.

If your organization does not have existing policies and procedures, TDEC created a [sample document](#) that can be customized for your organization as needed. Completion and submittal of this document will fulfill all the requirements under the "Title VI Policy Attachments" section, except for completing Title VI training. Before submitting, please ensure that all information is accurate for your organization.

Your organization will be notified if information is missing from the application that must be addressed before completion. While we strongly recommend submitting your Title VI Compliance Application before or when you submit a grant application to TDEC, a completed Title VI application is not required until grant funds are awarded/approved. ***Please note that TDEC will not enter into a contract with an entity until the Title VI Compliance Application is completed, submitted, and approved by TDEC.***

Title VI Compliance Applications are valid for one year and will be placed back into draft mode 9 months after your original approval date. You do not need to immediately update and resubmit the Title VI Compliance Application once it is put back in draft mode, but it is important to update and resubmit before or when applying for new TDEC funding.

For questions about demonstrating compliance with Title VI and other nondiscrimination laws, please contact TDEC's Nondiscrimination Coordinator at TDEC.TitleVI@tn.gov. Please contact TDEC's Grants & Contracts Administration office for questions related to GMS or to start a new Title VI Compliance Application at TDEC.Grants@tn.gov.

Title VI Training Certificate (Activity post-award) - An activity within the awarded grant application.

Following the award of a TDEC Grant, you will be required to complete and submit a Title VI Training Certificate Activity by uploading the following documents:

- Title VI Training Certification Form: A signed and dated form that certifies your Title VI Coordinator and Supervisor have completed Title VI training and the completion dates for Title VI training.
- Certificates of Completion: Certificate or other evidence of completion of Title VI training within the last year by your organization's Title VI Coordinator and Supervisor. This evidence of completion may include a dated certificate from TDEC or other online Title VI training, statement from your HR stating that training is provided for staff and was completed by the noted individual, or other documentation.

If the Title VI Coordinator and Supervisor are the same person, only one signature and evidence of completed training is required. The Title VI Training Certification only needs to be completed once per grant contract term. The Training Certification is reviewed by the TDEC department managing the grant.

Resources:

EPA Federal Civil Rights Laws and Nondiscrimination Regulations: <https://www.epa.gov/external-civil-rights/federal-civil-rights-laws-including-title-vi-and-epas-nondiscrimination>

TDEC Nondiscrimination Website: <https://www.tn.gov/environment/nondiscrimination.html>

TDEC Title VI Information for Subrecipients and Contractors: <https://www.tn.gov/environment/policy/title-vi-ej.html>

Contact Us

Nondiscrimination Coordinator
Office of Policy and Planning
Tennessee Department of Environment and Conservation
William R. Snodgrass Tennessee Tower
312 Rosa L. Parks Ave, 2nd Floor
Nashville, TN 37243
TDEC.TitleVI@tn.gov

Frequently Asked Questions

Please see TDEC's [Title VI FAQ's](#) for general information about Title VI, requirements to receive federal financial assistance, and how TDEC demonstrates compliance. The following questions are specific to sub-recipient compliance requirements.

1. How does Title VI apply to subrecipients?

As a recipient of federal financial assistance, TDEC is required to comply with federal nondiscrimination laws and regulations. This requirement passes on to subrecipients such as cities, counties, consultants, universities, and non-profits who receive financial assistance through TDEC. TDEC has developed the requirements above to assist organizations in complying with federal Title VI and nondiscrimination laws and regulations.

2. Where do I send my organization's Title VI compliance information?

All Title VI Compliance information should be uploaded and stored via your application dashboard on TDEC's Grant's Management System. The Title VI Compliance Application is a separate application that is completed by the applicant annually and applies to all TDEC grant opportunities. If you do not see this application on your dashboard or need assistance with GMS, please contact TDEC's grants staff at tdec.grants@tn.gov.

3. When should I complete my Title VI Compliance Application?

The Title VI Compliance Application should be submitted annually for all TDEC grant opportunities. We recommend completing your Title VI Compliance Application before or when you are applying for a TDEC grant or when your previous application is close to expiring. Please note, a completed Compliance Application is not required to submit an application for a TDEC grant but is required before entering into a grant contract with TDEC.

4. I have outdated documents in my attachments section. How can I delete these?

Applicants are not able to remove documents from GMS as there is no recovery mechanism. However, you can rename the documents as "OLD" if you want us to disregard the attachments. You can also rename with "DELETE" and send an email to tdec.grants@tn.gov to request the documents be removed. If an applicant has newer and older documents, we will only look at the recently uploaded versions to check compliance requirements.

5. Why was my application put back in draft status?

Completed applications will automatically go back into “Draft” status nine (9) months after being marked “Complete.” The application is still good for the remainder of the year term, but we want to give applicants sufficient notice to update and resubmit applications before the expiration date. If your organization is not currently applying to TDEC grants, you can also wait to submit your Title VI Compliance Application until the next time you are applying to TDEC for a grant opportunity.

6. How does TDEC check compliance for subrecipients?

TDEC is responsible for checking compliance of all subrecipients. The compliance review focuses on determining whether the subrecipient has conformed to applicable laws and regulations to ensure nondiscrimination. TDEC’s Nondiscrimination Coordinator reviews the Title VI Compliance Application to ensure all required information is included. Following the grant award, program staff will verify that the Training Certification activity is completed before grant funds are released.

7. Can you provide a sample strategy for board diversity?

“Our agency makes a conscientious effort to appoint people so that the membership of our boards/commissions reflects the demographic makeup of our geographic service area. Our agency is committed to selecting the most qualified individuals to serve, and values diversity among the membership of our boards and commissions.”

8. How can I satisfy the training requirement?

For the Title VI Compliance Application, organizations can either share how training is provided to employees or upload an eligible training program or certificate. The Title VI Training Certification activity is part of each grant contract and requires evidence of completed training. This can be demonstrated in a few different ways:

- a. If your organization provides a training to employees, you can upload the training program information that is used for education.
- b. TDEC has an online training available for applicants that do not have their own Title VI training program. The online training will end with a certificate of completion. You **MUST** take a screenshot of this certificate to submit for compliance. If you exit out of the training without taking a screenshot of the Certificate, TDEC is not able to retrieve the certificate.
- c. Upload a training certificate from a different state or federal agency training program.