

Public Hearing Questions for  
**Tennessee Financial Literacy Commission**  
Created by Section 49-6-1702, *Tennessee Code Annotated*  
(Sunset termination June 2017)

1. Provide a brief introduction to the commission, including information about its purpose, statutory duties, staff, and administrative attachment.

The Tennessee Financial Literacy Commission was created under the Financial Literacy Program Act of 2010, codified in Tenn. Code Ann. §49-6-1701 through §49-6-1708, to improve and promote the financial literacy of Tennesseans through educational programs, publications and materials, campaigns, and monetary awards. The commission is incorporated as a 501(c)(3) tax exempt, nonprofit corporation, administratively attached to the Tennessee Treasury Department. The Commission is currently accepting applications for an Executive Director.

Since 2012 the Tennessee Financial Literacy Commission has worked to increase the financial aptitude of Tennessee citizens by training over 3,500 K-8 teachers to incorporate the Council for Economic Education's Financial Fitness for Life<sup>®</sup> curriculum into their classrooms. Through regional summits and schoolwide in-service trainings, the Commission offers free access to education and resources for teachers in rural and urban communities across Tennessee.

Our model also provides for direct engagement with students through a digital financial education platform, Vault – Understanding Money. Over the past two years, 7,342 students have learned important life skills and increased their financial knowledge using the Vault program.

2. Provide a list of current members of the commission's board of directors and describe how membership complies with Section 49-6-1703, *Tennessee Code Annotated*. Are there any vacant positions on the board? If so, what steps have been taken to fill the vacancies?

The commission's board of directors is composed of eleven members including three ex officio members, four members appointed by the Lieutenant Governor and four members appointed by the Speaker of the House of Representatives.

Ex officio Members:

- State Treasurer David H. Lillard, Jr.
- Commissioner Greg Gonzales, Department of Financial Institutions
- Commissioner Candice McQueen, Department of Education

Non-ex officio Members Appointed by the Lieutenant Governor:

- Kim Gardner, Cordova, TN
- Ward Mayer, Memphis, TN
- Garry McNabb, Cookeville, TN

- Jackie Morgan, Federal Reserve Bank of Atlanta, Nashville, TN

Non-ex officio Members Appointed by the Speaker of the House:

- Fred Dettwiller, Nashville, TN
- Chris Holmes, Brentwood, TN
- Christy Malone, Fifth Grade Teacher, Elizabethton, TN
- Vacant - Awaiting appointment

3. Does the board’s membership include public/citizen members? Female members? Members of a racial minority? Members who are 60 years of age or older at the time of appointment?

The board is composed of public officials and private citizens. The board currently has 4 female members, no members of a racial minority and 1 member over the age of 60 at the time of appointment.

4. How many times did the board meet in fiscal years 2015 and 2016? How many members were present at each meeting?

The Board of Directors convened on April 14, 2015 with 7 members and 1 designee present and on March 23, 2016 with 6 members and 1 designee present.

5. What per diem or travel reimbursement do members receive? How much was paid to board members during fiscal years 2015 and 2016?

Board of Directors members serve without compensation but may receive reasonable reimbursement for actual and necessary travel expenses in accordance with the travel regulations promulgated by the Department of Finance and Administration and approved by the Attorney General and Reporter. Travel reimbursement in fiscal years 2015 and 2016 totaled \$249.39 and \$446.91, respectively.

6. What were the commission’s revenues (by source) and expenditures (by object) for fiscal years 2015 and 2016?

	<b>FY 2015</b>	<b>FY 2016</b>
<b>Beginning Balance</b>	\$ 219,602.00	\$ 208,966.00
<b>Revenue</b>		
State Appropriation	\$ 125,000.00	\$ 125,000.00
Fundraising	199,613.44	159,960.00
Departmental Interest	199.20	509.33
Gear Up TN Grant	30,000.00	
<b>Total Revenue</b>	<b>\$ 354,812.64</b>	<b>\$ 285,469.33</b>
<b>Expenditures</b>		
Salaries	\$ 27,558.46	\$ 27,810.01

Employee Benefits	11,974.95	16,797.46
Travel	2,907.20	1,509.47
Printing and Duplicating	10,976.50	8,515.00
Communications	949.18	495.78
Professional Services - Third party (includes all contracts detailed under question 31)	138,293.50	143,144.42
Supplies (includes curriculum for Teachers)	74,157.20	45,803.91
Rentals and Insurance	1,914.01	3,335.67
Awards and Indemnities (includes gift cards for teachers attending Saturday training summits)	42,948.00	31,114.54
Staff Training	333.00	600.00
Computer Related	9,337.10	2,904.00
Professional Services - State Agency	9,791.00	5,219.87
Unclassified	-	400.00
<b>Total Expenditures</b>	<b>\$ 331,140.10</b>	<b>\$ 287,650.13</b>

7. Is the board subject to Sunshine law requirements (Section 8-44-101 et seq., *Tennessee Code Annotated*) for public notice of meetings, prompt and full recording of minutes, and public access to minutes? If so, what procedures does the board have for informing the public of its meetings and making its minutes available to the public?

Yes. Public meeting notices for the TNFLC are posted on the State of Tennessee's Public Participation Calendar in addition to being electronically posted to the Department's and the TNFLC's websites.

8. What policies or procedures does the commission have in place to address potential conflicts of interest by board members, staff, and employees?

A Conflict of Interest Policy is included under Article VI of the Commission's Articles of Incorporation. The policy is intended to supplement any applicable state or federal law governing conflict of interest concerning nonprofit organizations. The policy states that any director, principal officer or committee member has a duty to disclose any potential conflict of interest or existence of financial interest. Furthermore, the policy outlines the procedures for addressing such conflict once disclosed.

9. Have there been any occasions where outside counsel has been hired by the commission as authorized at Section 49-6-1705(b), *Tennessee Code Annotated*? If so, please provide specifics.

No. The TNFLC is administratively attached to the Tennessee Treasury Department, and as such, receives legal support from the department's Division of Legal, Compliance, and Internal Audit.

10. Please describe any reports prepared by the commission on its operations, activities, and accomplishments and specify to whom the reports are sent. Is the commission reporting annually to the General Assembly as required at Section 49-6-1708, *Tennessee Code Annotated*? Please provide a copy of the most recent report.

The TNFLC prepares and submits a report to the General Assembly annually. The 2016 Annual Report is enclosed.

11. What were the major accomplishments of the commission during fiscal years 2015 and 2016? Specifically describe the nature and extent of the commission's activities as they relate to each of the commission's purposes set out in Section 49-6-1704, *Tennessee Code Annotated*.

In fiscal years 2015 and 2016, the commission conducted 34 regional training summits and 15 in-service trainings, resulting in over 1,800 new elementary and middle school teachers trained to incorporate financial literacy concepts into their classrooms using the Council for Economic Education's Financial Fitness for Life<sup>®</sup> curriculum. Additionally, the Commission reached 7,342 students in 35 counties through the Vault – Understanding Money digital financial education platform developed by EverFi, Inc.

With the commitment to reaching Tennesseans ahead of key financial decisions in their lives through K-8 education, the Commission participated in the Department of Education's Social Studies Standards Review public feedback process in spring of 2016. The Commission reviewed current standards and recommend appropriate areas within the third through eighth grade standards to include financial literacy related content.

In fiscal year 2016, the commission partnered with Emerge Financial Wellness to pilot an adult financial literacy platform. This online platform is currently being offered as a financial wellness resource to Dickson County employees. The platform provides access to personalized assessments and feedback, credit score tracking, financial coaching and goal setting tools. The Commission plans to evaluate results of the pilot program to identify opportunities to expand adult financial literacy efforts to adults throughout Tennessee.

Fiscal year 2017 got off to a successful start with the launch of three innovative programs in Dickson, Cannon, and Wilson County. In Dickson County, we have trained school librarians to integrate the Financial Fitness for Life (FFFL) curriculum and Vault – Understanding Money digital platform during library time for the system's 750 5th grade students. Cannon County has taken a similar approach by training school guidance counselors to teach 510 2nd, 5th and 8th grade students. While in Wilson County, 420 8th graders will have the opportunity to participate in a semester long exploratory course centered around the FFFL curriculum and Vault. These adaptations to our model have highlighted a need to facilitate system wide programs that compliments current practices and offer a platform to measure and

track student success. We are eager to evaluate the results of these three programs at the end of the academic year.

12. Describe any items related to the commission that require legislative attention and your proposed legislative changes.

While there are no items requiring legislative attention at this time, we support any and all efforts by the General Assembly to improve the financial literacy of our citizens. With recent reports indicating that Tennessee leads the nation in Chapter 11 bankruptcy, we are supportive of public policy that enables us to increase financial education for all Tennesseans.

13. Should this commission be continued? To what extent and in what ways would the absence of the commission affect the public health, safety, or welfare?

Yes. With the cycle of borrowing and bankruptcy ever-present in today's financial landscape, the need for financial literacy education in Tennessee is clear. Prior to the creation of the Commission, the State of Tennessee had no cognizable function for financial education in the elementary and middle school setting. Since 2012, the Tennessee Financial Literacy Commission has worked to increase the financial aptitude of Tennessee citizens by training over 3,500 K-8 teachers to incorporate financial literacy concepts in the classroom and directly engaging 7,342 students through the Vault – Understanding Money digital platform.

Financial wellness is a key component for a happy and healthy life, and the Commission remains dedicated to serving as a resource and partner to communities in every region of our state in order to change the financial culture of Tennessee.

14. Has the commission developed and implemented quantitative performance measures for ensuring it is meeting its goals? If the commission has developed and implemented quantitative performance measures, please answer questions 15 through 22. If the commission has not developed quantitative performance measures, proceed to question 23.

Yes, the commission has implemented quantitative performance measures which are detailed below. The commission recognizes the importance and value of performance metrics and is working to identify opportunities to track the impact of our efforts over extended periods.

15. What are your key performance measures for ensuring the commission is meeting its goals? Describe so that someone unfamiliar with the program can understand what you are trying to measure and why it is important to the operation of your program.

The Commission relies on student knowledge gain as a key performance measure. Teachers utilizing the Financial Fitness for Life<sup>®</sup> curriculum are encouraged to assess their students' knowledge of financial concepts before beginning the curriculum and

again once they have completed all lessons within the curriculum. While teachers have historically had access to these pre and post-tests in a downloadable format, they may now access these tests online through the Council for Economic Education's new Student Assessment Center. The assessment center allows teachers to review individual student progress as well as aggregated results for their entire class which can be easily reported to the Commission for progress tracking. With our recently launched programs in Cannon, Dickson and Wilson County (detailed in question 11), teachers received instructions specific to the new assessment center and will be required to provide performance data at the conclusion of the academic year.

Tennessee students using the Vault – Understanding Money digital financial education platform must complete pre and post-test assessments before moving on to the next module within the platform. Performance is measured overall and broken out by six key topics: Responsible Money Choices, Income and Careers, Making Plans with Money, Credit and Borrowing, Insurance and Safety, and Saving and Investing. In the 2015-2016 academic year, students using Vault increased their scores on assessment tests by an average of 33 percent with the most gain shown in the area of Responsible Money Choices.

In addition to measuring student performance, all teachers that attend the commission's financial literacy training events are surveyed online regarding their satisfaction with the training and plans to incorporate the curriculum in their classrooms.

16. What aspect[s] of the program are you measuring?

The Commission is measuring the effectiveness of the Financial Fitness for Life<sup>®</sup> curriculum and Vault – Understanding Money digital platform in increasing financial aptitude of K-8 students.

17. Who collects relevant data and how is this data collected (e.g., what types information systems and/or software programs are used) and how often is the data collected? List the specific resources (e.g., report, other document, database, customer survey) of the raw data used for the performance measure.

For student completing the Financial Fitness for Life<sup>®</sup> curriculum, teachers administer the pre and post-tests and encouraged to report aggregated data to the Commission after both tests have been administered. The results from the assessments completed through the Vault – Understanding Money digital platform are reported to the Commission on a quarterly basis by EverFi, Inc. And Commission staff ensures that all teachers who go through the commission's training events are surveyed online immediately following the training. While there are no specific systems or software used by the Commission for collecting data, all raw data and reports pertaining to student progress and teacher satisfaction have been retained for periodic review.

18. How is the actual performance measure calculated? If a specific mathematical formula is used, provide it. If possible, provide the calculations and supporting documentation detailing your process for arriving at the actual performance measure.

Student knowledge gain using both the Financial Fitness for Life<sup>®</sup> curriculum and the Vault – Understanding Money digital platform is measured by calculating the difference between pre and post-test assessment scores.

19. Is the reported performance measure result a real number or an estimate? If an estimate, explain why it is necessary to use an estimate. If an estimate, is the performance measure result recalculated, revised, and formally reported once the data for an actual calculation is available?

The student assessments provide a real measurement of knowledge gained through the use of the Financial Fitness for Life<sup>®</sup> (FFFL) curriculum and Vault – Understanding Money digital platform by comparing what the student knew about the topic before completing the FFFL curriculum or Vault modules with what they knew after. Pre and post-test assessments are a valuable method for quantifying the knowledge attained from a group of students with diverse learning styles and educational backgrounds.

20. Who reviews the performance measures and associated data/calculations? Describe any process to verify that the measure and calculations are appropriate and accurate.

Performance measures are reviewed by staff and compiled for the Commission's annual reports. With the ability to administer the Financial Fitness for Life<sup>®</sup> assessments online and through the Vault – Understand Money digital platform, the potential for human error in calculating results is greatly reduced.

21. Are there written procedures related to collecting the data or calculating and reviewing/verifying the performance measure? Provide copies of any procedures.

There are currently no written procedures relative to the collection of data or calculation of performance measures.

22. Describe any concerns about the Commission's performance measures and any changes or improvements you think need to be made in the process.

While the Commission values the use of assessments for quantifying the knowledge attainment, we are unable to mandate that trained teachers complete the assessment process and report results to Commission staff. We are confident the convenience offered by the Council for Economic Education's online assessment center will improve our ability to collect assessment results.

23. Please list all Commission programs or activities that receive federal financial assistance and, therefore are required to comply with Title VI of the Civil Rights Act of 1964. Include the amount of federal funding received by program/activity.

The TNFLC receives no federal financial assistance for its programs or activities; however, all Treasury Department programs are subject to Title VI compliance since some divisions within the department receive federal funds.

*If the commission does receive federal assistance, please answer questions 24 through 31. If the commission does not receive federal assistance, proceed directly to question 30.*

24. Does your commission prepare a Title VI plan? If yes, please provide a copy of the most recent plan.

The Tennessee Financial Literacy Commission complies with the Tennessee Treasury Department's Title VI Policy. The Treasury Department administers all programs free from discrimination on the basis of race, color or national origin and accommodations are made for individuals with limited English proficiency. The Treasury Department's Title VI policy and Title VI Implementation Plan are enclosed.

25. Does your commission have a Title VI coordinator? If yes, please provide the Title VI coordinator's name and phone number and a brief description of his/her duties. If not, provide the name and phone number of the person responsible for dealing with Title VI issues.

Latoya Bailey serves as the Title VI coordinator for the department. She may be reached directly at (615) 253-8769.

The Title VI coordinator is responsible for meeting with directors of public programs annually and coordinating the annual report to the Tennessee Human Rights Commission as well as responses to any complaints filed.

26. To which state or federal agency (if any) does your commission report concerning Title VI? Please describe the information your commission submits to the state or federal government and/or provide a copy of the most recent report submitted.

All Title VI complaints and the annual Title VI Implementation Plan are sent to Tennessee Human Rights Commission. The Treasury Department's Title VI Complaint Process and Title VI Implementation Plan are enclosed.

27. Describe your commission's actions to ensure that commission staff and clients/program participants understand the requirements of Title VI.

Because the Treasury Department receives federal funding, through programs other than the Tennessee Financial Literacy Commission, all Department employees must complete Title VI training annually.

28. Describe your commission's actions to ensure it is meeting Title VI requirements. Specifically, describe any commission monitoring or tracking activities related to Title VI, and how frequently these activities occur.

The Treasury Department conducts an annual review of the Title VI Implementation Plan to ensure compliance and requires annual training for all department staff.

29. Please describe the commission's procedures for handling Title VI complaints. Has your commission received any Title VI-related complaints during the past two years? If yes, please describe each complaint, how each complaint was investigated, and how each complaint was resolved (or, if not yet resolved, the complaint's current status).

The Commission has not received any Title VI complaints. The Treasury Department's Title VI Complaint Process is enclosed.

30. Please provide a breakdown of current commission staff by title, ethnicity, and gender.

The Commission employs one full-time staff person. This position is currently vacant.

31. Please list all commission contracts, detailing each contractor, the services provided, the amount of the contract, and the ethnicity of the contractor/business owner.

EverFi, Inc. –

EverFi is an educational software company that provides the Tennessee Financial Literacy Commission with the Vault – Understanding Money digital financial education platform for elementary and middle school students. In addition to providing the licensing and a hosting platform for the Vault program, EverFi is responsible providing outreach and marketing on behalf of the Commission and the Vault program to a specified number of schools each year of the contract. EverFi reports to the Commission on a quarterly basis detailing the student, teachers, schools and counties reached as well as the knowledge gain assessed through pre and post-tests. The ethnicity of the contractor is unknown.

The commission has contracted with EverFi for a three (3) year period beginning on January 1, 2016. The maximum liability for the contract is \$168,000 over three (3) years.

#### Emerge Financial Wellness –

Emerge specializes in providing online financial wellness resources to companies and organizations as an employee benefit. The Commission contracted with EmERGE for a one year period beginning October 1, 2015. EmERGE is responsible for marketing and account management relative to an adult financial literacy pilot with Dickson County government employees. EmERGE provides quarterly performance reviews and data reports to the Commission. The amount for the contract relative to the Dickson County pilot is \$7,700. The ethnicity of the contractor is unknown.

#### UT Extension (Interagency Agreement)–

UT Extension conducts in-service teacher trainings on behalf of the Commission. The Commission renewed its interagency agreement with UT Extension on December 1, 2015 for a period of one year. UT Extension agents are utilized to recruit school districts and conduct in-service trainings using the Financial Fitness for Life<sup>®</sup> curriculum. UT Extension reports to the Commission monthly. The maximum liability for the contract is \$240,000 with the contractor receiving \$3,000 per completed training. The ethnicity of the contractor is unknown.

#### June Puett –

June Puett is contracted by the Commission as an independent contractor to conduct financial literacy summits in middle and east Tennessee. The Commission renewed its contract with Ms. Puett on March 1, 2016 for a period of one year. The maximum liability for the contract is \$50,000 with the contractor receiving \$2,500 per completed training. Ms. Puett is white.

#### Dr. Nichole Saulsberry-Scarboro –

Dr. Nichole Saulsberry-Scarboro is contracted by the Commission as an independent contractor to conduct financial literacy summits in middle and west Tennessee. The Commission contracted with Dr. Saulsberry-Scarboro on August 1, 2016 for a period of one year. The maximum liability for the contract is \$50,000 with the contractor receiving \$2,500 per completed training. Dr. Saulsberry-Scarboro is African American.

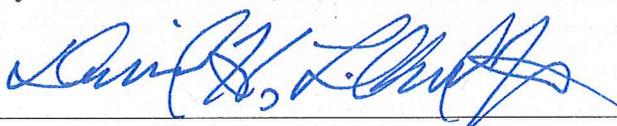
#### Rachel Barrett and Co. –

Rachel Barret and Co. is a professional fundraising company, contracted to provide event planning and fundraising services. The Commission renewed its contract with Rachel Barret and Co. on January 1, 2016 for a period of one year. The contractor is paid on a commission basis, collecting 10 percent of all charitable donations collected through the contractor's services. The maximum liability of the contract is \$65,000. Rachel Barrett, principal at Rachel Barrett and Co., is white.

**TITLE VI: TREASURY  
PROGRAMS ADMINISTERED  
FREE FROM DISCRIMINATION**

*Policy: TRP0005  
Revised: 09/15/14  
Effective: 09/15/14*

State of Tennessee Treasury Department  
Human Resources Division  
14th Floor Andrew Jackson Bldg.  
502 Deaderick Street  
Nashville, TN 37243

**Authority:** T.C.A., Section 4-21-904  
**Application:** Public Treasury Program  
**Approved By:** David H. Lillard, Jr., Tennessee State Treasurer  
**Signature:** 

**Summary:** It is a discriminatory practice to exclude a person from participation in, deny benefits to a person or subject a person to discrimination on the basis of race, color or national origin. Public programs of the Treasury Department will be administered free from discrimination. Accommodations are made for individuals with limited English Proficiency. Notification is published regarding the right of individuals to file a complaint.

**Policy Statement:** The Tennessee Department of Treasury administers its programs free from discrimination on the basis of race, color or national origin and accommodations are made for individuals with limited English proficiency.

**Title VI Administration**

- A. State agencies receiving federal funds must ensure compliance with the Civil Rights Act of 1964. The Treasury Department administers the Criminal Injuries Compensation program, which is supported by Federal funding.
- B. The Treasury Department will administer programs free from discrimination on the basis of race, color or national origin.
- C. The Treasury department has a complaint process for individuals to access if they have an allegation of discrimination based on race, color or national origin as it relates to the administration of a Treasury program. Notification regarding this complaint process is published.
  - a. Treasury employees administering programs to the public will be educated regarding the departments policy, and will receive instruction on responding to any concerns from citizens, including providing information regarding the Title VI complaint process.

- D. Accommodations will be made for individuals with limited English proficiency. Reasonable steps will be taken to ensure that persons with Limited English Proficiency (LEP) have meaningful access and an equal opportunity to participate in the Criminal Injuries Compensation Program as well as other non- federally funded public programs of the Treasury.
- a. Treasury will facilitate meaningful communication with persons that experience LEP and their authorized representatives regarding information contained in vital documents, including but not limited to, waivers of rights and consent forms. These documents are: Treasury Criminal Injury Compensation Claim forms and the Criminal Injury Compensation contact information card. All interpreters, translators and other aids needed to comply with this policy shall be provided without cost to the person being served.
  - b. Language assistance is provided through use of a contractual arrangement with an organization providing interpretation and translation services, which includes written translation and telephonic interpretation services. A recorded prompt on the Criminal Injuries Compensation program phone message, as well as the Unclaimed Property program phone message enables the public to hear a message in Spanish. The contractor provides interpretation of messages left and forwards those to Treasury. Other languages are also available as needed. Treasury staff is provided with procedures for providing assistance with an individual presenting with LEP. *The Tennessee Department of Treasury* reviews of the language access needs of the service population, and amends the procedures and contractual resources as needed.
    - i. Greeting Scripts in Spanish are provided on the Criminal Injuries Compensation and Unclaimed Property phone lines. The contractor listens to messages left during the week, and conveys the information in English to Treasury staff. The contractor will then participate with the Treasury staff in a three-way call for interpreter services in response to the messages.
    - ii. The criminal injuries compensation application is provided in Spanish. The contractor will provide translation services for submitted documents.
    - iii. When the need for an interpreter of another language is identified, the Treasury program staff will contact the contractor and arrange for interpreter or translator services as applicable.
- E. Employees of all public programs administered by Treasury receive an annual review of the provisions of Title VI, including the Title VI complaint process and the provisions available for foreign language translation services, telephonic and live interpretative services to provide support for individuals with limited English proficiency.
- F. The department makes payments directly to the ultimate beneficiaries of its programs; there are no sub-recipients for the department to review.
- G. The Treasurer appoints an individual to coordinate Title VI compliance in the department. The Title VI coordinator meets with directors of public programs annually and coordinates the annual report to the Human Rights Commission and coordinates the responses to any complaints filed.

**TITLE VI IMPLEMENTATION PLAN**  
**FY 2014-2015**

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**TENNESSEE DEPARTMENT OF  
TREASURY**

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## **Title VI Overview**

In furtherance of its vision, mission and core values, the management and employees of the Department of Treasury are committed to operating all programs and activities free from discrimination on the basis of national origin, color, race, or any other classification protected by federal or Tennessee state law.

For your information, the Treasury Department Vision, Mission, Team Commitment, and Core Values are outlined below:

### **Mission, Vision, and Core Values**

#### **Treasury Team Commitment**

In order for us to provide exceptional service, both management and employees will foster an environment that respects, challenges, motivates, and rewards each team member. Each of us has a responsibility to develop and maintain this environment so that together we can achieve our Mission and live by our Core Values.

#### **Vision Statement**

To be faithful stewards of the State's financial and human resources. To be passionate about achieving our Mission and living by our Core Values.

#### **Mission Statement**

We will be a leader by providing exceptional service to our customers honestly, efficiently, and effectively.

#### **Department Core Values**

##### **Impeccable Honesty:**

We will develop relationships and interact with one another and with our customers in a manner that fosters and encourages trust. We will maintain the highest ethical and professional standards in everything that we do.

##### **Mutual Respect**

We will treat everyone equitably and with honor. We will communicate in a manner, which promotes open dialogue with our customers, within the department, and with our peers in state government.

##### **Continuous Improvement:**

We will continually challenge ourselves to improve the level of service that we provide by being innovative, collaborative, creative, and efficient. We will work to be the best at what we do.

### **Shared Accountability**

We will work as a team and will purposely strive to leverage the strengths and overcome the weaknesses of each team member. We will accept responsibility individually and collectively for the service that we provide to our customers.

### **Exceptional Service**

We will be innovative in how we provide services to our customers and in how we do our work. We will be relentless in our pursuit of quality and excellence in everything that we do. We will focus not only on solving customer's problems but also anticipating their needs.

### **Exemplary Leadership**

We will be visionary leaders and positive role models for our peers. We strive to be highly respected both inside and outside state government.

# **Treasury Organizational Chart**

(Please see Appendix A: **Organization Chart**)

# **Non-Discriminatory Policy**

(Please see Appendix B: **Title VI policy**)

## **Treasury Programs and Services**

### **College Savings**

The TNStars® College Savings 529 Program is the State of Tennessee's educational savings plan. Recognizing the need for a highly-skilled workforce and the role that higher education plays in achieving that goal, the State of Tennessee has developed the TNStars® College Savings 529 Program, a program of the Tennessee Treasury Department. The TNStars® College Savings 529 Program is designed to make college savings easy. The savings plan offers parents and other relatives a low-cost way to save for children's college expenses with attractive investment options, incentives for Tennessee residents and special tax advantages. The savings plan also offers financial incentives to encourage Tennessee families to save. The savings plan offers an age-based track where the allocation becomes more conservative as the child approaches college. The savings plan also offers individual investment options including domestic and international equities, balanced fund options, fixed income options and an FDIC-insured option. The underlying funds for each of the options are from a range of fund companies including Vanguard, DFA, Primecap, and First Tennessee Bank. The savings plan offers the products at a competitive fee of 0-35 basis points. At June 30, 2015, the savings plan held net position totaling \$32.8 million.

Tennessee Code Annotated, Title 49, Chapter 7, Part 8 sets forth the Tennessee Baccalaureate Education System Trust (BEST) Act. The Act creates a tuition program, as an agency and instrumentality of the State of Tennessee, under which parents and other interested persons may assist students in saving for tuition cost of attending colleges and universities. The tuition program is known as the BEST Program and is comprised of two types of tuition plans: an educational services plan (prepaid plan) called the BEST Prepaid Plan and an educational savings plan (savings plan) called the TNStars® College Savings 529 Program. The BEST Prepaid Plan began accepting contracts and contributions in June, 1997. On November 22, 2010, the BEST Board voted to stop selling units in the BEST Prepaid Plan. The remaining participants in the program receive the yearly increases in the weighted average tuition. At June 30, 2015, the prepaid plan held net position totaling \$79.6 million. On August 20, 2015, the BEST Board voted to terminate the BEST Prepaid Plan.

The TNStars® College Savings 529 Program was launched in September 2012. The federal guidelines for the 529 plans are contained in Section 529 of the Internal Revenue Code. The requirements for participation and administration of the Prepaid College Tuition Plan are contained in Chapter 1700-5-1 of the Official Compilation of the Rules and Regulations of the State of Tennessee. The requirements for participation in the TNStars® College Savings 529 Program are contained in Chapter 1700-5-4 of the Official Compilation of the Rules and Regulations of the State of Tennessee. Both

programs offer several favorable tax benefits to participants. Accounts are exempt from all federal, state and local taxes if used for qualified education expenses. In addition, earnings on any distribution used to pay for qualified higher education expenses are exempt from taxation. Qualified expenses include tuition, fees, supplies, books, room and board and supplies and equipment required for enrollment or attendance. Monies saved in the plans may be used at any accredited higher education institution (instate or out-of-state), public or private. The funds may also be used at vocational, technical schools, professional and graduate schools. Participants do not have to choose a specific school when they enroll in either program. The maximum account limit for a beneficiary in both programs is \$235,000. Interested parties and participants may utilize the TNStars® College Savings 529 Program website for information and to enroll and maintain their accounts online. The program website is [www.TNStars.com](http://www.TNStars.com). Questions or comments about the program may be emailed through this site or interested parties may call 855-3TN-STAR (386-7827).

## **Risk Management**

### **Program Responsibilities**

The Division of Risk Management identifies and analyzes the state's exposure to property and casualty risks, and implements a variety of risk management techniques to mitigate the state's exposure to loss. The state funds its various levels of risk retention, policy premiums, and claims costs through the State Risk Management Fund.

Risk Management administers state insurance programs, which are based on the most current commercial lines terms and conditions. The policies are procured from highly qualified admitted and non-admitted commercial insurance companies. Due to the size and complexity of the world insurance marketplace, the state obtains the services of an insurance broker, which is chosen through a request for proposal (RFP) and is contracted for a five year period. Policies currently negotiated through the broker (AON Risk Services) are: (1) Master Property Insurance Policy; (2) Cyber Liability Insurance Policy; (3) Boiler & Machinery Inspection and Insurance Policy; (4) Fine Arts Insurance Policy; and (5) Fidelity and Crime Insurance Policy. In addition, the state also obtains the services of an insurance broker to procure coverage for its statewide aviation fleet. Willis, Inc. is the current aviation broker, and is contracted for a five year period.

### **Implementing Risk Control Initiatives**

**Tennessee Code Annotated Section 9-8-108(a)(10)** authorizes the Board of Claims to establish incentive programs for all State agencies, departments, and institutions (including higher education), for the purpose of reducing liabilities to the Risk Management Fund. These incentive programs include: differential premium rates tied to participation in loss control programs established by the Board of Claims; increased or decreased deductible levels based on the extent of loss control participation by State agencies; and the imposition of fines and penalties to be paid from the budget of the respective department. These funds will be deposited in the Risk Management Fund.

The purpose of the law is to encourage state agencies and institutions to embrace an operational risk control philosophy designed to keep employees working, property safe and the public free from harm. To meet the goals of the new legislation, the Division of Risk Management has developed a risk control initiative for adoption by state agencies. The intent of the risk control initiative is to promote a philosophy without dictating a methodology. In other words, the Division of Risk Management expects state agencies and institutions to take a proactive, common sense approach, toward employee safety, property protection and liability exposure control.

On June 2, 2015, the Board of Claims unanimously voted for two incentive programs to be established by General State Government, Tennessee Board of Regents, and the University of Tennessee. They are the Return-To- Work program and the Lag Time Reporting program, to be effective July 1, 2016.

The Division of Risk Management continues to make progress with its effort to implement Risk Control programs at the state agency level. We continue to encourage state agencies to embrace Risk Control as a necessary and vital component of good business practices.

### **Small and Minority-Owned Business Assistance Program**

Chapter 830 of the Tennessee Public Acts of 2004 created within the Treasury Department the Small and Minority-Owned Business Assistance Program. Chapter 830 required the Department by rule to develop an assistance program for small and minority-owned businesses, as defined in TCA 65-5-113, which will include loans, technical assistance, consulting and educational services. The legislative intent is for the Department to use the assistance provided by this program to support outreach to new, expanding and existing businesses in Tennessee that do not have reasonable access to capital markets and traditional commercial lending facilities.

The Small and Minority-Owned Business Assistance Program (SMOB) replaced the Small and Minority-Owned Telecommunications Business Assistance Program that was administered by the Department of Economic and Community Development. The Telecommunications Program provided loan guarantees to qualifying businesses. With all program obligations met, the program has been phased out. Whereas the Telecommunications Program focused on a specific facet of industry, the Small and Minority-Owned Business Assistance Program (SMOB) was designed to perpetuate growth on a less restrictive continuum.

In addition to the provision of loan proceeds and technical assistance, this program is inclusive of program services such as financial counseling, assistance with the packaging of loan proposals, developing strategies for improved cash flow management, implementing internal financial management systems, strategic planning and identifying procurement opportunities with state, federal and local government systems. Another component of the Program is the educational aspect whereby various workshops and seminars will be conducted throughout the state geared toward small and minority-owned businesses.

The principle function of the Small and Minority-Owned Business Assistance Program (SMOB) is to provide a significant statewide platform through a support structure that fosters the expansion of small and minority-owned businesses in Tennessee. SMOB consists of two components: loans (including lines of credit) and program services. The loans provided must be for a specific project. Acceptable purposes for loan proceeds include:

- acquisition of machinery and equipment
- working capital
- supplies and materials
- inventory
- certain other business-related activity

There are certain types of businesses that are deemed ineligible to receive assistance from the SMOB Program. Ineligible businesses include:

- churches
- non-profit organizations
- insurance companies
- real estate contractors
- real estate developers
- night clubs and any similar entertainment-oriented business
- businesses that do not create or provide jobs
- businesses not incorporated or located in Tennessee

Lenders for SMOB are:

- Chattanooga Neighborhood Enterprises
- East Tennessee Development District
- Nashville Minority Business Development Loan Fund
- Pathway Lending
- South Central Tennessee Development District
- Tri State Bank of Memphis

Outstanding loans for the SMOB Program are depicted below as of June 2015:

Race	Male	Female	No. of Loans	Total Loans by Race
African-American	\$210,737	\$537,637	21	\$748,374
White	284,286	134,851	10	419,137
Other	31,760	0	1	31,760
Total Loans	\$526,783	\$672,488	32	\$1,199,271

### Deferred Compensation

The Deferred Compensation Program is a voluntary program designed to provide state, local government, and local education agency employees with the opportunity to accumulate supplemental retirement income on a tax-advantaged basis. Participants may postpone income taxes on contributions and earnings by agreeing to defer receipt

of a portion of their current income until retirement for the traditional 401(k) and 457 programs. Designated Roth 401(k) contributions are made after tax.

This program offers employees two plans. The 457 plan was implemented in the 1981-82 fiscal year and the 401(k) plan was implemented in the 1983-84 fiscal year. In accordance with changes to *Internal Revenue Code Section 457*, the State's 457 plan was converted to a trust effective January 1, 1999.

As of June 30, 2015, there were 91,560 and 7,405 accounts held for individuals in the 401(k) and 457 plans, respectively. At that time, 30,989 state employees, 9,714 University of Tennessee employees, 11,650 Tennessee Board of Regents employees, 678 local government employees, and 5,128 local education agency employees were actively contributing to the 401(k) plan and 2,497 state employees, 959 University of Tennessee employees, 435 Tennessee Board of Regents, and 341 local government employees were actively contributing to the 457 plan.

The program is used by state employees of all ages and salary levels. Most active contributors are under age 48 and earn below \$43,000 per year. IRS regulations for 2015 allow a maximum deferral in the 457 plan of 100% of compensation up to the maximum annual contribution of \$18,000. The maximum deferral in the 401(k) plan is 100% of compensation up to the maximum annual contribution of \$18,000. Participants who also use a 403(b) plan are subject to additional limits. Participants age 50 and older are eligible to make additional deferrals. In the 401(k) Plan, an appropriation in 2014-2015 authorized a 100% employer match to employee contributions up to \$50 per month (\$25 per pay period for employees paid twice monthly).

At June 30, 2015, the cumulative employer match paid since July 2014 amounted to \$34.3 million and the employer non-matching to the hybrid plan amounted to \$15.2 million. For the year ended June 30, 2015, employee contributions to the program were \$126 million. At June 30, 2015, accumulated account balances totaled \$2.3 billion.

Participants in the program may direct the investment of their deferred salary to the Allianz NFJ Large Cap Value Instl, Brown Capital Management Small Company Fund, Columbia Acorn Z, Columbia Mid Cap Value Z, DFA International Value Fund, Fidelity Contrafund, Fidelity International Discovery Fund, Fidelity Over-the-Counter (OTC) Portfolio, Puritan Fund, Invesco Van Kampen Small Cap Value Fund Y, Nationwide Bank Account, Tennessee Treasury Managed Fund, Vanguard Institutional Index Fund, Vanguard Retirement Income Fund, Vanguard Target Retirement Fund, Vanguard Total Bond Market Index - Inst., Voya Fixed Account, and Western Asset Core Plus Bond Fund Class IS.

In addition to the mutual funds and investment products listed above, the Deferred Compensation program provides a self-directed brokerage window for mutual funds

through Empower Retirement Services to TD Ameritrade. This option is available to those who wish to invest in mutual funds not available through the general options offered by the program. Participants must sign additional forms and maintain a balance of at least \$20,000 to use this option. The brokerage window was first available to participants in October of 2006.

Enrollment, education, participant communication, online account balance information, and record keeping services for the program are provided by a third party administrator, currently Empower Retirement Services. The use of an unbundled arrangement enables participants to receive an objective presentation of the investment products, to avoid the sales fees traditionally associated with bundled products, and to receive consolidated account statements and benefit estimates. All of the products available for new enrollment are offered without sales fees, surrender fees, mortality and expense risk fees, or minimum deposit requirements.

The 401(k) and 457 Plans offer investment guidance and access to computer model driven investment advice. These features can be accessed on line.

Participants receive a quarterly statement showing their contributions and earnings during the quarter. A participant in both the 401(k) and the 457 Plans will receive a single statement that contains account information for both plans. In addition, once a year, participants receive a special statement projecting their account balance to a variety of retirement ages and showing the monthly income those account balances might provide. The program provides a variety of communication and education materials and services, including a comprehensive Internet site, a handbook for participants, several booklets on special topics, investment seminars around the state, plus a voice response telephone system and an Internet account access system which provide participants with immediate access to account balances and account transactions 24 hours a day.

The Internet site, [www.tn.gov/treasury/dc](http://www.tn.gov/treasury/dc), provides full information about the program. Information available through the site includes forms, participation information and illustrations, descriptions of the investment choices and historical performance figures, links to various calculators, complete information for participants who may be approaching retirement age or considering withdrawing funds from the program, an e-mail address [tn401k457@gwrs.com](mailto:tn401k457@gwrs.com) for participants to request additional personalized information, and full account activity access. The internet site provides access to account inquiry, transfers, and asset reallocation on demand. Electronic statements are available via the web site on request.

Under the loan program offered in the 401(k) plan, active employees who have accumulated \$4,000 or more in their 401(k) account may borrow up to half of their

account value. Participants repay principal and interest to their 401(k) account through salary deduction. Taxes continue to be deferred while funds accumulated in the plan are in loan status. As of June 30, 2015, there were 10,469 loans outstanding from the 401(k) plan. Outstanding loan balances totaled \$30.6 million. The average loan balance was \$2,924.

Benefits from the program may be distributed in periodic payments, in an annuity, a lump sum, or partial lump sums. During the year ended June 30, 2015, 4,550 full distributions were made. Periodic payments established without the cost of annuitization may be changed at the direction of the participant. Required minimum distributions can be established upon request.

Other notable accomplishments within the Deferred Compensation Program include the following.

- Sent bi-monthly email blasts to state employees advising of deferred compensation opportunities.
- Provided automated Investment Advice at the request of participants and at individual's desired level for detail and involvement.
- Investment education meetings and pre-retirement seminars have been held across the state for the convenience of employees.

## **Unclaimed Property**

The Treasury Department has administered the Uniform Disposition of Unclaimed Property Act since it was enacted in 1978. Administration is carried out by the Unclaimed Property Division, which operates the program in a manner designed to return unclaimed property to the rightful owner.

The Unclaimed Property Act provides that property that an organization or individual is holding for another person will be delivered to the Treasurer for custody if the holder of the property has had no contact with the owner for a period of time, normally five years, and if the holder cannot locate the owner. Once property is delivered, the Treasurer utilizes various techniques to locate the owners. There is no time limit on claiming this property.

During the period July 1, 2014 through June 30, 2015, \$93.9 million of cash property was turned over to the Treasurer. This includes \$30.8 million remitted by third party audit organizations from out-of-state non-reporting holders for Tennessee residents. An additional \$2.0 million in proceeds from stock sales was recognized as revenue.

Entities with property to report to Tennessee's Unclaimed Property Division obtain forms, instructions, free software, and other valuable data from the Internet web site. Many entities have expressed their appreciation for this easy access to reporting tools.

The Treasurer utilizes various methods to locate owners of unclaimed property. Initially notification to the last known address of each owner is sent. If no response is received, additional search efforts are made through Department of Labor and Workforce Development records, telephone directories, drivers' license records, external locate research tool, and other sources. Finally the names of owners and last known addresses are advertised in newspapers throughout the state.

In addition, a searchable database of the owners' names is available on the division's Internet site: [www.treasury.tn.gov/unclaim](http://www.treasury.tn.gov/unclaim). In addition the owners' names are available on the national website Missing Money at: [www.missingmoney.com](http://www.missingmoney.com). The records of unclaimed property owners are also available for viewing by the public in the Unclaimed Property office.

During the period July 1, 2014 through June 30, 2015, \$40.4 million of cash property was returned by the Unclaimed Property Division to the owners or their heirs, local governments and reciprocal states.

Any local government in Tennessee that turns over unclaimed property to the state may request that the property be returned to the local government for safekeeping after it has been held by the state for 18 months. This fiscal year, \$2.0 million was refunded to 33 local governments.

Tennessee has reciprocal agreements with other unclaimed property programs in other states to exchange property held by one state for owners with a last known address in the other state. Tennessee received \$91,000 for residents or former residents in exchange for \$2.8 million paid to other states' unclaimed property offices.

Since the program began operations in 1979, \$1,086.4 million in unclaimed property has been reported to the Treasurer and \$361.2 million has been returned to owners, heirs, local governments and reciprocal states.

After all location techniques are employed, the Unclaimed Property Division is able to return approximately 60% of property that is turned over with an owner's name.

### Methods used to return property

Location Method	Value of Claims	Number of Claims	Average Claim Value
Website Inquiries	\$14,084,437	15,197	\$927
Mailings to Last Known Address	\$7,541,512	10,104	\$746
Independent Locator	\$4,711,796	176	\$26,772
Staff or Other Outreach	\$4,141,657	2,293	\$1,806
Holder Referral or Reimbursement	\$3,274,959	1,147	\$2,855
Match with Dept. of Labor and Workforce	\$1,610,694	3,139	\$513
Advertisement	\$277,520	452	\$614
<b>Total Claim Payments</b>	<b>\$35,642,575</b>	<b>32,508</b>	<b>\$1,096</b>
Interstate Exchanges	\$2,820,257	46	
Refunds to Local Governments	\$1,976,994	33	
<b>Total Payments</b>	<b>\$40,439,826</b>	<b>32,587</b>	

## Sources of Unclaimed Property

*Fiscal years 2011 – 2015*

	<u>2015</u>	<u>2014</u>	<u>2013</u>	<u>2012</u>	<u>2011</u>
Insurance Companies	48%	32%	49%	22%	16%
Financial Institutions	18%	28%	18%	30%	27%
Retailers, Services, Telecommunications, Colleges	12%	18%	14%	19%	10%
Cities and Counties	9%	5%	8%	5%	8%
Corporations, Transportation, Manufacturing, Natural Resources	4%	4%	3%	7%	15%
Hospitals and Health Care	3%	4%	3%	5%	5%
Utilities	3%	4%	2%	4%	6%
Securities and Brokerage Firms	2%	2%	2%	7%	10%
Other States, Escheat and Other	<u>1%</u>	<u>3%</u>	<u>1%</u>	<u>1%</u>	<u>3%</u>
	100%	100%	100%	100%	100%

### Fiscal Years 2011-2015 Activity

	<u>2015</u>	<u>2014</u>	<u>2013</u>	<u>2012</u>	<u>2011</u>
Number of Holders Reporting	7,918	7,071	7,177	7,236	7,577
Number of Properties Received	849,434	666,385	563,506	498,009	529,502
Cash Received (Not including Shares Sold)	\$93,913,035	\$63,123,121	\$91,538,109	\$56,866,754	\$60,128,207
Number of Shares Received	10,546,004	3,211,927	3,578,919	3,682,696	13,412,891
Value of Shares Sold	\$2,042,382	\$14,948,614	\$8,150,890	\$8,189,532	\$11,408,829
Number of Claims Paid	32,587	30,435	19,889	14,800	18,884
Cash Paid	\$40,439,826	\$26,180,732	\$27,694,701	\$20,726,913	\$23,663,333
Shares Paid	222,246	189,659	343,116	150,722	234,684

To assist Limited English Proficiency (LEP) claimants with filing a claim or the claims process, we respond to messages left in a dedicated voicemail (in Spanish) after interpretation, use an interpreter for verbal communication, and also translate incoming and outgoing materials to aid in claim investigation.

The quantity of persons who do not speak English is a relatively small portion of our overall volume and, of those that do not speak English, they predominately speak Spanish. Front-line staff has rarely encountered persons who appear to speak any language beyond English and Spanish.

### **Tennessee Consolidated Retirement System**

The Tennessee Consolidated Retirement System (TCRS) was established July 1, 1972. Prior to this date, there were seven different public employee retirement systems. The TCRS, a defined benefit plan which is qualified under 401(a) of the Internal Revenue Code, is a retirement system for state employees, higher education employees, teachers, and local government employees.

#### **Membership**

Membership in the retirement system is a condition of employment for full-time state employees, teachers, general employees in higher education, and the employees of local governments that participate in TCRS. Membership is optional for certain part-time employees. Faculty employees in higher education may participate in either TCRS or an Optional Retirement Program (ORP), which is a defined contribution plan designed for faculty employees in institutions of higher education.

When an employee joins TCRS, he receives an introductory letter and membership pamphlet outlining various aspects of retirement membership. State employees and teachers become vested after five years of service. Political subdivision members attain vested status upon completion of 10 years unless five year vesting has been authorized. A vested member is guaranteed a retirement benefit once the age requirements are met. As of June 30, 2015, there were 224,000 active members of TCRS and 10,600 higher education employees participating in the ORP.

Since July 1, 1976, all new members of the TCRS except state judges have been classified as Group I members. State judges have been permitted to enroll in Group IV since September 1, 1990. From July 1, 1972 to June 30, 1976, all employees were classified as Group I, with the exception of state policemen, wildlife officers, firemen and policemen who were classified as Group II, and judges and elected officials who were

classified as Group III. Members of seven superseded systems are permitted to retain their original rights and benefits.

State employees, higher education employees and K-12 public school teachers hired after June 30, 2014 and those who have lost membership in the legacy TCRS plan, participate in the State and Teacher Hybrid Pension Plan (“Hybrid Plan”). The Hybrid Plan provides a combination of a defined benefit plan and a defined contribution plan. Compared to the legacy TCRS plan, the Hybrid Plan has a lower service accrual rate, higher retirement eligibility, and a lower employer cost. However, the employer will also contribute to a defined contribution plan on behalf of the employee. The defined benefit portion of the Hybrid Plan will be managed by TCRS. The defined contribution assets will be deposited into the state’s 401(k) plan and managed by the employees. Higher education employees who are exempt from the Fair Labor Standards Act may elect membership in the ORP in lieu of the Hybrid Plan.

Hybrid Plan members attain vested status upon completion of five years of service. A vested member is guaranteed a retirement benefit once the eligibility requirements have been met.

### **Contributions**

The funding of retirement benefits is financed by member contributions, employer contributions, and the earnings of the invested assets. Effective July 1, 1981, the employee contributions of certain state employees and higher education employees were assumed by the state. Local governments can also adopt these noncontributory provisions for their employees. Group I K-12 teachers and contributory local government employees contribute to TCRS at the rate of 5% of gross salary. Employee contribution rates vary for superseded classifications. Employees participating in the Hybrid Pension plan are required to contribute 5% of gross salary to TCRS.

Effective January 1, 1987, all state employees and teachers who contribute a portion of their income to the retirement system became covered by Section 414(h) of the Internal Revenue Code. Under 414(h), payment of federal income tax on an employee’s retirement contributions is deferred until these contributions are withdrawn in the form of a refund or monthly benefit payments. Political subdivisions may pass a resolution adopting Section 414(h) coverage for their employees.

Upon termination of employment, a member may elect to withdraw his contributions and accumulated interest from the retirement system in a lump sum. By obtaining a lump sum refund, a member waives all rights and benefits in the retirement system. A vested member may leave his account balance in TCRS and apply for benefits upon meeting the age requirements. A non-vested member who terminates employment may only

leave his account balance in TCRS for up to seven years. During FY 2015, the number of refunds issued was 4,943 which represent a combined dollar amount of \$53.8 million.

The contribution rate for the employers participating in the retirement system is determined by a biennial actuarial valuation performed by an independent actuarial firm. The contribution rates include funding for the basic benefit, the cost-of-living increase provisions, and amortization of the accrued liability over a 40 year period which began in July of 1975.

The employer contribution rates for the year ending June 30, 2015 were as follows:

Group I Employees

Noncontributory State and Higher Education Employees (1)	15.03%
K-12 Teachers	9.04%
Political Subdivisions	Individually Determined
Faculty Members Electing to Participate in the ORP (2)	10.0%*

- (1) Additional 3.37% employer contribution for state covered public safety officers.
- (2) 11% for salary above the social security wage base.

Hybrid Plan

State and Higher Education Employees (3)	4.00%
K-12 Teachers	4.00%
Faculty Members Electing to Participate in the ORP	5.00%

- (3) Additional 0.75% employer contribution for state covered public safety officers.

**Retirement Benefits**

The benefits provided by TCRS are designed, when combined with the benefit payable from social security, to allow career employees to maintain their standard of living at retirement.

As of June 30, 2015, retirees receiving monthly benefit payments totaled 124,097. This represents a 3.80% increase over the previous year.

Group I state employees and teachers become eligible to retire from the TCRS at age 60 with five years of service or at any age with 30 years of service. State employees and teachers become vested after five years of service. Political subdivision members attain vested status upon completion of 10 years unless five year vesting has been authorized. Retirement benefits are based on the average of the member's five highest consecutive years of salary and the years of creditable service. A reduced retirement benefit is available to vested members at age 55 or upon completion of 25 years of service.

A Group I benefits calculator is available on the program's Internet site: <http://tcrs.tn.gov>. Disability benefits are available to active members with five years of service who become disabled and cannot engage in gainful employment. There is no service requirement for disability benefits paid to active members whose disability is a result of an accident or injury occurring while the member was in the performance of duty.

Cost-of-living adjustments after retirement are based on the Consumer Price Index (CPI). If there is an increase in the CPI of as much as .5% in any calendar year, the retired member's benefit will be adjusted by an amount equal to the increase in the CPI, not to exceed 3% nor be less than 1%.

Certain death benefits are available to the beneficiary(s) of a member who dies prior to retirement. At retirement, a member may select an optional benefit that is actuarially reduced so that his beneficiary may continue to receive a benefit after his death.

Benefits paid to retirees in FY 2014 totaled \$2.06 billion, an increase of \$140 million over FY 2013 benefit payments.

Hybrid Plan members will become eligible to retire from the TCRS at age 65 with five years of service or upon attaining the Rule of 90. The Rule of 90 refers to a combination of the member's age plus years of service totaling 90. A reduced benefit is available to vested members of the Hybrid Plan at age 60 or upon attaining the Rule of 80.

On occasion, TCRS is confronted with a foreign language challenge. Over the past year, there have been fewer than 10 situations in which foreign language assistance has been utilized both in the office and on the phone. Spanish and Arabic interpretations were needed to assist the member. In those cases, TCRS staff proficient in the foreign language or the member's agency contact was used to bridge the languages. Typically members who have difficulty with the English language will bring a family member or friend to the office to assist with the retirement counseling process.

Other notable accomplishments within TCRS include the following:

- An estimated 8,300 retirement applications were processed during the year.
- Staff implemented the final phase of a new pension administration system (Concord).

## **Social Security**

The Old Age & Survivors Insurance Agency (OASI) administers Section 218 of the federal Social Security Act for Tennessee public employees. This section relates to coverage agreements and modifications as well as to coverage determinations.

Prior to 1951, social security coverage was not available to public employees. Amendments to the Social Security Act made in 1950 allowed certain groups of state and local government employees who were not covered by an employer-sponsored retirement plan to voluntarily participate in social security. Amendments made in 1954 allowed coverage for public employees who were covered by an employer-sponsored retirement plan if federal referendum requirements are met.

The Tennessee Master Agreement was executed on August 16, 1951. It provided full social security coverage (retirement, survivors, disability, and hospital insurance) to public employees who were not covered by an employer-sponsored retirement plan. A modification to the agreement, effective January 1, 1956, provided social security coverage to employees serving in positions which were then covered by the Tennessee State Retirement System and the Tennessee Teachers' Retirement System. After the Tennessee Consolidated Retirement System was established July 1, 1972, a statewide social security coverage referendum was held among eligible employees.

The 1985 Budget Reconciliation Act mandated Medicare hospital insurance coverage for public employees hired after March 31, 1986 who do not have full social security coverage. The Omnibus Budget Reconciliation Act of 1990 (OBRA) generally mandated full social security coverage for state and local government employees who are not covered by an employer-sponsored retirement plan. Effective in 1991, separate wage bases were implemented for social security and Medicare and separate reporting of withholding was required.

## **Flexible Benefits**

The Flexible Benefits Plan is an optional benefit plan that enables state employees to pay for certain expenses with tax-free salary. Authorized under Section 125 of the Internal Revenue Code, this plan allows employees to avoid income tax and social security tax on the portion of the upcoming year's salary they agree to set aside for that year's (1) group medical insurance premiums, (2) group dental insurance premiums, (3) out-of-pocket medical expenses, and (4) dependent care expenses. In exchange for this favorable tax treatment, the plan must comply with specific rules set forth by the Internal Revenue Code and Regulations. Employees must decide what they will purchase through the plan and how much they will spend before the year begins. State

employees enrolled in a group health or dental insurance program are automatically enrolled in the insurance premium portion of the plan unless they elect not to participate. Use of the other benefit options requires a new election each year.

Enrollment in the plan is for a full calendar year. Enrollments may not be changed after the year has begun unless the employee experiences a change in family status and reports that change promptly. Employees must use the amounts set aside in each category for corresponding expenses incurred during the year and any amount not used by the employee must be subject to forfeiture.

Employees may also participate in two additional accounts: parking expenses and transportation expenses. The two account types are authorized under Section 132 of the Internal Revenue Code. These accounts benefit employees by allowing them to designate an amount, up to the established limitations, to be withheld from their paychecks as a pre-tax benefit. These deductions are exempt from Federal Income and Social Security taxes. Participation in this program will result in the employee having a lower tax obligation during each calendar year in which they participate.

Unlike Medical and Dependent Care Flexible Benefit Accounts, there is no requirement for new employees to enroll within 30 days of being hired, and there is no annual enrollment period for existing employees. An employee may enroll in a Transportation Account and/or a Parking Account at any time during employment.

At June 30, 2015, approximately 35,000 state employees were enrolled in one of the state's insurance premium conversion options. In addition, there were 4,083 participants in the medical expense reimbursement account, 395 participants in the dependent care reimbursement account, 256 participants in the parking expense reimbursement account and 70 participants in the transportation expense reimbursement account.

Contributions to the plan are exempt from both employee and employer F.I.C.A. (social security) tax, thus employee's' use of the plan create F.I.C.A. savings for the state.

Since the program began operation in January 1989, the state's F.I.C.A. savings have been used for employee benefit programs. Savings exceeding the costs of administering the plan have been designated for offsetting costs of the state's wellness program, providing assistance for day care programs, and funding matching contributions to the 401(k) plan.

## **State Cash Management**

The State of Tennessee receives revenues from many sources such as taxes, licenses, fees, and the federal government. As these monies are collected, they are deposited into one of the more than 85 financial institutions in Tennessee that have contracted with the state to serve as depositories. Under the state Constitution, the state may not spend more money on its programs than it has collected in revenues. Consequently, at any point in time the state has a sizable sum of money collected but not yet spent. These monies are invested by the Treasury Department until needed to pay for state expenses, payroll, or benefit program disbursements.

During the 2014-15 fiscal year through June, the average balance of short-term investments in the Treasurer's Cash Management program was \$8,112,944,293 per month and interest income earned was in excess of \$11 million. This includes deposits in the Local Government Investment Pool administered by the Treasury Department.

The State Funding Board sets the investment policy for the state. The State Funding Board is composed of the Governor, Commissioner of Finance and Administration, Comptroller, Secretary of State, and Treasurer. The foremost investment objective of the State Pooled Investment Fund is safety of principal, followed by liquidity and then yield.

The current investment policy for the State Pooled Investment Fund was established to follow SEC Rule 2a-7-like guidelines for a money market fund. The maximum maturity of any security cannot exceed 397 days and the weighted average maturity must be 120 days or less.

Funds may be invested in collateralized certificates of deposit with authorized Tennessee financial institutions; bills, notes and bonds of the U.S. Treasury; other obligations guaranteed as to principal and interest by the U.S. or any of its agencies; and repurchase agreements against obligations of the U.S. or its agencies. Securities underlying repurchase agreements must be book-entry and delivered to the State Trust of Tennessee or be held at a third party custodian in the name of the State Treasurer. Funds may also be invested in prime commercial paper and prime banker's acceptances.

During fiscal year 2015, investments had an average maturity of 108 days, and an average weighted yield of 0.136%. The total balance in the State Pooled Investment Fund at June 30, 2015, \$9,297,043,252 fair value, was allocated as follows: U.S. Treasury government and agency securities, 76.50%; repurchase agreements and overnight deposits, 4.62%; collateralized certificates of deposit, 11.90%; and commercial paper, 6.98%.

### **Administration of Authorized State Depository Accounts**

The Cash Management Division is responsible for the administration of the state's bank accounts in Tennessee financial institutions designated as authorized state depositories. Taxpayers and state agencies can deposit certain tax funds due to the state directly to any Treasurer's account at any authorized state depository. The four most significant functions of administering the accounts are: (1) authorizing the state depository to accept state funds; (2) cash concentration; (3) collateralizing deposits; and (4) monitoring collateral and deposits. Financial institutions' requests to become authorized state depositories are received in Cash Management, reviewed, and forwarded to the appropriate state officials for consideration and approval.

The Cash Management Division is responsible for the cash concentration and management of all state depository accounts. Cash Management staff inquire on the balances of bank accounts and concentrate available funds into the State Trust to meet liquidity and investment needs. Account balances are drawn to the floor and concentrated by Fed wire or Automated Clearinghouse (ACH) transactions. The account floor is the minimum amount required by the financial institution for that particular account to earn interest. Most of these state accounts are interest bearing or earn analysis credit.

Changes in branch banking laws and bank ownership due to mergers and acquisitions have brought about a need to quickly identify the parent bank, holding company and affiliate trustee custodians for state depositories. The ability to access and update this information on a database enhances the ability to monitor deposits and collateral based on appropriate bank ownership. This same database is accessed for current account information, for balance inquiry, and cash concentration. It automates the link from balance inquiry to cash concentration by generating an ACH transaction. This automation provides more time to inquire on more accounts. The account balance floors are automatically compared to the balances entered to calculate ACH transaction amounts.

### **Deposits with Minority Owned Banks in Tennessee**

Currently, two minority owned banks operate in Tennessee. These banks are Tri-State Bank in Memphis and Citizens Bank of Nashville. The State of Tennessee has deposits with one of these banks. There is a demand deposit account in the amount of \$34,778 at Citizens Bank of Nashville. The other bank, Tri-State Bank, has been strongly encouraged to become a state depository. The demand deposit accounts are established by contract and are routinely reviewed statewide to determine the number of accounts that should be opened at any given time.

The policy regarding deposit in bank CD's is different. The accounts are also established by contract and are available to any state depository after pledging

adequate collateral (banks participating in the Bank Collateral Pool program collateralize all public deposits at 100% to 115% depending on achieving certain performance benchmarks, or 105% of the CD plus accrued interest for banks not participating in the voluntary Bank Collateral Pool program). The banks solicit the funds from the Treasurer and are granted as long as funds are available.

### Minority Broker Investment Activity

Listed below are the minority firms currently authorized to execute trades for the Tennessee Consolidated Retirement System:

1. M. R. Beal - Chicago, IL \*
2. Blaylock Beal Van, LLC - Oakland, CA\*
3. BOE Securities - Philadelphia, Pennsylvania
4. Divine Capital - New York
5. Drexel Hamilton - New York
6. Thompson Research Group - Nashville, TN
7. Security Capital - Atlanta, GA
8. Sturdivant & Co. - New Jersey
9. Topeka Capital Markets - New York
10. Williams Capital - New York

Fiscal Years	Total Research	Total Minority
7/1/1996 - 6/30/1997	\$ 4,365,803.00	\$ 232,034 5.3%
7/1/1997 - 6/30/1998	\$ 4,342,143.00	\$ 279,496 6.4%
7/1/1998 - 6/30/1999	\$ 4,886,470.00	\$ 351,129 7.2%
7/1/1999 - 6/30/2000	\$ 4,246,171.00	\$ 413,391 9.7%
7/1/2000 - 6/30/2001	\$ 5,389,971.00	\$ 494,871 9.2%
7/1/2001 - 6/30/2002	\$ 6,445,443.00	\$ 522,773 8.1%
7/1/2002 - 6/30/2003	\$ 4,391,090.00	\$ 551,873 12.6%
7/1/2003 - 6/30/2004	\$ 5,572,957.00	\$ 554,866 10.0%
7/1/2004 - 6/30/2005	\$ 5,603,077.00	\$ 562,372 10.0%
7/1/2005 - 6/30/2006	\$ 4,669,586.00	\$ 486,950 10.4%
7/1/2006 - 6/30/2007	\$ 4,362,336.00	\$ 447,514 10.3%
7/1/2007 - 6/30/2008	\$ 4,773,466.00	\$ 492,929 10.3%
7/1/2008 - 6/30/2009	\$ 6,927,119.00	\$ 722,054 10.4%
7/1/2009 - 6/30/2010	\$ 5,499,329.00	\$ 573,036 10.4%
7/1/2010 - 6/30/2011	\$ 4,959,330.00	\$ 522,525 10.5%
7/1/2011 - 6/30/2012	\$ 6,352,641.00	\$ 674,427 10.6%
7/1/2012 - 6/30/2013	\$ 5,026,991.00	\$ 518,040 10.3%
7/1/2013 - 6/30/2014	\$ 3,579,120.00	\$ 379,542 10.6%
7/1/2014 - 6/30/2015	\$ 4,209,689.00	\$ 389,459 9.3%

\*Robert Van Securities acquired Blaylock & Co. 3/29/2007

\*M.R. Beal closed office 12/23/2013

\*Blaylock renamed Blaylock Beal Van, LLC 2/20/2014

## Personal Service Contracts and Vendors

Contracts	Description	Begin Date	End Date	Type
AKF Consulting	Consulting Services for College Savings	7/1/15	6/30/17	Non
American Century Global Investment Mgt	Manage International Equity Investment portfolio	1/2/09	1/1/19	ALT
AON Risk Services	Insurance broker services - property, boiler and machinery, etc.	4/15/11	6/30/16	RFP
Baring Asset Management	Manage International Equity Investment portfolio	10/15/08	9/30/18	ALT
Barry R Siegel	Advisory TCRS review for disability retirement	7/1/13	6/30/18	ALT
Benjamin Johnson		4/1/15	3/31/16	ALT
Blackrock Realty Advisors	Real Estate investment advisory services	12/1/13	11/30/18	ALT
Bryan Pendleton	Actuarial services for TCRS and BEST	7/1/14	6/30/19	RFP
Business Information Systems	Software relative to gift voucher payments	12/1/14	12/11/19	Non
By the Numbers Actuarial Consulting	Actuarial Consulting for Advisory Council for Worker's Comp	8/25/11	8/24/16	RFP
Cambridge Associates	Private equity investment consulting	8/1/10	7/31/15	RFP
CheckFree Services	Software for ACH transaction processing	8/1/13	6/30/15	Non
Clarion Partners	Real Estate investment advisory services	12/1/13	11/30/18	ALT
Computrol	Software maintenance services for Treasury earnings	11/15/13	11/14/15	Non
Cornerstone Real Estate Advisers	Real Estate investment advisory services	12/1/13	11/30/18	ALT
CorVel Enterprise Comp	Workers' Comp third party administrative services	9/1/14	8/31/19	RFP
David William Wilstermann	Statistical contract for the Advisory Council for Worker's Compensation	5/15/14	5/14/19	RFP
Delegated Authority	Examining, identifying, recovering, and otherwise reporting past due unclaimed property to the State in connection with Tennessee's Uniform Disposition of Unclaimed Property	8/15/15	8/14/20	DA
Deloitte & Touche	Advisory and technical services for College Savings	5/1/13	6/30/17	RFP
Deloitte & Touche	New pension system for TCRS (Concord)	12/1/10	6/30/16	RFP
Dept of Labor and Workforce	Cross match SSN on behalf of Unclaimed Property			
Efront Financial Solutions	Provision of an Alternative Investment Management System	6/15/15	6/14/20	RFP
Envision Financial Systems	Recordkeeping software for College Savings Plan	6/1/12	5/31/17	Non
Everfi	Provide educational technology products relative to financial literacy	9/11/14	9/10/15	Non

Contracts	Description	Begin Date	End Date	Type
First Tennessee Bank	Banking services for State of Tennessee	1/1/12	12/31/16	RFP
Forte	Provision of managed disability provider network and managed care services	10/1/11	9/30/16	RFP
GE Asset Management	Manage International Equity Investment portfolio	10/15/08	9/30/18	ALT
Great West	Admin and marketing for Deferred Comp, DC plan, and College Savings	1/1/15	12/31/22	ALT
Healthcare Solutions	Workers' Compensation pharmacy benefit management services	3/1/13	2/28/18	RFP
Ice Miller	Private Equity Legal Services	8/1/13	7/31/18	ALT
Ice Miller	Private Equity Legal Services	8/1/13	7/31/18	ALT
Intellicorp Records	Employment screening services (background checks)	4/3/14	4/2/16	Comp
J.P. Morgan Investment Management	Real Estate investment advisory services	12/1/13	11/30/18	ALT
June Puett	Financial Literacy training for teachers	3/1/15	2/29/16	other
K&L Gates	Private Equity Legal Services	7/21/14	7/20/19	ALT
L&B Realty	Real Estate investment advisory services	12/1/13	11/30/18	ALT
Lexis Nexis	Legal Research Service	10/29/14	10/28/19	
LPS Integration	Citrix	9/15/12	9/14/15	
Marathon Asset Management	Manage International Equity Investment portfolio	10/15/18	9/30/18	ALT
Mayer Brown	Real Estate Transaction and Related Legal Services	10/6/14	10/5/19	ALT
Neuberger Berman	Investment Advisory Services	9/30/13	no end date	ALT
Nixon Peabody	Legal Services to TCRS in compliance with Dodd-Frank Act	8/1/13	7/31/15	
Nixon Peabody	Private Equity Legal Services	8/1/13	7/31/18	ALT
PanAgora Asset Management	Manage International Equity Investment portfolio	10/15/08	9/30/18	ALT
Peak 10	Secure data center for Constitutional offices	5/1/11	4/30/16	RFP
Prescient	Microfiche Conversion Services	6/15/15	6/14/17	RFP
Prescient (CMM)	Microfilm Conversion Services	10/1/14	9/30/16	RFP
Pyramis Global Advisors	Manage International Equity Investment portfolio	1/2/09	1/1/19	ALT
QED Financial Systems	Software maintenance for investment accounting and securities inventory	1/1/15	12/31/15	Non
QED Financial Systems	Provision of TANDEM, a solution that provides electronic collateral processing and participant level accounting	8/15/15	8/14/20	ALT
Rachel Barrett	Event planning and fundraising for FLC	2/1/15	1/31/16	Other
Recovery Planner	Distaster Recovery			
RREEF America	Real Estate investment advisory services	12/1/13	11/30/18	ALT
SAS (Select Actuarial Services)	Risk Management Actuarial Services	7/1/12	6/30/17	RFP

<b>Contracts</b>	<b>Description</b>	<b>Begin Date</b>	<b>End Date</b>	<b>Type</b>
Southeast Financial	Automated Teller machine service	8/20/14	6/30/15	other
State Street Bank	Investment Custody Services	7/1/14	6/30/19	RFP
Strategic Investment Solutions	Investment Counseling for Programs (TCRS, College Savings, SPIF, LEA)	12/1/10	11/30/15	RFP
Suzanne Fletcher	Advisory TCRS review for disability retirement	7/1/13	6/30/18	ALT
TA Realty	Real Estate investment advisory services	12/1/13	11/30/18	ALT
Tennessee County Services Association	Advertising and Marketing of Deferred Compensation Plan	2/1/13	1/31/16	Non
Tennessee Foreign Language Institute	Translation Services	10/17/13	10/16/18	
The Berwyn Group	Death match services for TCRS	1/14/15	1/13/20	other
The North Highland	Project Management and Consulting Services for DB plan	3/18/15	6/30/16	RFP
The North Highland Company	Quality assurance of the Concord Project	12/1/08	5/31/15	RFP
The Townsend Group	Real Estate Consultant	7/1/14	6/30/19	RFP
The Variable Annuity Life Insurance Group	Investment products and Admin Services for ORP	3/1/10	2/28/15	RFP
Torrey Cove Capital Partners	Consulting Services for TCRS' private equity and strategic lending portfolios	8/1/15	7/31/20	ALT
Tri-State Bank of Memphis	Third Party loan origination (SMOB)	5/3/10	5/2/20	non
TT International	Manage International Equity Investment portfolio	10/15/08	9/30/18	ALT
University of Tennessee	Evaluation of Fitness for Life Program (FLC)	12/15/14	12/14/15	
University of Tennessee	Plan and conduct Financial Literacy training sessions		9/30/15	
Walker and Associates	Marketing for College Savings 529 Plan	5/8/12	5/7/16	RFP
Walter Scott & Partners	Manage International Equity Investment portfolio	1/2/09	1/1/19	ALT
Williams & Jensen	Legal Services for TCRS	8/1/14	12/31/15	ALT
Willis of Tennessee	Insurance broker services in connection with aviation insurance	10/1/11	10/31/16	RFP
Xerox State & Local Solutions	Identifying and reporting abandoned property	5/1/14	4/30/15	Non
Xerox State & Local Solutions	Custodial and other related services for Unclaimed Property	7/19/12	7/18/17	RFP

### **Boards, commissions, and Taskforces**

By statute, the Treasurer serves on a total of 32 boards and commissions and has administrative responsibility for 24 programs. The Treasurer has the authority to appoint members to the following three boards: Baccalaureate Education System Trust (BEST) Board; Collateral Pool Board; and the Investment Advisory Council.

#### **Baccalaureate Education System Trust (BEST) Board of Trustees**

**Duties:** The Board oversees the operation of the Tennessee Baccalaureate Education System Trust (BEST). BEST was established for the purpose of providing parents and other interested persons tax-advantaged ways to save for a child's higher education. This is accomplished through a qualified tuition program under Section 529 of the Internal Revenue Code, which created this type of tuition program. Currently, the program is the BEST Prepaid College Tuition Plan. The Prepaid College Tuition Plan introduced in 1997, is based on the average tuition inflation at Tennessee public colleges and universities. The tuition units, however, can be used anywhere in the United States. The State of Tennessee Treasury Department manages the investments to keep up with increases in state university costs. BEST launched a qualified savings plan, the TNStars® College Savings 529 Program (TNStars®), in the fall of 2012. The plan offers an age-based track where the allocation becomes more conservative as the child approaches college. The plan also offers individual investment options including both domestic and international equities, balanced fund options, fixed income options, and an FDIC insured option. TNStars® is administered by the Tennessee Treasury Department.

**Qualifications:** The Board consists of eight (8) ex-officio members and one (1) representative of the Tennessee Independent Colleges and Universities Association. Ex-officio members are: the State Treasurer; the Comptroller of the Treasury; the Commissioner of Finance and Administration; the Secretary of State; the Chancellor of the State Board of Regents; the President of the University of Tennessee System; the Executive Director of the Tennessee Student Assistance Corporation; and the Executive Director of the Tennessee Higher Education Commission. The representative of the Tennessee Independent Colleges and Universities Association is appointed by the State Treasurer from a list of two (2) nominees submitted by the Board of Directors of the Tennessee Independent Colleges and Universities Association.

**Term:** The non ex-officio member serves a three (3) year term.

<b>Members</b>	<b>Entity Represented</b>	<b>Term Expires</b>
Larry Martin	Commissioner – Finance and Administration	Ex-Officio
Tre Hargett	Secretary of State	Ex-Officio
David H. Lillard, Jr.	State Treasurer	Ex-Officio
John Morgan	Chancellor – State Board of Regents	Ex-Officio
Dr. Joe Dipietro	President – University of Tennessee System	Ex-Officio
Dr. Betty Sue McGarvey *	TN Independent Colleges & Universities Assoc.	6/30/2016
Dr. Russ Deaton	Interim Executive Director - TSAC	Ex-Officio
Dr. Russ Deaton	Interim Executive Director – THEC	Ex-Officio
Justin P. Wilson	Comptroller of the Treasury	Ex-Officio

**\* Indicates Minorities**

### **Collateral Pool Board**

Duties: The Board oversees the operations of the Collateral Pool for Public Deposits, which was created to provide an alternative method for securing public deposits held by banks and savings institutions. Under the law governing the Pool, if a bank applied to and is accepted into the Collateral Pool, all of its public deposits are secured by the deposit of an amount of collateral determined by the Board to be required. Then, if there is a default by a bank or savings institution, the public depositors are made whole in a three (3) step process. First, they receive any applicable federal deposit insurance. Next, the collateral pledged by the bank or savings institution under the Pool provisions is used to satisfy the claims. Finally, if the claims are not completely satisfied after steps one and two, the State Treasurer assesses the members of the Pool an amount sufficient to satisfy the claims.

Qualifications: The Board consists of two (2) ex-officio members, four (4) representatives of the banking and savings institution industry, and one (1) representative of local government. Ex-officio members are the Commissioner of Financial Institutions and the State Treasurer. Of the four (4) bank representative members, one (1) must be representative of banks and savings institutions with assets of \$500,000,000 or more, the second must be representative of banks and savings institutions with assets of less than \$500,000,000 and the last two (2) must be representative of banks and savings institutions at large. The bank representatives are appointed by the State Treasurer from a list of nominees submitted by the Tennessee Bankers Association board of directors. The local government representative must have at least two (2) years of experience in the field of finance. The local government representative is appointed by the state treasurer from a list of nominees submitted by the Tennessee County Services Association, the Tennessee Municipal League or the Tennessee County Officials Association. The league and the associations alternate nominations as follows: the Tennessee Municipal League, the Tennessee County Officials Association and the Tennessee County Services Association.

Term: Two (2) years.

<u>Members</u>	<u>Entity Represented</u>	<u>Term Expires</u>
David Neely	Banks & Savings Institutions At-Large	6/30/2015
DeWayne Olive	Banks & Savings Institutions At-Large	6/30/2015
Bob Rial	Local Government Representative	6/30/2016
Hugh Queener	Represents Banks with Assets over \$500M	6/30/2016
Mickie Hodge*	Represents Banks with Assets under \$500M	6/30/2016
Greg Gonzales	Commissioner of Financial Institutions	Ex-Officio
David H. Lillard, Jr.	State Treasurer	Ex-Officio

\* **Indicates Minorities**

### **Investment Advisory Council**

Duties: The Council assists the State Treasurer and the investment staff of the Tennessee Consolidated Retirement System by providing advice and recommendations on the most appropriate investment strategy for Retirement System assets.

Qualifications: The Council consists of four (4) persons who, at the time of their appointment, must have at least five (5) years' professional experience as a portfolio manager, economist, or as investment advisor in any field for which investments of Retirement System funds are authorized. In addition, the Treasurer may, at the Treasurer's discretion, nominate up to two (2) additional members having the same types of professional experience as stated above. All of the members are nominated by the State Treasurer with the advice and consent of the Board of Trustees of the Tennessee Consolidated Retirement System.

Term: Five (5) years, except that the additional discretionary members serve for three (3) years.

<u>Members</u>	<u>Term Expires</u>
George Stadler	6/30/2015
Susan Logan Huffman *	6/30/2016
Frederick S. Crown, Jr.	6/30/2017
Carol Womack *	6/30/2015

\* Indicates Minorities

### Administrative Responsibility

The Treasurer has administrative responsibility for the following programs:

Advisory Council on Workers' Compensation	50-6-121, et seq.
Baccalaureate Education System Trust	49-7-801, et seq.
Board of Claims	9-8-101, et seq.
Chairs of Excellence Trust	49-7-501—49-7-503
Collateral Pool	9-4-501—9-4-523
Collateral Program	9-4-101—9-4-108
Council on Pensions and Insurance	3-9-101, et seq.
Criminal Injury Compensation Fund	29-13-101, et seq.
Deferred Compensation	8-25-101, et seq. and 8-25-301, et seq.
Escheat	31-6-101, et seq.
Flexible Benefits Plan	8-25-501 – 8-25-502
Investment Advisory Council	8-37-108
Investment of State Idle Cash Funds	9-4-602
Local Government Investment Pool	9-4-704
Old Age and Survivors Insurance Agency	8-38-101, et seq.
Pooled Investment Fund	9-4-603
Receipt and Disbursement of Public Funds	8-5-106—8-5-111; 9-4-301, et seq.
State Cash Management	9-4-106—9-4-108; 9-4-401—9-4-409
Intermediate-Term Investment Fund	9-4-608
Small and Minority-Owned Business Assistance Program	65-5-113
State Treasurer's Office	8-5-101, et seq.
State Trust of Tennessee	9-4-801, et seq.
Tennessee Claims Commission	9-8-301, et seq.
Tennessee Consolidated Retirement System and Miscellaneous Systems	Title 8, Chapters 34, 35, 36, 37 & 39
Tennessee Financial Literacy Commission	49-6-1701, et seq.
Unclaimed Property	66-29-101, et seq.
Victims of Drunk Drivers Compensation Fund	40-24-107
The Fisk University Stieglitz Collection Art Endowment Fund	4-20-201

## Boards and Commissions

The Treasurer is a member of the following boards and commissions:

Advisory Council on Workers' Compensation	50-6-121
Baccalaureate Education System Trust Board	49-7-801, et seq.
Collateral Pool Board	9-4-501, et seq.
Board of Claims	9-8-101, et seq.
Board of Equalization	4/3/5101
Board of Trustees of the Tennessee Consolidated Retirement System	8-34-302
Chairs of Excellence Trust	49-7-501—49-7-503
Commission to Purchase Federal Property	12-1-103
Council on Pensions and Insurance	3-9-101
State Funding Board	9-9-101
Governor's Commission on Crime Victim Assistance	Executive Order No. 10 of 2003
Public Records Commission	10-7-302
Sick Leave Bank Board	8-50-903
State Building Commission	4-15-101
State Capitol Commission	4-8-301, et seq.
State Insurance Committee	8-27-101
State School Bond Authority	49-3-1204
Local Education Insurance Commission	8-27-301
Local Government Insurance Committee	8-27-207
State Trust of Tennessee	9-4-801, et seq.
Tennessee Financial Literacy Commission	49-6-1702
Tennessee Higher Education Commission	49-7-201, et seq.
Tennessee Housing Development Agency	13-23-106
Tennessee Local Development Authority	4-31-103
Tennessee Promise Scholarship Endowment Board of Trustees	49-4-708(d)
Tennessee Student Assistance Corporation	49-4-202
Tuition Guaranty Fund Board	49-7-2018
Volunteer Public Education Trust	49-3-401, et seq.
Workers Compensation Fund Board	50-6-604
State Protest Committee	4-56-103
Employee Misclassification Advisory Task Force	50-6-919
Catastrophic Injuries Fund Commission	29-20-408
Advisory Board to Establish Compensation for the Use of the Right-of-Way for Underground Fiber Optic Cable Facilities	54-16-112
Appeals from Gift Tax Appraisals Board	67-8-116
Advisory Committee to the Trustees of Fisk University Art Collection	4-20-201
Interagency Cash Flow Committee	9-4-610

## Definitions

**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.

**Compliance:** The fulfillment of the requirements of Title VI, other applicable laws, implementing regulations and instructions to the extent that no distractions are made in the delivery of any service or benefit on the basis of race, color, or national origin. (See also *Conciliatory agreement and Noncompliance*.)

**Complaints:** A verbal or written allegation of discrimination which indicates that any federally assisted program is operated in such a manner that it results in disparity of treatment to persons or groups of persons because of race, color, or national origin.

**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 rights to file a civil rights complaint. Compliance reviews may be conducted on-site through desk audits.

**Desk Audit:** A desk 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.

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

**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.

**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.

**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 of facility will be operated such that program benefits will be equally available to all eligible persons without regard to race, color, or national origin. The applicant may provide methods of administering the program designed to ensure that the primary recipient and sub recipients under the program will comply with all applicable regulations, and correct any existing or developing instances of noncompliance, 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.

**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.

**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.

**Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d-4:** Federal law prohibiting discrimination based on race, color, or national origin. It covers all forms of federal aid except contracts of insurance and guaranty. It does not cover employment, except where employment practices result in discrimination against program beneficiaries or where the purpose of the federal assistance is to provide employment.

# **Federal Programs**

## **Criminal Injury Compensation**

### **Overview of Program**

The Criminal Injuries Compensation Program assists victims of violent crimes or, in the case of a victim's death, their dependent family members in paying out-of-pocket expenses incurred as the direct result of personal injuries sustained by a criminal offense. This is available provided that the victim and/or claimant(s) meet the eligibility criteria, have incurred eligible expenses, and have exhausted all other public and private means of reimbursement before seeking victims' compensation.

### **Eligible Persons**

Compensation is available for a person who suffered personal injury as the result of: a criminal act occurring within Tennessee (e.g., homicide, DUI, mass violence, etc.); an attempt to apprehend someone who committed a felony; or, an attempt to prevent a criminal act from occurring. In addition, compensation is available for dependent family members of a homicide victim or those responsible for the funeral expenses of a deceased victim.

### **General Guidelines**

The most general eligibility guidelines include that the victim must:

- be innocent of any behavior that contributed directly or indirectly to the incident that led to the injury,
- report the crime to the authorities within 48 hours,
- fully cooperate with the investigation and prosecution of the offender, and
- file a claim for compensation with the Division of Claims Administration within one year of the date of the incident or death, unless the victim is a minor. A minor victim or dependent has until age 19 to file a claim.

### **Benefits**

The Criminal Injuries Compensation Program may consider medical and dental expenses, mental health counseling expenses, funeral/burial expenses, lost wages, permanent impairment, loss of support, moving expenses, travel to trial of defendant, cleanup of a residential crime scene cleanup (in limited circumstances) and pain and suffering. Expenses must be actually and reasonably incurred as a result of the injury. (Some of these expense categories have restrictions.) Loss of or damage to personal or real property cannot be considered, except repair or cleaning of eyeglasses and

hearing aids in specific situations. Medically-related devices, prosthetic devices and dental devices are not considered “property” and, therefore, are reimbursable.

A “victim” is defined by statute and is the person having suffered the actual injury. If a claim is determined valid, an award distribution is based upon the substantiated, eligible out-of-pocket expenses up to the maximum available for that incident. Additional compensation on expenses incurred after the initial decision may be considered, so long as the maximum available was not paid.

The current maximum of \$30,000 is available per victimization per incident. Within the overall maximum, there are maximum ceilings on pain and suffering available only for sexual assault victims, funeral benefits, trial travel expenses, crime scene cleanup and mental health counseling expenses for certain relatives of the victim. All payments made are cumulative and fall within the overall available. For crimes occurring on or after July 1, 2008, the program pays only 75% of the charges for which the victim is responsible and the provider, upon acceptance of the reimbursement, must write-off the balance of the bill. The provider can seek reimbursement of the difference if the sum the program has paid does not fully reach the 75% level, but the provider cannot bill more than 75% for those charges.

In addition to the victims’ compensation benefits and claims, the Division of Claims Administration also processes claims filed for Sexual Assault Forensic Exam (SAFE) Reimbursement. If a provider performs an eligible sexual assault medical examination to collect evidence of a sexual assault occurring on or after July 1, 2007, the provider bills the Fund (instead of the victim) for reimbursement of certain exam-related expenses. The victim does not have to cooperate or prosecute the offender for payment to be made. The maximum reimbursement is \$750 per incident. If the Fund pays, the provider must accept the payment as payment in full.

## **Funding Information**

The program benefits are paid from the Criminal Injuries Compensation Fund (CICF). The Fund is comprised of moneys from the following sources: Criminal Injuries Compensation taxes, corrections, interest, federal funds, bond forfeitures, parole and probation fees and gambling confiscations. Jurors can also donate their jury reimbursement to the CICF.

The Treasurer applies annually for a Victims of Crime Act (VOCA) grant on behalf of the program through the U.S. Department of Justice, Office of Justice Programs, Office for Victims of Crime. A program may apply for reimbursement of 60% of the eligible state expenditures for the FFY reported. The grant is awarded if the program’s grant application is received timely and the program has met and complied with all of the federal requirements. Once the grant is approved, the program must expend state

CICF funds equivalent to the grant amount before it can request the granted amount be transferred to the CICF. The amount available to the CICF this year was \$4,408,000.

We receive the grant under the provisions of the Victims of Crime Act of 1984 and are required to comply with all the Act's requirements, including the following cited provisions:

- U.S. Code Title 42, Chapter 112, § 10602
- 28 C.F.R. §§ 42.301-308
- OMB Circular A-133

The Office for Victims of Crime found the Division compliant with all federal regulations during the most recent review, an Enhanced Programmatic Desk Review in April 2013. The 2015 grant's "special conditions" document is attached. THRC is the only other agency receiving compliance reports (or similar) relative to this program.

## **Legislation**

Public Chapter 47 was enacted this last year to protect medical records received and maintained by the Division of Claims Administration. Qualifying medical records are treated as confidential and not open for inspection by members of the public.

## **Advocacy Interaction & Outreach**

Various efforts are made throughout the year to educate and train advocates to increase the probability that potentially eligible victims of crime are informed of the Criminal Injuries Compensation Program's requirements and benefits. The following sections describe these efforts.

### **Victims and Claimants**

Since 2010, the Treasurer's pilot program (through the position of Customer Service Representative) has increased understanding of and interest in filing with the CIC Program, encouraged potential claimants to file a claim when appropriate, and targeted local advocates for referrals. This customer service representative also assists walk-ins at the Program's office; provides one-on-one attention to victims who have an active claim but have not responded to the Division's requests for supporting documentation; and, follows-up with callers who have requested claim forms to ensure receipt and to answer any questions about the Program.

These efforts have not replaced the ongoing efforts to train and encourage district attorneys' offices, advocates and similar groups from assisting or being the local referring agencies to our office; rather, it enhances existing services to claimants wanting to file and assists them in the claims process. Once in the claims process, the customer service representative encourages a claimant to complete the process.

Throughout FY2015, communication continued with prosecutors' offices statewide. The customer service representative is also conducting training during our regular year-round training of advocates and that has expanded to quarterly training sessions. The customer service representative experienced the following general activity for the fiscal year.

- 2,057 cold calls received
- 83 walk-ins
- 586 follow-up calls to new potential claimants
- 126 calls for deficient pending claims resolution
- 67 calls to offices of the District Attorney

- Advocates and Program Materials

Interaction with victim advocates included CIC training sessions and mailing brochures and applications to all agencies requesting them. We provided training to victim advocates, including victim witness coordinators, law enforcement personnel, prosecutors, victim advocacy groups (including VOCA agencies statewide), legal aid (or other legal assistance personnel) and other social service agencies helping victims. Our program is also typically included in Department of Safety training for the Tennessee Highway Patrol's 911 operators. Trainings are provided to advocates and providers of services on a limited basis as our budget permits, and we have attached a copy of our training and outreach engagements for fiscal year 2014-2015.

We provide program information directly to those inquiring (in-person and by phone) and provide information and forms on the Treasury website. The user can download and print claim forms and program information in English or Spanish. The website also includes general information on the Fund, links to other states' victims' compensation programs and links to other state/federal victim service organizations/agencies.

### **Limited English Proficiency (LEP)**

To assist Limited English Proficiency (LEP) claimants with filing a claim or the claims process, we respond to messages left in a dedicated voicemail (in Spanish) after interpretation, use an interpreter for verbal communication, and also translate incoming and outgoing materials to aid in claim investigation. The dedicated Spanish voicemail received 43 messages in FY2015.

The quantity of persons who do not speak English is a relatively small portion of our overall volume and, of those that do not speak English, they predominately speak Spanish. Front-line staff has rarely encountered persons who appear to speak any language beyond English and Spanish.

We have continued to monitor and include advocacy agencies that provide services to Spanish-speaking individuals, and they are included in our annual outreach efforts. This year, we revised and simplified our program brochure and also provide that in Spanish.

### **VOCA Assistance**

The VOCA Assistance program, administered by the Department of Finance & Administration, provides grants to victim service agencies statewide, provided they meet federal criteria. VOCA subgrantees are invited to attend workshops when available so that they can appropriately inform the victims they serve.

## **Law Enforcement**

By statute, the victim witness coordinators at the district attorneys' offices must inform victims of the criminal injuries compensation program and must send a letter about its availability to all victims with whom they interact. Police departments and other law enforcement have a similar requirement to inform victims of the resources available to them.

## **Outreach Plans for FY 2015-2015**

We continue to believe that fostering an understanding of program requirements with front-line advocates creates the best and consistent way of informing victims of the Program. The customer service representative enhances and expands this interaction and directly assist victims and claimants with the claims process itself. We will continue these efforts, as well as consistently produce quarterly training opportunities for advocates across the state in all the grand divisions of the State.

# **Federal Funding Sources: Grant**

(Please see Appendix C: **Funding Source Grant**)

# **Criminal Injury Application: English**

(Please see Appendix D: **Criminal Injury Application English**)

# **Criminal Injury Brochure: English**

(Please see Appendix E: **Criminal Injury Brochure English**)

# **Criminal Injury Application: Spanish**

(Please see Appendix F: **Criminal Injury Application Spanish**)

# **Criminal Injury Brochure: Spanish**

(Please see Appendix G: **Criminal Injury Brochure Spanish**)

## **Organization of Civil Rights Office/Civil Rights Coordinator**

The overall responsibility for complying with the provision of Title VI is vested in the State Treasurer, who is accountable for the administration of the Treasury Department. It is the goal of the Treasurer to provide the necessary management oversight and policy direction to ensure that the department's federally assisted programs use uniform civil rights standards and procedures that result in timely, consistent, and effective enforcement. Grant monies are required to be paid directly to beneficiaries; no sub-recipients of these funds exist.

David H. Lillard, Jr., State Treasurer communicates through policy, and in verbal communication that the Department is expected to adhere to the laws regarding Title VI of the Civil Rights Act of 1964, and codified in 42 U.S.C 2000 (d), which states: No person in the United States shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving federal financial assistance

Mary Jo Price, Chief Operations Officer has responsibilities that include acting as the Treasurer's designee; she is responsible for all administrative functions of the department and other duties as assigned by the State Treasurer.

Greg Cason, HR Director, is responsible for overseeing the coordination of the Title VI implementation plan and ensuring completion of the plan by the deadline. Mr. Cason is responsible for approving all training related to Title VI as well as ensuring employees are aware of available Title VI training.

LaToya Bailey, HR Analyst 3 and Title VI Coordinator responsible for coordinating the Title VI implementation plan. Ms. Bailey is responsible for coordinating with all sections within the Department of Treasury information to include in the Title VI implementation plan. Ms. Bailey ensures training and the complaint form related to Title VI are up to date and accurate. She also ensures that Treasury employees complete required training. Along with duties related to Title VI Ms. Bailey functional areas in HR include; Training and Development, Compensation and Benefits, and Diversity and Inclusion.

# **Data Collection and Analysis**

## **Criminal Injury Claims Paid by Crime of Claim Type**

(Please see Appendix H: **Criminal Injury Claims Paid by Type**)

# **Criminal Injuries Paid by Race**

(Please see Appendix I: **Criminal Injury Claims Paid by Race**)

## Composition of Departmental Staff

### AFFIRMATIVE ACTION FULL TIME EMPLOYEES REPORT Breakdown as of June 30, 2015

Job Category	White Males		Black Males		Hispanic Males		Other Males	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Officials/Administrators	18	54.5	0	0	1	3	2	6.1
Professionals	55	32.4	11	6.5	0	0	5	2.9
Technicians	0	0	0	0	0	0	0	0
Protective Services	0	0	0	0	0	0	0	0
Protective Service - Non Sworn.	0	0	0	0	0	0	0	0
Administrative Support	7	17.5	1	2.5	1	2.5	0	0
Skilled Craft	0	0	0	0	0	0	0	0
Service Maintenance	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
<b>Totals</b>	<b>80</b>		<b>12</b>		<b>2</b>		<b>7</b>	

Job Category	White Females		Black Females		Hispanic Females		Other Females	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Officials/Administrators	12	36.4	0	0	0	0	0	0
Professionals	64	37.6	31	18.2	0	0	4	2.4
Technicians	0	0	0	0	0	0	0	0
Protective Services	0	0	0	0	0	0	0	0
Protective Service - Non Sworn.	0	0	0	0	0	0	0	0
Administrative Support	23	57.5	6	15	0	0	2	5
Skilled Craft	0	0	0	0	0	0	0	0
Service Maintenance	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
<b>Totals</b>	<b>99</b>		<b>37</b>		<b>0</b>		<b>6</b>	

Job Category	Total Minority		Total Females		Total	
	Number	Percent	Number	Percent	Number	Percent
Officials/Administrators	3	9.1	12	36.4	33	13.6
Professionals	51	30	99	58.2	170	70
Technicians	0	0	0	0	0	0
Protective Services	0	0	0	0	0	0
Protective Service - Non Sworn.	0	0	0	0	0	0
Administrative Support	10	25	31	77.5	40	16.5
Skilled Craft	0	0	0	0	0	0
Service Maintenance	0	0	0	0	0	0
Other	0	0	0	0	0	0
<b>Totals</b>	<b>64</b>		<b>142</b>		<b>243</b>	

**Total number of complaints received**

During the Fiscal Year 2014-2015, no (0) Title VI complaints were filed against the Tennessee Department of Treasury. We received one (1) complaint that was not related nor had any reference to any service or program administered by the Tennessee Department of Treasury; the complainant was referred to proper agency and the Tennessee Human Rights Commission.

**Total Number of Lawsuits filed**

During the Fiscal Year 2014-2015, no (0) lawsuits were filed against the Tennessee Department of Treasury.

## Discriminatory Practices

The Treasury Department reaffirms its policy to afford all individuals the opportunity to participate in federal financial assistance without regard to race, color, or national origin.

Prohibited Practices Include:

- ✓ Denying any individual any services, opportunity, or other benefit for which he/she is otherwise qualified
- ✓ Providing any individual with any service or other benefit, which is different or is provided in a different manner from that which is provided to others under the program
- ✓ Subjecting any individual in any way in the enjoyment of services, facilities, or any other advantage, privilege, or benefit provided to others under the program
- ✓ Adopting methods of administration that would limit participation by any group of recipients of subject to them to discrimination
- ✓ Addressing an individual in a manner that denotes inferiority because of race, color, or national origin
- ✓ Subjecting any individual to incidents or racial or ethnic harassment, the creation of a hostile racial or ethnic environment, and a disproportionate burden of environmental health risks on minority communities.

Directors are responsible for ensuring compliance with this non-discrimination policy within their respective areas of responsibility.

*Example of a discriminating practice within the Tennessee Department of Treasury would be where a person contacts the Criminal Injuries Compensation program but is unable to converse due to Limited English Proficiency, and the Criminal Injuries Compensation program does not take action to assist the individual.*

Treasury pro-actively addresses this potentially discriminating situation by providing opportunities for outreach to individuals with Limited English Proficiency as indicated:

*To assist Limited English Proficiency (LEP) claimants with filing a claim or the claims process, we respond to messages left in a dedicated voicemail (in Spanish) after interpretation, use an interpreter for verbal communication, and also translate incoming and outgoing materials to aid in claim investigation. The dedicated Spanish voicemail received 30 messages in FY2013.*

*The quantity of persons who do not speak English is a relatively small portion of our overall volume and, of those that do not speak English, they predominately speak Spanish. In the past, front-line staff has encountered persons who appear to speak a language besides English and Spanish but had no such occurrences this last fiscal year. To strengthen our LEP initiatives, we have targeted community agencies and other victim advocacy agencies that provide services to Spanish-speaking individuals. We have integrated our outreach to these groups through our overall outreach efforts. Additionally, during FY 2014, Treasury added a dedicated Spanish voicemail line for our Unclaimed Property Division. No messages were received during FY 2014.*

## Limited English Proficiency (LEP) Policy

**The Tennessee Department of Treasury** will take reasonable steps to ensure that persons with Limited English Proficiency (LEP) have meaningful access and an equal opportunity to participate in the Criminal Injuries Compensation Program. Treasury also extends reasonable steps to individuals served by other non-federally funded public programs of the Treasury. The policy of the Treasury Department is to ensure meaningful communication with persons that experience LEP and their authorized representatives. This policy also provides for communication of information contained in vital documents, including but not limited to, waivers of rights and consent forms. These documents are: Treasury Criminal Injuries Compensation Claim forms and the Criminal Injuries Compensation brochure. All interpreters, translators and other aids needed to comply with this policy shall be provided without cost to the person being served.

Language assistance is provided through a contractual arrangement with an organization providing interpretation and translation services, which includes telephonic interpretation services. The Criminal Injuries Compensation Program and Unclaimed Property Division utilize a recorded phone message to enable communication with the divisions. The contractor provides message interpretation to the applicable program. Other languages are also available as needed. Treasury staff is provided with procedures for providing assistance with an individual presenting with LEP. **The Tennessee Department of Treasury** reviews of the language access needs of the service population, and amends the procedures and contractual resources as needed.

### Procedures:

Greeting scripts in Spanish are currently accessible on the Criminal Injuries Compensation and Unclaimed Property phone lines. The contractor listens to messages left during the week, and conveys the information in English to Treasury staff. The contractor will then participate with the Treasury staff in a three-way call for interpreter services in response to the messages, as needed.

The Criminal Injuries Compensation application is provided in Spanish. The contractor will provide translation services for submitted documents.

When the need for an interpreter of another language is identified, the Treasury program staff will contact the contractor and arrange for interpreter or translator services as applicable.

## **LEP Services Provided:**

### **Criminal Injuries Compensation Program**

The dedicated Spanish voicemail received 43 messages in FY2015.

The quantity of persons who do not speak English is a relatively small portion of our overall volume and, of those that do not speak English, they predominately speak Spanish. In the past, front-line staff has encountered persons who appear to speak a language besides English and Spanish but had no such occurrences this last fiscal year.

To strengthen our LEP initiatives, Treasury has targeted community agencies and other victim advocacy agencies that provide services to Spanish-speaking individuals in various communities, and has integrated our outreach to these groups through our overall outreach efforts. Workshops include victim advocacy agencies including those that have bi-lingual services for victims.

### **Unclaimed Property**

The dedicated Spanish voicemail was implemented during FY2014 in an effort to strengthen LEP initiatives, as Unclaimed Property is a public-facing program at the Treasury Department.

The dedicated Spanish voicemail received 2 messages in FY2015.

## Complaint Procedures

1. Any person alleging discrimination based on race, color, or national origin in the administration of any Treasury programs subject to Title VI, including but not limited to the Criminal Injuries Compensation program has a right to file a complaint to the State of Tennessee Treasury Department within 180 days of the alleged discrimination.
2. Complaints are directed to the Title VI Coordinator.
3. Individuals alleging discrimination are not precluded from filing a complaint with the Tennessee Human Rights Commission (T.C.A. 4-21-302), and the Treasury Department will cooperate with a complaint filed directly to the Tennessee Human Rights Commission.
4. A complaint, whether written or verbal, is accepted. In the event a complainant sets forth the allegations verbally and does not reduce the allegations to writing, the Title VI Coordinator will interview and reduce the elements of the complaint to writing.
5. Complaints should contain the following information:
  - a. Name, address, and telephone number of the complainant.
  - b. The location and name of the entity delivering the service.
  - c. The nature of the incident that led the complainant to feel discrimination was a factor.
  - d. The basis of the complaint, i.e. race, color or national origin.
  - e. Names, addresses and phone numbers of people who may have knowledge of the event.
  - f. The date or dates on which the alleged discriminatory event or events occurred. Forms may be developed to aid a complainant in filing a complaint, but the use of such forms should not be required for acceptance of a complaint.
6. The Title VI Coordinator will review and investigate the complaint. A letter will be sent by Treasury to the complainant acknowledging receipt of the complaint. Additional information requested as applicable.

7. If the allegations are not substantiated the complainant will be notified in writing and provided with the facts and a summary indicating the basis for the determination.
8. Complaints will be adjudicated within 90 days of their receipt.
9. Treasury Human Resources will maintain records of complaints, investigations and communications regarding the resolution and closure of complaints.

#### Complaint Language Published on Internet:

##### **Complaints: Discrimination**

Any person alleging discrimination based on race, color, or national origin in the administration of a Treasury program has a right to file a complaint to the State of Tennessee Treasury Department within 180 days of alleged discrimination.

*Complaints are directed to the Human Resources Title VI Coordinator.*

**Treasury Human Resources  
14th Floor, Andrew Jackson Building  
502 Deaderick Street  
Nashville, TN 37243**

*A complaint form may be accessed here:*

[Title VI Complaint Form](#) (English)

[Title VI Complaint Form](#) (Spanish)

*Individuals alleging discrimination are not precluded from filing a complaint with the Tennessee Human Rights Commission (T.C.A. 4-21-302), and the Treasury Department will cooperate with a complaint filed directly to the Tennessee Human Rights Commission.*

# **English Complaint Form**

(Please see Appendix J: **Title VI Complaint Form English**)

# **Spanish Complaint Form**

(Please see Appendix K: **Title VI Complaint Form Spanish**)

## Compliance Reviews

**Authority:** The authority for the department to conduct compliance reviews of recipients of federal financial assistance is derived from Title VI of the Civil Rights Act of 1964 and its implementing regulations. Additionally, Public Chapter 502 of the Public Acts of 1993 requires state agencies to develop an implementation plan for the enforcement of Title VI.

**Application to Department:** The department makes payments directly to the ultimate beneficiaries of its programs, particularly in the program which receives federal financial assistance. Under Title VI, compliance reviews are required for 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.*** As the department makes payments directly to beneficiaries, there are no sub-recipients for the department to review.

**Compliance & Noncompliance**  
**(Question #10)**

- A. N/A
- B. We receive a grant under the provisions of the Victims of Crime Act of 1984 and are required to comply with all the Act's requirements, including the following cited provisions. A listing of the grant's special conditions is attached for further reference.
  - U.S. Code Title 42, Chapter 112, § 10602
  - 28 C.F.R. §§ 42.301-308
  - OMB Circular A-133

## **Title VI Training Plan**

The Department of Treasury continues to educate management staff regarding the requirement and our commitment to operate all programs and activities free from discrimination on the basis national origin, color, race, or any other classification protected by federal of state law.

The Tennessee Human Rights Commission held their annual Title VI Compliance Training on Wednesday, July 29<sup>th</sup>. Greg Cason, Director of HR and LaToya Bailey, HR Analyst 3/Title VI Coordinator both attended the training. The training provided the fundamentals of Title VI and reviewed the Implementation Plan Guidelines.

2015 Title VI training was available online for all employees. This year we were able to make the training available online and track participation as employees completed the training. Once the employee completed the powerpoint training presentation they were directed to a page where they would certify completion and print their training certificate. For 2015 all active employees completed the Title VI training. The training covered the following topics:

1. Training Objective
2. Introduction to Title Vi
3. Federally Funded Programs
4. Treasury Policy
  - a. Title VI Policy
  - b. LEP
  - c. Complaint Process
5. Retaliation

# **Title VI Training Presentation**

(Please see Appendix L: **2015 Title VI Employee Training**)

**Public Notice and Outreach**

**Criminal Injury Outreach Program**

<b>Criminal Injuries Compensation Outreach and Trainings FY 2014-2015</b>					
<b>Agency/Event</b>	<b>Mth-Yr</b>	<b>Location</b>	<b>Impact</b>	<b>Agencies</b>	<b>Attendees</b>
TN Coalition to End Domestic and Sexual Violence	Jun-15	Nashville	statewide	1	2
Tommy Burks Victim Academy	Jun-15	Chattanooga	statewide	40	55
CIC Training Workshop	May-15	Nashville	regional	27	55
CASA Statewide Training	May-15	Murfreesboro	statewide	unknown	175
CIC Training Workshop	Mar-15	Brownsville	regional	22	50
CIC Training Workshop	Oct-14	Knoxville	regional	10	16
			<b>Totals</b>	<b>100</b>	<b>353</b>

## **Evaluation Procedures of Title VI Implementation Plan**

Treasury provides outreach to affected citizens concerning the Criminal Injuries Compensation Program, as well as other public programs. Claims reimbursed as indicated in the summary overviews provide information about the effectiveness of the programs. Additionally, a risk assessment is completed by management annually for internal review of financial integrity of the program areas.

The Treasury internal audit division conducts programmatic reviews of Treasury operations on a periodic basis, and internal audit is available to review complaints and provide assistance with investigations, as needed.

It is also noted that the Office for Victims of Crime found the Criminal Injuries Compensation Program compliant with all federal regulations during the most recent Enhanced Programmatic Desk Review in April 2013.

**Responsible Officials**

David H. Lillard, Jr. State Treasurer  
Tennessee State Capitol, 1st Floor  
600 Charlotte Avenue  
Nashville, TN 37243

 Sept. 29, 2015  
Date

David H. Lillard, Jr.

Date

Mary Jo Price, Chief Operating Officer  
Andrew Jackson Building, 14<sup>th</sup> Floor  
502 Deaderick Street  
Nashville, TN 37243

 9/29/15  
Date

Mary Jo Price

Date

Greg Cason, Director of HR  
Andrew Jackson Building, 13<sup>th</sup> Floor  
502 Deaderick Street  
Nashville, TN 37243

 9/25/15  
Date

Greg Cason

Date

LaToya Bailey, Title VI Coordinator  
Andrew Jackson Building, 13<sup>th</sup> Floor  
502 Deaderick Street  
Nashville, TN 37243

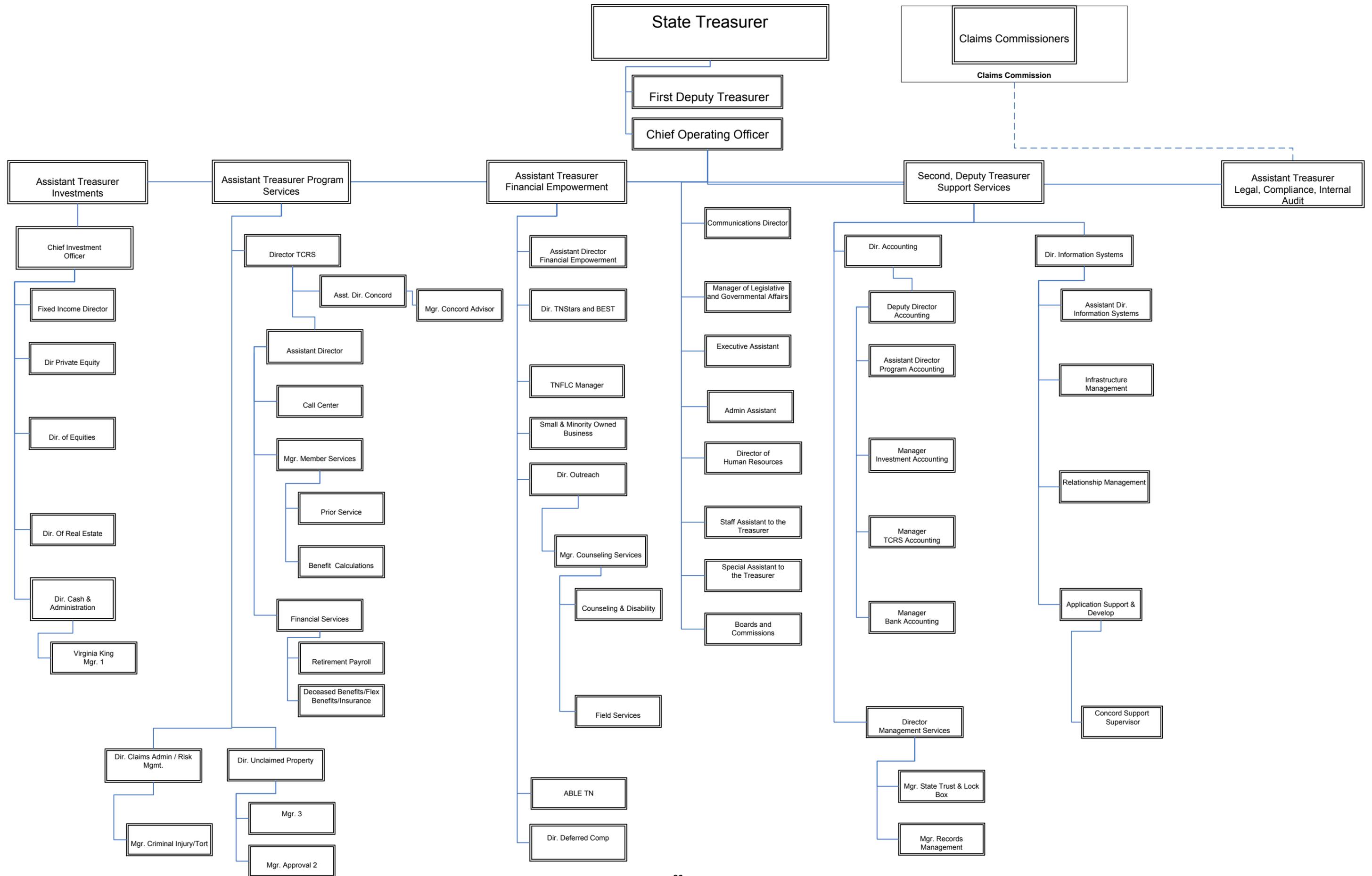
 9/25/15  
Date

LaToya Bailey

Date

## Appendix.

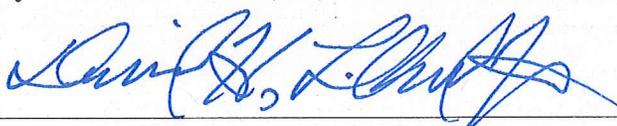
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**TITLE VI: TREASURY  
PROGRAMS ADMINISTERED  
FREE FROM DISCRIMINATION**

*Policy: TRP0005  
Revised: 09/15/14  
Effective: 09/15/14*

State of Tennessee Treasury Department  
Human Resources Division  
14th Floor Andrew Jackson Bldg.  
502 Deaderick Street  
Nashville, TN 37243

**Authority:** T.C.A., Section 4-21-904  
**Application:** Public Treasury Program  
**Approved By:** David H. Lillard, Jr., Tennessee State Treasurer  
**Signature:** 

**Summary:** It is a discriminatory practice to exclude a person from participation in, deny benefits to a person or subject a person to discrimination on the basis of race, color or national origin. Public programs of the Treasury Department will be administered free from discrimination. Accommodations are made for individuals with limited English Proficiency. Notification is published regarding the right of individuals to file a complaint.

**Policy Statement:** The Tennessee Department of Treasury administers its programs free from discrimination on the basis of race, color or national origin and accommodations are made for individuals with limited English proficiency.

**Title VI Administration**

- A. State agencies receiving federal funds must ensure compliance with the Civil Rights Act of 1964. The Treasury Department administers the Criminal Injuries Compensation program, which is supported by Federal funding.
- B. The Treasury Department will administer programs free from discrimination on the basis of race, color or national origin.
- C. The Treasury department has a complaint process for individuals to access if they have an allegation of discrimination based on race, color or national origin as it relates to the administration of a Treasury program. Notification regarding this complaint process is published.
  - a. Treasury employees administering programs to the public will be educated regarding the departments policy, and will receive instruction on responding to any concerns from citizens, including providing information regarding the Title VI complaint process.

- D. Accommodations will be made for individuals with limited English proficiency. Reasonable steps will be taken to ensure that persons with Limited English Proficiency (LEP) have meaningful access and an equal opportunity to participate in the Criminal Injuries Compensation Program as well as other non- federally funded public programs of the Treasury.
- a. Treasury will facilitate meaningful communication with persons that experience LEP and their authorized representatives regarding information contained in vital documents, including but not limited to, waivers of rights and consent forms. These documents are: Treasury Criminal Injury Compensation Claim forms and the Criminal Injury Compensation contact information card. All interpreters, translators and other aids needed to comply with this policy shall be provided without cost to the person being served.
  - b. Language assistance is provided through use of a contractual arrangement with an organization providing interpretation and translation services, which includes written translation and telephonic interpretation services. A recorded prompt on the Criminal Injuries Compensation program phone message, as well as the Unclaimed Property program phone message enables the public to hear a message in Spanish. The contractor provides interpretation of messages left and forwards those to Treasury. Other languages are also available as needed. Treasury staff is provided with procedures for providing assistance with an individual presenting with LEP. *The Tennessee Department of Treasury* reviews of the language access needs of the service population, and amends the procedures and contractual resources as needed.
    - i. Greeting Scripts in Spanish are provided on the Criminal Injuries Compensation and Unclaimed Property phone lines. The contractor listens to messages left during the week, and conveys the information in English to Treasury staff. The contractor will then participate with the Treasury staff in a three-way call for interpreter services in response to the messages.
    - ii. The criminal injuries compensation application is provided in Spanish. The contractor will provide translation services for submitted documents.
    - iii. When the need for an interpreter of another language is identified, the Treasury program staff will contact the contractor and arrange for interpreter or translator services as applicable.
- E. Employees of all public programs administered by Treasury receive an annual review of the provisions of Title VI, including the Title VI complaint process and the provisions available for foreign language translation services, telephonic and live interpretative services to provide support for individuals with limited English proficiency.
- F. The department makes payments directly to the ultimate beneficiaries of its programs; there are no sub-recipients for the department to review.
- G. The Treasurer appoints an individual to coordinate Title VI compliance in the department. The Title VI coordinator meets with directors of public programs annually and coordinates the annual report to the Human Rights Commission and coordinates the responses to any complaints filed.



Department of Justice  
Office of Justice Programs  
**Office for Victims of Crime**

**Grant**

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1. RECIPIENT NAME AND ADDRESS (Including Zip Code) Tennessee Dept. of Treasury Division of Claims Administration 600 Charlotte Ave Fl. 1 Nashville, TN 37243-0225		4. AWARD NUMBER: 2015-VC-GX-0024	
		5. PROJECT PERIOD: FROM 10/01/2014 TO 09/30/2018 BUDGET PERIOD: FROM 10/01/2014 TO 09/30/2018	
2a. GRANTEE IRS/VENDOR NO. 626001445		6. AWARD DATE 09/01/2015	7. ACTION Initial
2b. GRANTEE DUNS NO. 098753747		8. SUPPLEMENT NUMBER 00	
3. PROJECT TITLE OVC FY 15 VOCA Victim Compensation Formula		9. PREVIOUS AWARD AMOUNT \$ 0	
		10. AMOUNT OF THIS AWARD \$ 4,408,000	
		11. TOTAL AWARD \$ 4,408,000	
12. SPECIAL CONDITIONS THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH ON THE ATTACHED PAGE(S).			
13. STATUTORY AUTHORITY FOR GRANT This project is supported under 42 U.S.C. 10602(a)			
14. CATALOG OF DOMESTIC FEDERAL ASSISTANCE (CFDA Number) 16.576 - Crime Victim Compensation			
15. METHOD OF PAYMENT GPRS			
AGENCY APPROVAL		GRANTEE ACCEPTANCE	
16. TYPED NAME AND TITLE OF APPROVING OFFICIAL  Joye E. Frost Director		18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL  David Lillard State Treasurer	
17. SIGNATURE OF APPROVING OFFICIAL  		19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL	19A. DATE
AGENCY USE ONLY			
20. ACCOUNTING CLASSIFICATION CODES FISCAL YEAR FUND CODE BUD. ACT. OFC. DIV. REG. SUB. POMS AMOUNT X G V1 40 00 00 4408000		21. PV1PGT0087	

OJP FORM 4000/2 (REV. 5-87) PREVIOUS EDITIONS ARE OBSOLETE.

OJP FORM 4000/2 (REV. 4-88)



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PROJECT NUMBER 2015-VC-GX-0024

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*SPECIAL CONDITIONS*

1. Applicability of Part 200 Uniform Requirements

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by the Department of Justice (DOJ) in 2 C.F.R. Part 2800 (the "Part 200 Uniform Requirements") apply to this 2015 award from the Office of Justice Programs (OJP). For this 2015 award, the Part 200 Uniform Requirements, which were first adopted by DOJ on December 26, 2014, supersede, among other things, the provisions of 28 C.F.R. Parts 66 and 70, as well as those of 2 C.F.R. Parts 215, 220, 225, and 230.

If this 2015 award supplements funds previously awarded by OJP under the same award number, the Part 200 Uniform Requirements apply with respect to all award funds (whether derived from the initial award or a supplemental award) that are obligated on or after the acceptance date of this 2015 award.

Potential availability of grace period for procurement standards: Under the Part 200 Uniform Requirements, a time-limited grace period may be available under certain circumstances to allow for transition from policies and procedures that complied with previous standards for procurements under federal awards to policies and procedures that comply with the new standards (that is, to those at 2 C.F.R. 200.317 through 200.326).

For more information on the Part 200 Uniform Requirements, including information regarding the potentially-available grace period described above, see the Office of Justice Programs (OJP) website at <http://ojp.gov/funding/Part200UniformRequirements.htm>.

In the event that an award-related question arises from documents or other materials prepared or distributed by OJP that may appear to conflict with, or differ in some way from, the provisions of the Part 200 Uniform Requirements, the recipient is to contact OJP promptly for clarification.

2. The recipient agrees to comply with the Department of Justice Grants Financial Guide as posted on the OJP website (currently, the "2015 DOJ Grants Financial Guide").
3. The recipient acknowledges that failure to submit an acceptable Equal Employment Opportunity Plan (if recipient is required to submit one pursuant to 28 C.F.R. Section 42.302) that is approved by the Office for Civil Rights is a violation of the Standard Assurances executed by the recipient, and may result in suspension of funding until such time as the recipient is in compliance, or termination of the award.
4. The recipient understands and agrees that OJP may withhold award funds, or may impose other related requirements, if the recipient does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards.
5. Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government, without the express prior written approval of OJP.
6. The recipient and any subrecipients must promptly refer to the DOJ OIG any credible evidence that a principal, employee, agent, subrecipient, contractor, subcontractor, or other person has -- (1) submitted a claim for award funds that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving award funds. Potential fraud, waste, abuse, or misconduct should be reported to the OIG by - mail: Office of the Inspector General U.S. Department of Justice Investigations Division 950 Pennsylvania Avenue, N.W. Room 4706 Washington, DC 20530 e-mail: [oig.hotline@usdoj.gov](mailto:oig.hotline@usdoj.gov) hotline: (contact information in English and Spanish): (800) 869-4499 or hotline fax: (202) 616-9881 Additional information is available from the DOJ OIG website at [www.usdoj.gov/oig](http://www.usdoj.gov/oig)



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PROJECT NUMBER 2015-VC-GX-0024

AWARD DATE 09/01/2015

*SPECIAL CONDITIONS*

7. Restrictions and certifications regarding non-disclosure agreements and related matters

No recipient or subrecipient under this award, or entity that receives a contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

1. In accepting this award, the recipient --

a. represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

b. certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

2. If the recipient does or is authorized to make subawards or contracts under this award --

a. it represents that --

(1) it has determined that no other entity that the recipient's application proposes may or will receive award funds (whether through a subaward, contract, or subcontract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

(2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and

b. it certifies that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

8. Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of any contract or subaward to either the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries, without the express prior written approval of OJP.

9. The recipient agrees to comply with any additional requirements that may be imposed during the grant performance period if the agency determines that the recipient is a high-risk grantee. Cf. 28 C.F.R. parts 66, 70.



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10. The recipient agrees to comply with applicable requirements regarding registration with the System for Award Management (SAM) (or with a successor government-wide system officially designated by OMB and OJP). The recipient also agrees to comply with applicable restrictions on subawards to first-tier subrecipients that do not acquire and provide a Data Universal Numbering System (DUNS) number. The details of recipient obligations are posted on the Office of Justice Programs web site at <http://www.ojp.gov/funding/sam.htm> (Award condition: Registration with the System for Award Management and Universal Identifier Requirements), and are incorporated by reference here. This special condition does not apply to an award to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).
11. Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), the Department encourages recipients and sub recipients to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this grant, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.
12. The recipient agrees to comply with all applicable laws, regulations, policies, and guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences, meetings, trainings, and other events, including the provision of food and/or beverages at such events, and costs of attendance at such events. Information on rules applicable to this award appears in the DOJ Grants Financial Guide (currently, as section 3.10 of "Postaward Requirements" in the "2015 DOJ Grants Financial Guide").
13. The recipient understands and agrees that any training or training materials developed or delivered with funding provided under this award must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at <http://www.ojp.usdoj.gov/funding/ojptrainingguidingprinciples.htm>.
14. The recipient agrees that if it currently has an open award of federal funds or if it receives an award of federal funds other than this OJP award, and those award funds have been, are being, or are to be used, in whole or in part, for one or more of the identical cost items for which funds are being provided under this OJP award, the recipient will promptly notify, in writing, the grant manager for this OJP award, and, if so requested by OJP, seek a budget-modification or change-of-project-scope grant adjustment notice (GAN) to eliminate any inappropriate duplication of funding.
15. The recipient understands and agrees that award funds may not be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.
16. The recipient understands and agrees that - (a) No award funds may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography, and (b) Nothing in subsection (a) limits the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.
17. A recipient that is eligible under the Part 200 Uniform Requirements to use the "de minimis" indirect cost rate described in 2 C.F.R. 200.414(f), and that elects to use the "de minimis" indirect cost rate, must advise OJP in writing of both its eligibility and its election, and must comply with all associated requirements in the Part 200 Uniform Requirements. The "de minimis" rate may be applied only to modified total direct costs (MTDC).
18. The recipient must collect, maintain, and provide to OJP, data that measure the performance and effectiveness of activities under this award, in the manner, and within the timeframes, specified in the program solicitation, or as otherwise specified by OJP. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act, and other applicable laws.



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*SPECIAL CONDITIONS*

19. **VOCA Requirements**  
The recipient assures that the State crime victim compensation program complies with all conditions and eligibility criteria required by section 1403(b) of the Victims of Crime Act (VOCA) of 1984, 42 U.S.C. 10602(b).
20. The Grantee agrees to complete and submit an annual Crime Victim Compensation State Certification Form in accordance with instructions developed by OVC.
21. The Grantee agrees that the State's certified payments of crime victim compensation, upon which the award is based, represent payments made from STATE FUNDING SOURCES ONLY. The Grantee further understands that the following items shall be deducted in compiling the certification of State payments: a) payments for property losses; b) payments for administrative costs; and c) dollar amounts of restitution and refunds received through subrogation for compensable expenses paid to, or on behalf of, victims and survivors.
22. The Grantee authorizes the Office for Victims of Crime (OVC) and/or the Office of the Chief Financial Officer (OCFO), and its representatives, access to and the right to examine all records, books, paper or documents related to the VOCA grant.
23. **Demographic Data**  
The recipient agrees that information on race, sex, national origin, age, and disability of recipients of compensation will be collected and maintained, where such information is voluntarily furnished by those receiving compensation.
24. **OVC/FBI MOU**  
The recipient agrees to adhere to the provisions and conditions outlined in the Memorandum of Understanding (MOU) between the Office for Victims of Crime (OVC) and the Federal Bureau of Investigation (FBI) pertaining to the dissemination of information to State Crime Victim Compensation Programs concerning the verification of victims of crime claims investigated by the FBI. Failure to abide by the provisions of the MOU will result in a cancellation of the agreement to release FBI investigative information to the recipient.
25. The recipient understands that all OJP awards are subject to the National Environmental Policy Act (NEPA, 42 U.S.C. section 4321 et seq.) and other related Federal laws (including the National Historic Preservation Act), if applicable. The recipient agrees to assist OJP in carrying out its responsibilities under NEPA and related laws, if the recipient plans to use VOCA funds (directly or through subaward or contract) to undertake any activity that triggers these requirements, such as renovation or construction. (See 28 C.F.R. Part 61, App. D.) The recipient also agrees to comply with all Federal, State, and local environmental laws and regulations applicable to the development and implementation of the activities to be funded under this award.
26. **Discrimination Findings**  
The recipient assures that in the event that a Federal or State court or Federal or State administrative agency makes a finding of discrimination after a due process hearing on the ground of race, religion, national origin, sex, or disability against a recipient of victim compensation formula funds under this award, the recipient will forward a copy of the findings to the Office for Civil Rights of OJP.
27. The recipient agrees to ensure that at least one key grantee official attends the annual VOCA National Training Conference. Any recipient unable to attend must get prior approval by OVC in writing.



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28. The recipient agrees to comply with applicable requirements to report first-tier subawards of \$25,000 or more and, in certain circumstances, to report the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients of award funds. Such data will be submitted to the FFATA Subaward Reporting System (FSRS). The details of recipient obligations, which derive from the Federal Funding Accountability and Transparency Act of 2006 (FFATA), are posted on the Office of Justice Programs web site at <http://www.ojp.gov/funding/ffata.htm> (Award condition: Reporting Subawards and Executive Compensation), and are incorporated by reference here. This condition, and its reporting requirement, does not apply to grant awards made to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).
29. The recipient understands and agrees that it has a responsibility to monitor its subrecipients' compliance with applicable federal civil rights laws. The recipient agrees to submit written Methods of Administration (MOA) for ensuring subrecipients' compliance to the OJP's Office for Civil Rights at [CivilRightsMOA@usdoj.gov](mailto:CivilRightsMOA@usdoj.gov) within 90 days of receiving the grant award, and to make supporting documentation available for review upon request by OJP or any other authorized persons. The required elements of the MOA are set forth at [http://www.ojp.usdoj.gov/funding/other\\_requirements.htm](http://www.ojp.usdoj.gov/funding/other_requirements.htm), under the heading, "Civil Rights Compliance Specific to State Administering Agencies."
30. VOCA Compensation Performance Reports  
The recipient agrees to submit performance reports on the performance metrics identified by OVC, and in the time and manner required by OVC. Beginning October 1, 2015, the recipient agrees to submit such information quarterly.



State of Tennessee  
Division of Claims Administration  
502 Deaderick Street  
Nashville, Tennessee 37243-0202  
Telephone: (615) 741-2734  
Fax: (615) 532-4979  
Website: [www.treasury.state.tn.us/injury/](http://www.treasury.state.tn.us/injury/)  
E-mail: [Criminal.Injury@state.tn.us](mailto:Criminal.Injury@state.tn.us)



## TENNESSEE'S CRIMINAL INJURIES COMPENSATION PURPOSE AND INSTRUCTIONS

### Purpose

The purpose of the Criminal Injuries Compensation Program is to assist victims of crimes or, in the case of the victims' death, their dependent family members in paying out-of-pocket expenses that are a direct result of personal injuries sustained by a criminal offense.

The State of Tennessee is committed to helping victims who meet the eligibility requirements of the Tennessee Criminal Injuries Compensation Act. While no amount of financial aid can erase the trauma of crime, it is the goal of this program to ease the aftermath of crime for the victim whenever possible.

### Instructions for Completing and Filing a Claim

- File a claim within one year of the date of injury, unless the victim of crime is a child (who has until age 19 to file). If the person seeking compensation is under age 18, his/her legal guardian must act as claimant.
- Seek any amounts the victim/claimant is legally entitled to receive as a result of the injuries from any other public or private source. This includes insurance, Medicaid, Medicare, workers' compensation, etc. If the amounts received from other sources do not cover all eligible losses and expenses, then criminal injuries compensation may apply. This is a fund of last resort.
- Read all instructions when completing the form. Answer ALL questions. If the question does not apply, please mark it N/A. If you need help with this form, call (615) 741-2734.
- Type or print legibly with INK. Use additional sheets if necessary.
- Attach a copy of the law enforcement report to prove the crime occurred and was reported to the proper authorities.
- Attach itemized copies of ALL bills, receipts, insurance/benefit statements and any other documentation to support the claim.
- COMPLETE all pages of the application. The form must be SIGNED AND NOTARIZED, otherwise, the claim processing will be delayed.
- Submit the ORIGINAL application form plus one copy to the Division at the above address. The claim is not "filed" until the Division receives it.
- Respond as soon as possible to any written notices from the Division so that your claim can be processed. The Division will send a written notice of the eligibility decision on the claim.
- Notify the Division of Claims Administration immediately regarding any change of address for the claimant or attorney while the claim is pending. **The claim may be denied if you do not inform us of a change of address and we have no valid contact information.**

*The Tennessee Department of Treasury operates all programs and activities free from discrimination on the basis of sex, race, or any other classification protected by federal or Tennessee state laws. Individuals with disabilities who may require an alternative communication format for this or other Treasury Department publications should contact the Treasury ADA coordinator at 615-741-2956. Any person who believes she or he has been discriminated against in Treasury Department programs should write to: Treasury ADA coordinator, 1st Floor State Capitol, Nashville, Tennessee 37243.*



State of Tennessee  
**Criminal Injuries Compensation Program**  
 Division of Claims Administration  
 502 Deaderick Street  
 Nashville, Tennessee 37243-0202  
 Telephone: (615) 741-2734  
 Fax: (615) 532-4979  
 Web site: [www.treasury.state.tn.us/injury/](http://www.treasury.state.tn.us/injury/)  
 E-mail: [Criminal.Injury@state.tn.us](mailto:Criminal.Injury@state.tn.us)

**FOR OFFICE USE ONLY**

CLAIM # \_\_\_\_\_

## CRIMINAL INJURIES COMPENSATION APPLICATION

### SECTION A

**You are filing this claim because you are:**

- The victim of a crime.
- The guardian of a crime victim who is under 18 years of age. If so, supply a copy of child's birth certificate or a copy of the guardianship papers if you are not the child's parent.
- The guardian of a crime victim who is incompetent. If so, submit a copy of the guardianship/conservatorship papers.
- The dependent of a deceased crime victim. A dependent means a family member who was receiving substantial support or needed services from the victim at the time of the victim's death. If so, supply proof of your relationship (e.g. marriage certificate, birth certificate, etc.)
- The guardian of a dependent who is under 18 years of age. If so, supply a copy of child's birth certificate and a copy of the guardianship papers.
- The guardian of a dependent who is incompetent. If so, submit a copy of the guardianship/conservatorship papers.
- The victim or victim's relative who has paid or who is required to pay the crime scene cleanup expenses or funeral and burial expenses.

**Indicate the benefits you are requesting. Attach fully itemized bills to document all expenses being claimed, including documentation of payments made by you or other sources.**

- Medical bills.
- Mental health counseling bills. Services must be for the victim or, in some cases, a victim's relative.
- Lost wages.
- Permanent impairment. Provide a doctor's statement with your impairment rating due to the injury from this crime.
- Funeral and/or burial expenses.
- Crime scene cleanup expenses (available only under certain circumstances).
- Loss of support to dependents (in case of victim's death).
- Pain and suffering (**ONLY** for a victim of a sexually-oriented crime). (*NOTE: Sexual assault forensic medical examinations for crimes committed on or after July 1, 2007 are to be billed by and sent in by the facility that provided the services.*)
- Moving expenses (**ONLY** for a victim if the crime occurred in primary residence and the move is directly related to the crime).
- Trial travel expenses (to attend trial of defendant unless person is eligible for witness fees).

**SECTION B – VICTIM INFORMATION** (Provide all requested information pertaining to the victim who received the injuries.)

Victim's Name \_\_\_\_\_  
(Last) (First) (Maiden) (Middle)

Address \_\_\_\_\_  
(Street) (Apt.)

\_\_\_\_\_ (City) (County) (State) (Zip Code)

Home Phone # ( ) Work Phone # ( ) Cell Phone # ( )

Date of Birth \_\_\_/\_\_\_/\_\_\_\_\_ Age at Time of Crime \_\_\_\_\_ Social Security # \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

The following victim information is used for statistical purposes only.

Mentally Disabled?  No  Yes

Physically Disabled?  No  Yes

Race  White  Black  Hispanic  
 Spanish American  Asian American  American Indian  
 Other (specify) \_\_\_\_\_

Religion  Catholic  Jewish  
 Islamic  Protestant (Baptist, Methodist, etc.)  
 Agnostic / Atheist  Other (specify) \_\_\_\_\_

Who referred you to us?  Law Enforcement Agency  Social Services  Media (TV, radio, etc.)  
 Hospital  Prosecutor / Victim Witness Program  
 Posters / Brochures  Other (specify) \_\_\_\_\_

Sex  Female  Male

National Origin  United States  Other

**(IF YOU ARE THE VICTIM AND YOU ARE OVER AGE 18, SKIP TO SECTION D.)**

**SECTION C – CLAIMANT INFORMATION** (Only complete this section if you are not the victim.)

Claimant's Name \_\_\_\_\_  
(Last) (First) (Middle) (Relationship to Victim)

Address \_\_\_\_\_  
(Street) (Apt.)

\_\_\_\_\_ (City) (County) (State) (Zip Code)

Home Phone # ( ) Work Phone # ( ) Cell Phone # ( )

Date of Birth \_\_\_/\_\_\_/\_\_\_\_\_ Social Security # \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

**SECTION D – CRIME INFORMATION** (You must provide the date of the crime and county and state where the crime occurred. You can obtain the information from the responding law enforcement agency. If the crime was not reported within 48 hours, submit a written statement explaining such.)

Type of Crime (check one):

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Murder / Homicide 0001    | <input type="checkbox"/> Child Physical Abuse 0007  | <input type="checkbox"/> Terrorism 0012   |
| <input type="checkbox"/> Adult Sexual Assault 0002 | <input type="checkbox"/> Child Sex Abuse 0008       | <input type="checkbox"/> Kidnapping 0013  |
| <input type="checkbox"/> Robbery by Force 0003     | <input type="checkbox"/> Other (specify) 0009 _____ | <input type="checkbox"/> Arson 0014   |
| <input type="checkbox"/> Assault 0004              | <input type="checkbox"/> Drunk Driver 0010          | <input type="checkbox"/> Hit and Run 0015<br><i>(excluding property damage)</i> |
| <input type="checkbox"/> Vehicular (Non-DUI) 0006  | <input type="checkbox"/> Stalking 0011              |   |

Was the crime domestic violence?  No  Yes

Date of Crime \_\_\_/\_\_\_/\_\_\_\_\_ Date Crime Reported to Law Enforcement \_\_\_/\_\_\_/\_\_\_\_\_

Was the injury to or death of the victim caused by a motor vehicle?  No  Yes

Location of Crime \_\_\_\_\_  
(Street) (City) (County, required) (State, required)

Please describe what happened and the injuries suffered as a result. Attach a copy of the police report. If the victim is deceased, also attach a copy of death certificate.

\_\_\_\_\_  
 \_\_\_\_\_

Name and address of offender(s), if known. (By law, we are required to notify offender(s) of this claim.)

\_\_\_\_\_  
 \_\_\_\_\_

Did the victim know offender(s)?  No  Yes If yes, in what way? \_\_\_\_\_

Was the victim living in the same house with the offender at the time of the crime?  No  Yes

Does the victim still live with the offender?  No  Yes

Who is handling your case?  State prosecutor  Federal prosecutor

Has the court ordered the offender to pay you for your financial losses?  No  Yes  Unknown

If yes, attach a copy of the order of restitution.

Have you filed or do you plan to file a lawsuit for your injuries?  No  Yes  Unknown

If yes, and you are represented by an attorney, please provide the attorney's name and telephone number:

\_\_\_\_\_

**SECTION E – INSURANCE AND FINANCIAL ASSISTANCE**

Is there any insurance coverage to assist with the expenses being claimed?  No  Yes

If yes, please check below the benefits that have been paid (or may be paid) in part or in full for any expenses you are claiming. Also, provide information to document payments made.

- |   |  |
|---|--|
| <input type="checkbox"/> Automobile Insurance                               | <input type="checkbox"/> Medicare / Medicaid / TennCare      |
| <input type="checkbox"/> Burial Insurance                                   | <input type="checkbox"/> Disability                          |
| <input type="checkbox"/> Life Insurance                                     | <input type="checkbox"/> Sick Pay                            |
| <input type="checkbox"/> Homeowner's Insurance                              | <input type="checkbox"/> Vacation / Annual Pay               |
| <input type="checkbox"/> Offender / Court-Ordered Restitution               | <input type="checkbox"/> Veterans Administration / Insurance |
| <input type="checkbox"/> Social Security (death benefits, disability, etc.) | <input type="checkbox"/> Workers' Compensation               |
| <input type="checkbox"/> Donations  | <input type="checkbox"/> Other (specify) _____               |
| <input type="checkbox"/> Health Insurance                                   |  |

**SECTION F – LOST WAGES OR LOSS OF SUPPORT FOR DEPENDENTS** (Complete this section only if victim was employed at the time of injury or death. Information is needed to verify lost wages or financial support provided to dependents.)

Lost Wages

Did the victim miss work due to injuries?  No  Yes

If yes, please have the employer(s) complete an Employer's Statement form. If the victim missed more than two weeks of work, please provide a doctor's statement.

Is/was the victim self-employed?  No  Yes

If yes, submit the most recent income tax return or statements from those for whom the victim worked, showing amount(s) paid and date(s) for a period of at least 12 months prior to the crime. If the victim missed more than two weeks of work, please provide a doctor's statement.

Loss of Support for Dependents

Did the victim contribute financial support to any dependents at the time of death?  No  Yes

If yes, submit proof of relationship of claimant(s) to the victim and provide documentation that the victim substantially supported the claimant(s) at the time of death (e.g., tax returns, receipts, court-ordered support). Also, attach verification of the victim's income at the time of death (e.g., employer's statement, W-2 form or tax return).

Provide names of the deceased victim's dependents for whom you are filing a loss of support claim. Attach additional sheets if necessary.

Name	Street Address	City / State / Zip	Relationship to Victim	Birth Date

Did the victim leave other dependents who are **not** listed above?  No  Yes

If yes, provide the names and addresses below.

Name	Street Address	City / State / Zip	Relationship to Victim	Birth Date

## SECTION G – AUTHORIZATION AND SUBROGATION

**VERIFICATION OF APPLICATION:** I hereby certify, subject to the penalty of fine and imprisonment, that the information contained in this application for criminal injuries compensation is true and correct to the best of my knowledge.

**SUBROGATION:** In consideration of the payment received from the Criminal Injuries Compensation Fund, I agree to repay the Fund the full amount I (or my child or ward) received from the Fund in the event I (or my child or ward) recover damages or compensation from the offender or from any other public or private source as a result of the injuries or death which was the basis of my claim for compensation from the Fund. For purposes of this Agreement, I understand that compensation from "any other public or private source" includes, but is not limited to, receipt of insurance, Medicare, Medicaid, TennCare, workers' compensation, disability pay, etc. I further agree and understand that no part of the recovery due the Criminal Injuries Compensation Fund may be diminished by any collection fees or for any other reason whatsoever. Should I (or my child or ward) choose to recover damages or compensation for the injury or death from any source, I agree to promptly notify the District Attorney General in the district where the crime occurred and the Criminal Injuries Compensation Program by sending to the District Attorney General and the Compensation Program copies of any pleadings, settlement proposals and any other documents relative thereto. I further agree to fully cooperate with the State of Tennessee should the State institute an action against any person or entity for the recovery of all or any part of the compensation I (or my child or ward) received from the Fund.

**RELEASE OF INFORMATION AUTHORIZATION:** I hereby authorize any hospital, physician, funeral director, municipal authority, employer or union, insurance company, social service bureau, Social Security office, or any other person, firm, agency, or organization to furnish to the Tennessee Criminal Injuries Compensation Fund, or its representative, any information requested, including tax data and prior police records, needed to perfect my claim for compensation. A photocopy of this authorization shall be considered as effective and valid as the original.

**PUBLIC RECORDS:** Except as otherwise provided by applicable federal or state law, the information contained in this application and all documents submitted in support of your claim are subject to the Public Records Laws of the State of Tennessee pursuant to Tennessee Code Annotated, Title 10, Chapter 7, Part 5.

I certify that I have read and/or understand and agree to the above statements.

\_\_\_\_\_  
*Victim / Claimant's Signature*

\_\_\_\_\_  
*Date*

State of \_\_\_\_\_ / County of \_\_\_\_\_

Sworn to and subscribed before me the undersigned Notary on this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

(SEAL)

\_\_\_\_\_  
*Notary Public*

\_\_\_\_\_  
*My Commission Expires:*

## SECTION H – ATTORNEY INFORMATION

You do not need to be represented by an attorney to apply for and receive compensation. If you need assistance in completing this application, please call us at (615) 741-2734. However, if you feel it is necessary to have an attorney complete the application, this section must be completed. The name, address, telephone number and tax identification number of the attorney must be provided and the attorney must sign the application.

Attorney's Name \_\_\_\_\_  
*(Last) (First) (Middle)*

Address \_\_\_\_\_  
*(Street) (City) (County) (State) (Zip Code)*

Phone Number ( ) \_\_\_\_\_ FEIN or Social Security # \_\_\_\_\_

**Attorney Certification** - I hereby certify that I have been retained by and represent the victim and/or claimant filing this application. I further certify that I have read through this entire application with such person and that such person indicated that he/she understood every question and provision contained herein.

\_\_\_\_\_  
*Attorney's Signature / Date*

### WHO PROVIDES THE COMPENSATION?

The Criminal Injuries Compensation Fund is administered by the Division of Claims Administration in the Tennessee Treasury Department. The Criminal Injuries Compensation Act of 1976 created the Fund. It is collected from fines, penalties, and fees paid by criminals to state and federal courts. All guidelines are based on statutory law found in Tennessee Code Annotated, Title 29, Chapter 13.

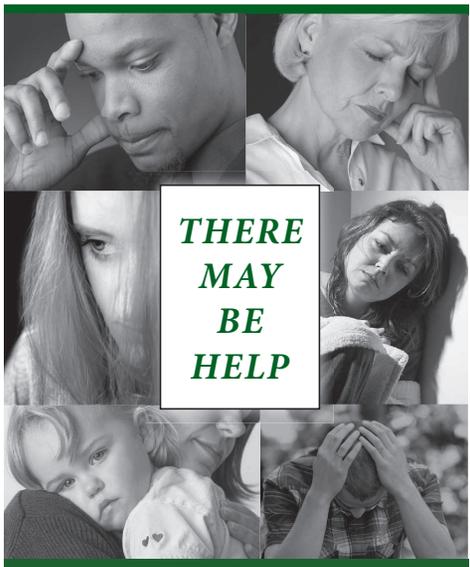
### FOR MORE INFORMATION CONTACT

Tennessee Treasury Department  
Division of Claims Administration  
502 Deaderick St  
Nashville, TN 37243-0202  
(615) 741-2734

Fax (615) 532-4979

Forms and information are available at:  
[www.treasury.tn.gov/injury](http://www.treasury.tn.gov/injury)

## ARE YOU AN INNOCENT VICTIM OF A VIOLENT CRIME IN TENNESSEE?



## State of Tennessee Criminal Injuries Compensation Fund

A Program of the  
Tennessee Treasury Department

David H. Lillard, Jr., State Treasurer

 Treasury Department, April 2015;  
Authorization #309018; 10,000 copies.  
This public document was printed  
at a cost of 9¢ per copy.

This pamphlet is intended to provide a general outline of the Criminal Injuries Compensation Program. The information in the pamphlet is subject to legislative change and judicial interpretation. It does not supersede nor restrict procedures or authority established under state statute. The statutes governing the program are contained in Tennessee Code Annotated, Title 29, Chapter 13, Parts 1 and 3. The Tennessee Department of Treasury operates all programs and activities free from discrimination on the basis of sex, race, or any other classification protected by federal or Tennessee state law. Individuals with disabilities who may require an alternative communication format for this or other Treasury Department publications, please contact the Treasury ADA coordinator at 615-741-2956.

### INNOCENT VICTIMS OF VIOLENT CRIME IN TENNESSEE MAY QUALIFY FOR ASSISTANCE WITH CERTAIN EXPENSES

#### YOU MAY QUALIFY IF YOU ARE:

- the victim of the crime (the person who received the injury)
- a dependent of a deceased victim
- the administrator of the victim's estate
- someone who was injured trying to prevent a crime or apprehend the criminal
- a relative responsible for funeral or burial costs (see eligible relatives)
- a relative of a homicide victim who has received mental health counseling (see eligible relatives)
- a victim's child who has received counseling as a result of witnessing domestic violence against the victim
- the sibling or parent of a victim of child sex abuse who has received counseling as a result of the offender's abuse of the victim



### WHAT ARE THE ELIGIBILITY RULES?

- The crime must be reported within 48 hours to authorities (unless the victim is a minor child or there is a good cause).
- The crime must happen in Tennessee.
- The victim's actions cannot contribute to the crime.
- The victim/claimant must cooperate with police and efforts to prosecute.
- An application must be filed within one year of the date of injury or death (unless the victim or a dependent is a minor or there is a good cause).
- There must be an eligible expense. This program is a fund of last resort, so it does not consider any costs that are covered by another source.

### WHAT EXPENSES MAY BE ELIGIBLE?

#### Medical Bills/Mental Health Counseling

This includes medical expenses directly related to the injury from the crime, up to the maximum award available. Any counseling services must be necessary due to the injury and may be considered for the victim up to the maximum award. In some cases, certain relatives may qualify up to a maximum of \$3,500 for mental health counseling.

#### Lost Wages

The victim may qualify if employed at the time of injury. The program only considers wages lost because the victim is not physically able to work after the injury. Appropriate documentation is required to prove the wages lost.

#### Permanent Impairment/Disability

This requires a rating of the injury by a doctor and any payment is based on the victim's weekly wage, the impairment rating, and provisions in the law.

### Funeral / Burial

Certain relatives may qualify (see eligible relatives) up to a maximum of \$6,000 for funeral and burial expenses.

### Loss of Financial Support to Dependents

There must be proof the victim was supporting the dependent(s) at the time of death. Those filing for a dependent child (or as an adult child) of the victim must provide proof of paternity. Any benefits for loss of support fall within the program maximum and may be divided among all eligible persons.

### Pain and Suffering

A victim of a sexually-oriented crime may be eligible for up to \$3,000, if it is determined he or she experienced pain and suffering as a result of the crime.

### Moving Expenses

If the crime occurs in the victim's primary residence, payment may be considered for a victim's reasonable moving costs, storage fees, and utility transfer fee.

### Crime Scene Clean Up

If the crime occurs in the victim's or an eligible relative's home, the program may consider up to \$3,000 in costs for cleaning and removal of materials. This does not include repairs or replacement.

### Trial Travel Expenses

Up to \$1,250 in travel expenses to attend the trial and certain proceedings after it may be considered for up to four eligible persons, including the victim and certain relatives. Persons who are eligible to receive witness fees from the state or county are not eligible.

### **WHAT EXPENSES ARE NOT ELIGIBLE?**

- Travel to doctor appointments
- Costs from identity theft or fraud
- Wages lost by anyone except the victim
- Relocation expenses such as deposits, rent, breaking a lease, and utility bills
- Lost, stolen, or damaged property  
*Exceptions may include eyeglasses, dental devices, some medically-related devices, and prosthetics (if it is clear they were damaged in the crime)*
- Expenses that are (or will be) paid by:  
*TennCare, Medicare, or other Health Insurance  
Auto Insurance  
Life or Burial Insurance  
Sick or Vacation Pay  
Workers' Compensation  
Court-Ordered Restitution  
Donations  
Home-Owner's Insurance  
ANY other public or private resource*

### **FREQUENTLY ASKED QUESTIONS**

#### What is the maximum compensation?

The overall maximum benefit for the combined expenses for a victim and/or other eligible persons is \$30,000 at the present time.

#### Who files the claim?

The person who is legally responsible for the eligible expenses that are not covered by other resources.

#### Should I file a claim if my bills have been paid by insurance?

The program can only consider those portions of a bill that are not covered by another source. The program is a fund of last resort.

#### Do I need a police report?

Yes, or other official documentation to show the crime was reported to the appropriate law enforcement authorities.

#### Does an arrest have to be made before I file a claim?

No. It is possible the offender may not be identified or arrested.

#### Must the case in court be finished before I file a claim?

No. In fact, the trial may not be finished until long after the time limit to file a claim has expired.

#### How will I be compensated?

The program can only consider the reimbursement or payment of those eligible expenses that are properly documented. There is no automatic award when a victim has been injured.

#### Who are the eligible relatives?

As defined in Tennessee Code Annotated (T.C.A.), Section 29-13-102 (11), the victim's "relatives" are limited to the spouse, parent, grandparent, stepparent, child, grandchild, brother, half-brother, sister, half-sister, and the spouse's parents or stepparents.

#### How are payments made?

Payments may be made directly to the service provider, directly to the victim, or to both. See the next question for payments to minor children.

#### How are awards paid to minor children?

Usually, an award that is paid directly to a minor child is placed in trust with the juvenile court. The court will determine if the funds may be used before the child reaches age 18.

#### Is a victim injured in a car or boating accident eligible?

Maybe, if the victim is injured in one of these specific crimes: DUI, hit and run (with a serious injury), or a driver intentionally struck the victim. Certain exclusions apply for passengers riding with an intoxicated driver. You may call our office for more information.

#### How does the process begin?

An eligible person submits a completed application with notarized signature and the other required paperwork. The claim is assigned to an examiner who sends the claimant or the attorney the first letter in about two weeks.

#### How long does it take to process a claim?

Usually, a claim may be processed in 90 days. Incomplete applications, missing documentation, and suspended claims may delay the process.

#### What if I need help filling out the forms?

Call (615) 741-2734 and ask for the Customer Service Representative.

### **SEXUAL ASSAULT FORENSIC EXAM (S.A.F.E.)**

If you are a sexual assault victim and you are given a sexual assault forensic exam for the collection of evidence, the provider cannot bill you for the services. The provider must bill the Criminal Injuries Compensation Fund directly and cannot bill any balance left to the patient after payment. Any provider with questions should phone our office about the process.

*Since the first claims were paid in 1982, the program has awarded more than \$266 million to crime victims.*



State of Tennessee Treasury Department  
**Criminal Injuries Compensation Program**  
Division of Claims Administration  
502 Deaderick Street ♦ Nashville, TN 37243-0202  
Telephone: (615) 741-2734 ♦ Fax: (615) 532-4979  
Website: [www.treasury.tn.gov/injury/](http://www.treasury.tn.gov/injury/)  
Email: [Criminal.Injury@tn.gov](mailto:Criminal.Injury@tn.gov)

## FINALIDAD E INSTRUCCIONES DEL PROGRAMA DE COMPENSACIÓN POR LESIONES CRIMINALES DE TENNESSEE

### Finalidad

La finalidad del Programa de Compensación por Lesiones Criminales (*Criminal Injuries Compensation Program*) es asistir a las víctimas de crímenes o, en el caso de la muerte de la víctima, a sus familiares dependientes, con el pago de los gastos incurridos como resultado directo de lesiones personales a consecuencia de un delito en aquellos casos en que las víctimas o sus dependientes sobrevivientes no pueden obtener el reembolso de dichos gastos de ninguna otra manera.

Antes de buscar una compensación del Fondo, deberá buscar en las demás fuentes públicas y privadas (incluyendo, entre otros, seguros, Medicaid, Medicare, compensación laboral, etc.) el pago de los dineros a los que tiene derecho legal como resultado de las lesiones. En el caso de que las cantidades recibidas de estas otras fuentes no cubran todas las pérdidas y gastos a los que tenga derecho, entonces podrá solicitar compensación por lesiones criminales. Éste es un fondo de último recurso.

El Estado de Tennessee está comprometido a ayudar a las víctimas que cumplen con los requisitos para ser candidatos que se indican en el Reglamento de Compensación por Lesiones Criminales de Tennessee (*Tennessee Criminal Injuries Compensation Act*). No obstante que ninguna ayuda financiera, por grande que sea, puede borrar el trauma de un crimen, la meta de este programa es aliviar en las víctimas las secuelas del crimen, cuando sea posible.

### Instrucciones generales

La solicitud la puede pedir a la División de Administración de Reclamos (*Division of Claims Administration*) en la dirección, teléfono, fax y dirección de correo electrónico que se indican arriba; también la puede descargar del sitio de Web del programa o solicitarle llamando a la oficina del Fiscal de Distrito o del Procurador de los Estados Unidos. La reclamación se debe presentar en un plazo de un año a partir de la fecha de la lesión, a menos que la víctima del crimen sea un menor (en cuyo caso el plazo es hasta los 19 años). Si la persona que busca compensación es menor de 18 años, su tutor legal es quien debe actuar como reclamante. Antes de llenar el formulario, lea las instrucciones.

- Escriba a máquina o con letra de molde usando **TINTA**. De ser necesario, utilice hojas adicionales.
- Responda **TODAS** las preguntas. Si la pregunta no aplica, escriba N/A.
- Adjunte copias del informe de los representantes de la ley para probar que el crimen sí ocurrió y que fue denunciado a las autoridades correspondientes.
- Adjunte copias detalladas de **TODOS** los recibos, cuentas, estados de cuenta de seguro o prestaciones, y demás documentación que respalde su reclamo.
- Se deben **LLENAR** las cuatro páginas de la solicitud, y **EL RECLAMO SE DEBE FIRMAR Y OTORGAR ANTE NOTARIO**, de lo contrario se retrasará su procesamiento.
- Una vez llenada, envíe la solicitud original y una copia a la División de Administración de Reclamos, a la dirección que se indica arriba. Su documentación y su copia se deben proveer en papel que no sea de tamaño mayor que el tamaño carta (8 ½" x 11"). El reclamo no se considera "presentado" sino hasta que lo recibe la división.
- **Mientras el reclamo esté pendiente, cualquier cambio de dirección del reclamante o de su abogado debe ser notificado de inmediato a la división.**

Si necesita ayuda para llenar el reclamo o para entender las instrucciones, por favor llámenos al (615) 741-2734. Si es necesaria mayor información para procesar el reclamo, se notificará por escrito al reclamante o a su abogado; además se le dará aviso por escrito acerca de la decisión sobre la validez del reclamo.

*El Departamento de Tesorería de Tennessee opera sus programas y actividades sin discriminar con base en el sexo, raza o cualquier otra clasificación protegida por las leyes federales y estatales de Tennessee. Los individuos con discapacidades que necesiten recibir del Departamento de Tesorería esta o cualquier otra publicación en un formato alternativo deben comunicarse con el coordinador de ADA del Departamento de Tesorería al 615-741-2956. Cualquier persona que crea que ha sido objeto de discriminación por parte de los programas del Departamento de Tesorería deberá escribir a: Treasury ADA coordinator, 1st Floor State Capitol, Nashville, Tennessee 37243.*



State of Tennessee Treasury Department  
**Criminal Injuries Compensation Program**  
 Division of Claims Administration  
 502 Deaderick Street ♦ Nashville, TN 37243-0202  
 Telephone: (615) 741-2734 ♦ Fax: (615) 532-4979  
 Website: www.treasury.tn.gov/injury/  
 Email: Criminal.Injury@tn.gov

**PARA USO DE LA OFICINA**  
**RECLAMO#** \_\_\_\_\_

**SECCIÓN A – SOLICITUD DE COMPENSACIÓN**

- Indique en qué calidad está solicitando compensación.**
  - Víctima de un crimen.
  - Tutor de un menor de 18 años, víctima de un crimen. De ser así, proporcione copia del certificado de nacimiento del niño o copia de los papeles de la tutela, si no es el padre o madre del menor.
  - Tutor de la víctima de un crimen, quien está incapacitada. De ser así, provea copia de los documentos de tutela o custodia.
  - Dependiente de la víctima fallecida de un crimen. Dependiente significa miembro de la familia que estaba recibiendo de la víctima un apoyo importante o servicios necesarios al momento de ocurrir su fallecimiento. De ser así, entregue pruebas de su relación, por ejemplo, acta de matrimonio o de nacimiento, etc.
  - Tutor de un dependiente menor de 18 años. De ser así, proporcione copia del certificado de nacimiento del niño y de los papeles de la tutela.
  - Tutor de un dependiente que está incapacitado. De ser así, entregue copia de los documentos de tutela o custodia.
  - Persona que ha pagado, o que debe pagar, los gastos de limpieza de la escena del crimen o los gastos funerarios y de entierro.
- Indique las prestaciones por las que está solicitando compensación y estime los gastos donde se indique. Adjunte cuentas detalladas para documentar todos los gastos que se estén reclamando, incluyendo documentación sobre pagos a una cuenta.**
  - Cuentas médicas \$ \_\_\_\_\_
  - Cuentas de terapia para salud mental. Las cuentas deben estar a nombre de la víctima o, en el caso del fallecimiento de una víctima soltera y menor de 24 años, a nombre de algún miembro de la familia que haya proporcionado un apoyo importante o servicios necesarios para la víctima. \$ \_\_\_\_\_
  - Sueldos perdidos \$ \_\_\_\_\_
  - Discapacidad permanente. Proporcione la declaración de un doctor en la que se indique el porcentaje de discapacidad.
  - Gastos funerarios y de entierro \$ \_\_\_\_\_
  - Gastos de limpieza de la escena del crimen \$ \_\_\_\_\_
  - Pérdida de apoyo sufrida por los dependientes (en el caso de la muerte de la víctima)
  - Dolor y sufrimiento (SÓLO para víctimas de crímenes sexuales)
  - Gastos de mudanza (para la víctima, de ser necesarios, si el crimen ocurrió en su lugar principal de residencia) \$ \_\_\_\_\_
  - Gastos de viaje al tribunal (para asistir al juicio del acusado, a menos que la persona tenga derecho a honorarios para testigos) \$ \_\_\_\_\_

**SECCIÓN B – INFORMACIÓN DE LA VÍCTIMA**

**Proporcione toda la información que se solicita acerca de la víctima. Notifique de inmediato al programa cualquier cambio de dirección.**

1. Nombre de la víctima (Apellido)		(Nombre)	(Apellido de soltera)	(Segundo nombre)	
2. Dirección		3. Ciudad	4. Condado	5. Estado	6. Código postal
7. Teléfono de casa ( )			8. Teléfono de trabajo ( )		
9. Fecha de nacimiento ____/____/____ (MM/DD/AAAA)		10. Edad al momento del crimen		11. Núm. S.S. ____ - ____ - ____	

**La siguiente información de la víctima se usa solamente para fines estadísticos y es necesaria para cumplir con las leyes federales.**

A. ¿Discapacitado mental? <input type="checkbox"/> No <input type="checkbox"/> Sí		B. ¿Discapacitado físico? <input type="checkbox"/> No <input type="checkbox"/> Sí	
C. Raza <input type="checkbox"/> Blanca <input type="checkbox"/> Negra <input type="checkbox"/> Hispana <input type="checkbox"/> Hispanoamericana <input type="checkbox"/> Asiáticoamericana <input type="checkbox"/> Indoamericana <input type="checkbox"/> Otra _____			
D. Religión <input type="checkbox"/> Católica <input type="checkbox"/> Judía <input type="checkbox"/> Protestante (Bautista, Metodista, etc.) <input type="checkbox"/> Islámica <input type="checkbox"/> Otra <input type="checkbox"/> Agnóstico/Ateo			
E. ¿Quién lo remitió con nosotros? <input type="checkbox"/> Agencia del cumplimiento de la ley <input type="checkbox"/> Servicios sociales <input type="checkbox"/> Fiscal/programa de testigos víctimas <input type="checkbox"/> Hospital <input type="checkbox"/> Medios (TV, radio, etc.) <input type="checkbox"/> Carteles/folletos <input type="checkbox"/> Otro (especifique) _____			
F. Sexo <input type="checkbox"/> Mujer <input type="checkbox"/> Hombre		G. País de origen <input type="checkbox"/> Estados Unidos <input type="checkbox"/> Otro	

**SECCIÓN C – INFORMACIÓN DEL RECLAMANTE**

Si usted es la víctima, pase a la sección D. Llene esta sección si es la persona responsable de la víctima, si la víctima tiene menos de 18 años de edad, si ha fallecido, o si de cualquier manera está incapacitada para actuar por cuenta propia. Notifique de inmediato al programa cualquier cambio de dirección.

1. Nombre del reclamante (Apellido)	(Nombre)	(Segundo nombre)	2. Relación con la víctima	
3. Dirección	4. Ciudad	5. Condado	6. Estado	7. Código postal
8. Teléfono de casa ( )		9. Teléfono de trabajo ( )		
10. Fecha de nacimiento / / (MM/DD/AAAA)		11. Núm. S.S. - -		
12. Indique los nombres de los dependientes de la víctima fallecida por los que está presentando un reclamo de pérdida de apoyo.				
Nombre	Dirección	Ciudad/estado/CP	Relación con la víctima	Fecha de nacim. (MM/DD/AAAA)

**SECCIÓN D – INFORMACIÓN ACERCA DEL CRIMEN**

Indique la fecha y el lugar exacto del crimen. Provea toda la información que se pide. Puede obtener dicha información de la agencia del cumplimiento de la ley correspondiente. Si no se notificó el crimen en un plazo de 48 horas, envíe por escrito una declaración en la que se explique por qué.

1. Tipo de crimen (marque uno)	<input type="checkbox"/> Asesinato u homicidio 0001	<input type="checkbox"/> Ataque sexual a adulto 0002	<input type="checkbox"/> Robo violento 0003
	<input type="checkbox"/> Agresión 0004	<input type="checkbox"/> Vehicular (No-DUI) 0006	<input type="checkbox"/> Maltrato físico a menor 0007
	<input type="checkbox"/> Maltrato sexual a menor 0008	<input type="checkbox"/> Otro (especifique) 0009	
	<input type="checkbox"/> Conductor ebrio 0010	<input type="checkbox"/> Acoso 0011	
	<input type="checkbox"/> Terrorismo 0012	<input type="checkbox"/> Secuestro 0013	<input type="checkbox"/> Incendiarismo 0014
¿El crimen fue de violencia en el hogar? <input type="checkbox"/> No <input type="checkbox"/> Sí			
2. Fecha del crimen / / (MM/DD/AAAA)	3. Fecha de denuncia del crimen ante las autoridades criminales / / (MM/DD/AAAA)		

4. ¿La lesión o muerte de la víctima fue causada por un vehículo automotor?  No Si no, pase a la pregunta #5.  
 Sí Si sí, responda lo siguiente:

a. ¿El operador del vehículo que causó directamente la muerte o lesión estaba intoxicado con alcohol o drogas?  
 No  Sí Si sí, adjunte documentos que ratifiquen el nivel de alcohol en la sangre.

b. ¿El operador del vehículo que causó directamente la muerte o lesión ha sido acusado (sin haber sido condenado aún) de un delito grave relacionado directamente con dicha muerte o lesión?  No  Sí

c. ¿El operador del vehículo que causó directamente la muerte o lesión ha sido condenado por un delito grave relacionado directamente con dicha muerte o lesión?  No  Sí

d. Si el operador del vehículo que causó directamente la muerte o lesión ha fallecido, ¿existe evidencia clara y convincente que demuestre que dicho operador habría sido condenado por un delito grave relacionado directamente con esta muerte o lesión?  
 No  Sí Si sí, anexe una hoja con la descripción de la evidencia.

5. Breve descripción del crimen y las lesiones sufridas: **(Adjunte una copia del informe policial. Si la víctima ha fallecido, también adjunte copia del acta de defunción.)**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

6. Nombre y dirección del infractor o infractores

\_\_\_\_\_

\_\_\_\_\_

7. ¿La víctima conocía al infractor?  No  Sí Si sí, ¿de qué manera? \_\_\_\_\_

8. ¿La víctima vivía en la misma casa que el infractor al momento del crimen?  No  Sí **Si sí, responda la siguiente pregunta.**

a. ¿Aún vive la víctima con el infractor?  No  Sí

9. Lugar del crimen: Calle	10. Ciudad	11. Condado	12. Estado
13. ¿Se ha efectuado un arresto? <input type="checkbox"/> No <input type="checkbox"/> Sí <input type="checkbox"/> No sabe			
a. ¿Quién está llevando su caso? <input type="checkbox"/> Fiscal del estado <input type="checkbox"/> Fiscal federal			
14. ¿Ha ordenado el tribunal al infractor que le pague indemnización (que le reembolse dinero)? <input type="checkbox"/> No <input type="checkbox"/> Sí <input type="checkbox"/> No sabe Si sí, anexe copia de la orden de indemnización.			
15. ¿Ha presentado o piensa presentar una demanda por sus lesiones? <input type="checkbox"/> No <input type="checkbox"/> Sí <input type="checkbox"/> No sabe Si sí, y está siendo representado por un abogado en la demanda, por favor indique el nombre y teléfono de dicho abogado. _____			

**SECCIÓN E – INFORMACIÓN SOBRE SEGUROS Y OTRAS FUENTES COLATERALES**

**Esta sección debe ser llenada. Marque sí o no en cada punto y, donde se solicite, indique el monto total de las prestaciones. Anexe la documentación que compruebe las prestaciones que se le han pagado, incluyendo, entre otras, una explicación de las prestaciones, liquidaciones y notificaciones de prestaciones.**

Fuente	<input type="checkbox"/> No	<input type="checkbox"/> Sí	Importe pagado o por pagar
Seguro de automóvil	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
Seguro de sepultura	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
Seguro de vida	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
Indemnización del infractor/ordenada por el tribunal	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
Seguro social (prestaciones por muerte, discapacidad, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
Donativos	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
Seguro médico	<input type="checkbox"/>	<input type="checkbox"/>	
Medicare/Medicaid/TennCare	<input type="checkbox"/>	<input type="checkbox"/>	
Discapacidad	<input type="checkbox"/>	<input type="checkbox"/>	
Pago por enfermedad	<input type="checkbox"/>	<input type="checkbox"/>	
Vacaciones/pago anual	<input type="checkbox"/>	<input type="checkbox"/>	
Administración de veteranos/seguro	<input type="checkbox"/>	<input type="checkbox"/>	
Compensación laboral	<input type="checkbox"/>	<input type="checkbox"/>	
Otros (por favor especifique) _____			

**SECCIÓN F – SALARIOS PERDIDOS O PÉRDIDA DE APOYO PARA DEPENDIENTES**

**Solamente complete esta sección si la víctima estaba empleada al momento de su lesión o muerte. Esta información es necesaria para comprobar salarios perdidos y apoyo financiero prestado a los dependientes.**

1. Salarios perdidos

a. ¿La víctima dejó de trabajar debido a las lesiones?  No  Sí  
Si sí, por favor pida al empleador que llene la declaración del empleador que se adjunta. Si la víctima faltó al trabajo más de dos semanas, por favor provea una declaración del médico.

b. ¿La víctima es o era trabajador autónomo?  No  Sí  
Si sí, envíe la declaración de impuestos más reciente o estados de cuenta del empleador o clientes de la víctima, los cuales deben contener importes pagados y fecha de los mismos de un periodo de al menos 12 meses antes del crimen.

2. Pérdida de apoyo para dependientes

a. ¿Al momento de su muerte, la víctima contribuía de manera financiera al apoyo de dependientes?  No  Sí  
Si sí, remita pruebas de la relación de los reclamantes con la víctima y presente documentación que pruebe que, al fallecer, la víctima daba apoyo substancial a los reclamantes (por ejemplo, declaraciones de impuestos, recibos, pagos ordenados por un juez). Además, anexe comprobación del ingreso de la víctima al momento de fallecer (por ejemplo, declaraciones del empleador, formulario W-2 o declaración de impuestos).

b. ¿La víctima dejó a otros familiares dependientes que no están en la lista como solicitantes en esta reclamación?  No  Sí  
Si sí, indique a continuación sus nombres y direcciones.

Nombre	Dirección	Ciudad/estado/CP	Relación con la víctima	Fecha de nacim. (MM/DD/AAAA)

## SECCIÓN G – AUTORIZACIÓN Y SUBROGACIÓN

**CORROBORACIÓN DE SOLICITUD:** Mediante la presente, certifico, bajo pena de multa y prisión, que la información contenida en esta solicitud de compensación por lesiones criminales es verdadera y correcta, a mi saber.

**SUBROGACIÓN:** En consideración por el pago recibido del Fondo de Compensación por Lesiones Criminales, acepto pagar al fondo la cantidad total que yo (o mi hijo o pupilo) haya recibido del Fondo si sucede que yo (o mi hijo o pupilo) llegue a recuperar daños o compensación del infractor o de cualquier otra fuente pública o privada, como resultado de las lesiones o muerte que fueron la base de mi reclamación de compensación del Fondo. Para los fines de este Acuerdo, entiendo que compensación de “cualquier otra fuente pública o privada” abarca entre otros, recepción de pagos de seguro, Medicare, Medicaid, TennCare, compensación laboral, pago por discapacidad, etc. Además, acepto y entiendo que ninguna parte de la recuperación que se le deba al Fondo de Compensación por Lesiones Criminales puede ser disminuida debido a gastos de cobranza, ni por ninguna otra razón.

Si sucediera que yo (o mi hijo o pupilo) decido recuperar de cualquier fuente daños o compensación por las lesiones o muerte, acepto notificarlo a la brevedad al Fiscal General del distrito donde sucedió el crimen y al Programa de Compensación por Lesiones Criminales, enviando al Fiscal General y al Programa de Compensación copias de cualquier alegato, propuesta de satisfacción y cualquier otro documento relacionado con ello. Además, acepto cooperar plenamente con el Estado de Tennessee, si el Estado inicia acciones contra cualquier persona o entidad con el fin de recuperar la totalidad o cualquier parte de la compensación que yo (o mi hijo o pupilo) haya recibido del Fondo.

**AUTORIZACIÓN PARA ENTREGAR INFORMACIÓN:** Por medio de la presente autorizo a cualquier hospital, médico, director funerario, autoridad municipal, empleador o sindicato, compañía de seguros, oficina de servicios sociales, oficina del Seguro Social, o a cualquier otra persona, empresa, agencia u organización, para que provea al Fondo de Compensación por Lesiones Criminales de Tennessee, o a su representante, cualquier información solicitada, incluyendo información sobre impuestos y antecedentes policiales previos, necesarios para perfeccionar mi reclamo de compensación. Se considerará que una fotocopia de esta autorización tendrá la misma vigencia y validez que el original.

**REGISTROS PÚBLICOS:** Excepto lo dispuesto en el *Código Anotado de Tennessee*, sección 10-7-504(a)(15), la información contenida en esta solicitud y los documentos públicos que se remitan para apoyar su reclamo estarán sujetos a las Leyes de Registros Públicos del Estado de Tennessee, de conformidad con el *Código Anotado de Tennessee*, Título 10, Capítulo 7, Parte 5.

Certifico que he leído o entendido las declaraciones anteriores, y que estoy de acuerdo con ellas.

\_\_\_\_\_  
Firma de la víctima o reclamante

\_\_\_\_\_  
Fecha

Sworn to and subscribed before me the undersigned Notary on this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
*Jurado y suscrito ante me el notario abajo firmante en este día*

Notary Public: \_\_\_\_\_

*Notario Público:*

My Commission expires: \_\_\_\_\_

*Mi comisión expira:*

## SECCIÓN H – INFORMACIÓN DEL ABOGADO

Para solicitar y recibir compensación, no es necesario que usted sea representado por un abogado. Si necesita asistencia para llenar esta solicitud, por favor llámenos al (615) 741-2734. Sin embargo, si siente que es necesario que sea un abogado el que llene esta solicitud, es también necesario que complete esta sección. Se debe proveer el nombre, dirección, teléfono y número de identificación fiscal del abogado, y él debe firmar la solicitud.

1. Nombre del abogado

2. Dirección

3. Ciudad

4. Estado

5. Código postal

6. Teléfono

7. Núm. de identificación federal o núm. de Seguro Social

### Certificación del abogado

Por medio de la presente certifico que he sido contratado por, y que represento a, la víctima y/o al reclamante que está presentando esta solicitud. Además certifico que he leído la totalidad de esta solicitud con dicha persona y que dicha persona ha indicado que entiende todas las preguntas y disposiciones contenidas aquí.

\_\_\_\_\_  
1902

\_\_\_\_\_  
Firma del abogado

## ¿QUIÉN PROPORCIONA LA COMPENSACIÓN?

La División de Administración de Reclamaciones del Departamento del Tesoro de Tennessee administra el Fondo de compensación por lesiones debidas a un delito. El fondo fue creado en 1976 por la Ley de compensación de lesiones debidas a un delito (Criminal Injuries Compensation Act), y sus recursos provienen de las multas, recargos y cuotas que los delincuentes pagan a los tribunales estatales y federales. Todas las pautas se basan en las leyes bajo estatuto que se encuentran en el Título 29, Capítulo 13 del Código Anotado de Tennessee.

## PARA MAYOR INFORMACIÓN COMUNÍQUESE CON

Tennessee Treasury Department  
Division of Claims Administration  
502 Deaderick Street  
Nashville, TN 37243-0202  
Teléfono (615) 741-2734  
Fax (615) 532-4979

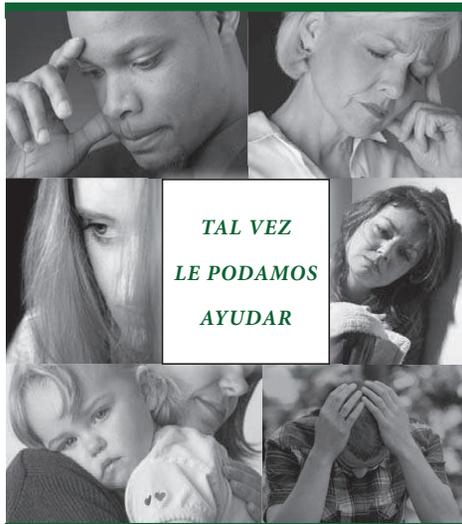
Puede obtener información y formularios en:  
[www.treasury.tn.gov/injury](http://www.treasury.tn.gov/injury)



Departamento del Tesoro, abril del 2015  
Autorización número 309268; 5,000 ejemplares  
Este documento público se imprimió con un costo  
de 23 centavos por ejemplar.

Este folleto ofrece una descripción general del programa de compensación por lesiones debidas a un delito (Criminal Injuries Compensation Program). La información que contiene está sujeta a cambios legislativos y a interpretación judicial, y no sustituye ni limita los procedimientos o la autoridad establecida bajo estatuto del estado. Los estatutos que rigen el programa se encuentran en el Título 29, Capítulo 13, Partes 1 y 3 del Código Anotado de Tennessee (TCA, Tennessee Code Annotated). El Departamento del Tesoro de Tennessee opera todos los programas y actividades sin ninguna discriminación por motivos de sexo, raza u otra clasificación protegida por las leyes federales o del estado de Tennessee. Las personas con discapacidades que puedan necesitar otro formato de comunicación para esta u otras publicaciones del Departamento del Tesoro pueden contactar con el coordinador a cargo de la Ley sobre estadounidenses con discapacidades (ADA, Americans with Disabilities Act) al (615) 741-2956

## ¿ES USTED UNA VÍCTIMA INOCENTE DE UN DELITO VIOLENTO EN TENNESSEE?



TAL VEZ  
LE PODAMOS  
AYUDAR

## State of Tennessee Criminal Injuries Compensation Fund

(Fondo de Compensación del Estado de Tennessee  
para Lesiones relacionadas con Delitos)

Un programa del Departamento del  
Tesoro de Tennessee

David H. Lillard, Jr., Tesorero del Estado

## VÍCTIMAS INOCENTES DE DELITOS VIOLENTOS EN TENNESSEE PUEDEN CUALIFICAR PARA ASISTENCIA QUE CUBRA CIERTOS GASTOS

### PUEDE CUALIFICAR SI USTED ES:

- la víctima del delito (la persona que fue lesionada)
- dependiente de una víctima fallecida
- el administrador del patrimonio de la víctima
- alguien que fue lesionado al intentar evitar un delito o aprehender al delincuente
- el pariente responsable de los costos del funeral o sepelio (consulte acerca de parientes elegibles)
- pariente de una víctima de homicidio y ha recibido terapia de salud mental (consulte acerca de parientes elegibles)
- hijo o hija de una víctima y ha recibido terapia debido a que fue testigo de violencia doméstica contra la víctima
- hermano, hermana, padre o madre de una víctima de abuso sexual infantil y ha recibido terapia debido al abuso que la víctima sufrió del agresor



## ¿CUÁLES SON LAS NORMAS DE ELEGIBILIDAD?

- El delito tiene que ser denunciado a las autoridades en un plazo de 48 horas (a menos que la víctima sea menor de edad o que exista una causa justificada).
- El delito tiene que haber ocurrido en Tennessee.
- Las acciones de la víctima no pueden haber contribuido al delito.
- La víctima/demandante tiene que cooperar con la policía y con las actividades para el enjuiciamiento.
- Se tiene que llenar una solicitud en el plazo de un año a partir de la fecha de la lesión o la muerte (a menos que la víctima o el dependiente sean menores de edad o que exista una causa justificada).
- Tiene que haber un gasto elegible. Este programa es un fondo de último recurso; por lo que no considera ningún costo cubierto por otra fuente.

## ¿CUÁLES GASTOS PODRÁN SER ELEGIBLES?

Facturas médicas/terapia de salud mental - Esto incluye gastos médicos relacionados directamente con la lesión derivada del delito, hasta el máximo importe adjudicado disponible. Todos los servicios de terapia tienen que ser necesarios debido a la lesión y podrán ser considerados para la víctima hasta el máximo importe adjudicado. En algunos casos, ciertos parientes podrán cualificar hasta por un máximo de \$3,500 para terapia de salud mental.

Sueldos perdidos - La víctima podrá cualificar si es que estaba empleada al momento de la lesión. El programa considera únicamente los sueldos perdidos debido a incapacidad física de la víctima para trabajar después de la lesión. Es necesario presentar la debida documentación para comprobar los sueldos perdidos.

Incapacidad Permanente/Discapacidad - Esto exige que la lesión sea evaluada por un médico, y todo pago se basa en el sueldo semanal de la víctima, la

calificación de la deficiencia y las disposiciones de las leyes.

**Funeral / Sepelio** - Ciertos parientes pueden cualificar (consulte la sección sobre parientes elegibles) hasta un máximo de \$6,000 para gastos de funeral y sepelio.

**Pérdida de manutención económica de los dependientes** - Tiene que haber comprobante de que la víctima estaba a cargo de la manutención de los dependientes al momento de la muerte. Quienes presenten la reclamación en nombre del hijo dependiente (o como hijo adulto) de la víctima tienen que presentar prueba de la paternidad. Cualquier beneficio por pérdida de manutención se encuentra dentro del límite máximo del programa y puede ser dividido entre todas las personas elegibles.

**Daños físicos y morales** - La víctima de un delito sexual podrá ser elegible hasta para \$3,000, si se determina que hubo dolor físico y sufrimiento moral resultante del delito.

**Gastos de mudanza** - Si el delito ocurrió en la residencia primaria de la víctima, es posible considerar el pago de gastos de la víctima debido a costos razonables por mudanza, almacenamiento y transferencia de servicios públicos.

**Limpieza de la escena del delito** - Si el delito ocurrió en la residencia de la víctima o de un pariente elegible, el programa podrá considerar hasta \$3,000 para los costos de limpieza y desecho de materiales. Esto no incluye reparaciones ni sustituciones.

**Gastos de viaje debido al juicio** - Es posible considerar hasta \$1,250 por gastos de viaje para asistir a juicio y a ciertos procesos legales posteriores hasta para un máximo de cuatro personas elegibles, incluyendo a la víctima y ciertos parientes. Las personas que sean elegibles para recibir pagos del estado o del condado como testigos no son elegibles.

## ¿CUÁLES GASTOS NO SON ELEGIBLES?

- Transporte a las citas médicas

- Costos debidos a robo de identidad o fraude
- Sueldos perdidos de otras personas que no sean la víctima
- Gastos de reubicación, tales como depósitos en garantía, alquiler, impago del arrendamiento y facturas de servicios públicos
- Bienes perdidos, robados o dañados  
*Algunas excepciones son: anteojos, dispositivos dentales, ciertos dispositivos médicos y prótesis (si queda claro que resultaron dañados debido al delito).*
- Gastos que son (o serán) pagados por:  
*TennCare, Medicare u otro seguro médico  
Seguro de automóvil  
Seguro de vida o de sepelio  
Pago por enfermedad o por vacaciones  
Compensación de Trabajadores  
Orden judicial de restitución  
Donaciones  
Seguro de propietario de vivienda  
CUALQUIER otro recurso público o privado*

## PREGUNTAS FRECUENTES

**¿Cuál es el pago máximo de compensación?** - Actualmente, el beneficio máximo total de la suma de gastos de la víctima y/o de otras personas elegibles es de \$30,000.

**¿Quién presenta la reclamación?** - A persona que tiene la responsabilidad legal por los gastos elegibles que no estén cubiertos por otros recursos.

**¿Debo presentar una reclamación si mis facturas fueron pagadas por un seguro?** - El programa sólo puede tomar en cuenta las partes de una factura que no están cubiertas por otras fuentes. El programa es un fondo de último recurso.

**¿Necesito el informe policial?** - Sí, o bien otro documento oficial que muestre que el delito fue denunciado a las debidas autoridades del orden público.

**¿Es necesario que se haya hecho un arresto antes de presentar una reclamación?** - No. Es posible que el delincuente no sea identificado ni arrestado.

**¿El caso tiene que haber concluido en los tribunales antes de presentar una reclamación?** - No. En realidad, es posible que el juicio no termine sino hasta mucho después del vencimiento del plazo límite para presentar una reclamación.

**¿Cómo será compensado?** - El programa sólo puede considerar el reembolso o pago de los gastos elegibles debidamente documentados. No existe ninguna adjudicación automática para una víctima que haya sido lesionada.

**¿Quiénes son parientes elegibles?** - Según la definición de la sección 29-13-102 (11) del Código Anotado de Tennessee (T.C.A., Tennessee Code Annotated), los “parientes” de la víctima se limitan al cónyuge, padre o madre, abuelos, padrastro o madrastra, hijos, nietos, hermano, medio-hermano, hermana, media-hermana, y al padre, madre, padrastro o madrastra del cónyuge.

**¿Cómo se realizan los pagos?** - Los pagos se hacen directamente al proveedor del servicio, directamente a la víctima, o a ambos. Bajo la siguiente pregunta, consulte los pagos a hijos menores de edad.

**¿Cómo se realizan los pagos adjudicados a hijos menores de edad?** - Normalmente, la adjudicación que se paga directamente a un hijo menor de edad se coloca en un fondo de fideicomiso del tribunal de menores. El tribunal decidirá si esos pagos pueden ser usados antes de que el menor cumpla 18 años.

**¿Es elegible una víctima lesionada en un accidente en automóvil o en embarcación?** - Tal vez sí, cuando las lesiones de la víctima se deban a uno de estos delitos específicos: Conducción en estado de embriaguez, atropello y fuga (con lesiones graves) o un conductor que atropella intencionalmente a la víctima. Existen ciertas exclusiones que se aplican a los pasajeros que viajan con un conductor en estado de embriaguez.

Para obtener mayor información, puede llamar a nuestra oficina.

**¿Cómo comienza el proceso?** - La persona elegible llena y presenta una solicitud firmada ante notario, así como los demás documentos necesarios. La reclamación se asigna a un inspector, quien envía al demandante o al abogado la primera carta en un plazo de dos semanas aproximadamente.

**¿Cuánto tiempo tarda procesar una reclamación?** - Por lo general, el proceso de una reclamación tarda 90 días. Las solicitudes incompletas, la documentación faltante o las reclamaciones aplazadas pueden demorar el proceso.

**¿Y si necesito ayuda para llenar los formularios?** - Llame al (615) 741-2734 y pida hablar con el representante de servicios al cliente.

## EXAMEN FORENSE RELACIONADO A AGRESIÓN SEXUAL (S.A.F.E., SEXUAL ASSAULT FORENSIC EXAM)

Si usted es víctima de una agresión sexual y se le realiza un examen forense para obtener pruebas, el proveedor no puede cobrarle a usted estos servicios. El proveedor tiene que enviar la factura directamente al Fondo de compensación por lesiones debidas a un delito (*Criminal Injuries Compensation Fund*) y no puede cobrar ningún saldo restante al paciente después del pago. Los proveedores que tengan preguntas acerca del proceso deben llamar a nuestra oficina.

*Desde que las primeras reclamaciones fueron pagadas en 1982, el programa ha otorgado más de \$266 millones a víctimas de crímenes.*

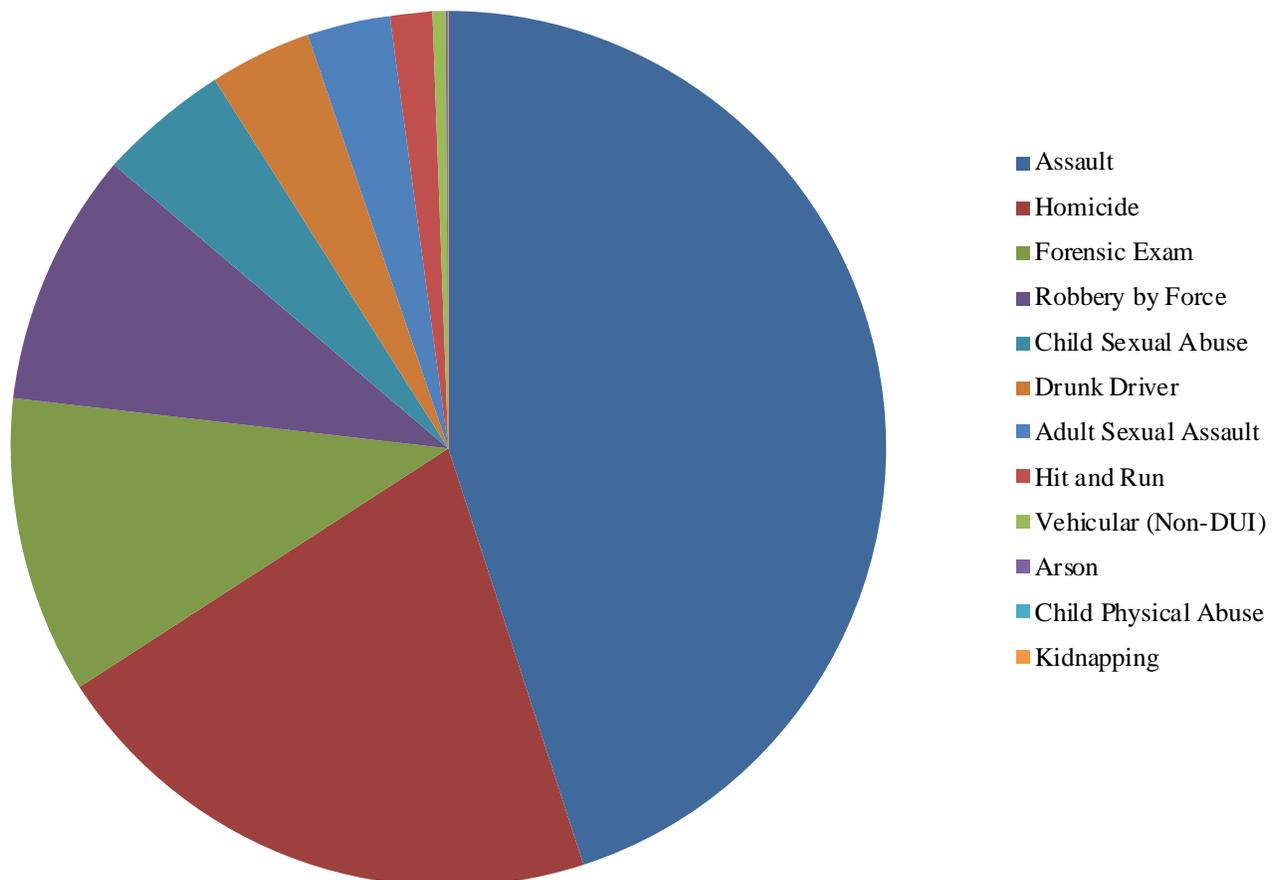
# CRIMINAL INJURIES COMPENSATION FUND

## CLAIMS PAID STATEWIDE BY CRIME OR CLAIM TYPE

Fiscal Year 2015

Crime or Claim Type	Number Paid	Percentage of Total Claims	Amount Paid	Percentage of Total Paid
Assault	803	21.7%	5,546,539.17	45.0%
Homicide	320	8.6%	2,571,771.32	20.9%
Robbery by Force	177	4.8%	1,162,482.23	9.4%
Child Sexual Abuse	242	6.5%	590,454.43	4.8%
Drunk Driver	42	1.1%	461,332.99	3.7%
Adult Sexual Assault	138	3.7%	376,393.82	3.1%
Hit and Run	27	0.7%	194,201.96	1.6%
Vehicular (Non-DUI)	9	0.2%	61,483.60	0.5%
Arson	1	0.0%	8,615.57	0.1%
Child Physical Abuse	1	0.0%	1,368.00	0.0%
Kidnapping	1	0.0%	450.00	0.0%
Subtotal	1,761	47.5%	10,975,093.09	89.0%
Forensic Exam	1,943	52.5%	1,351,653.90	11.0%
<b>Total</b>	<b>3,704</b>	<b>100.0%</b>	<b>12,326,746.99</b>	<b>100.0%</b>

**Amount Paid Statewide by Crime or Claim Type, Fiscal Year 2015**



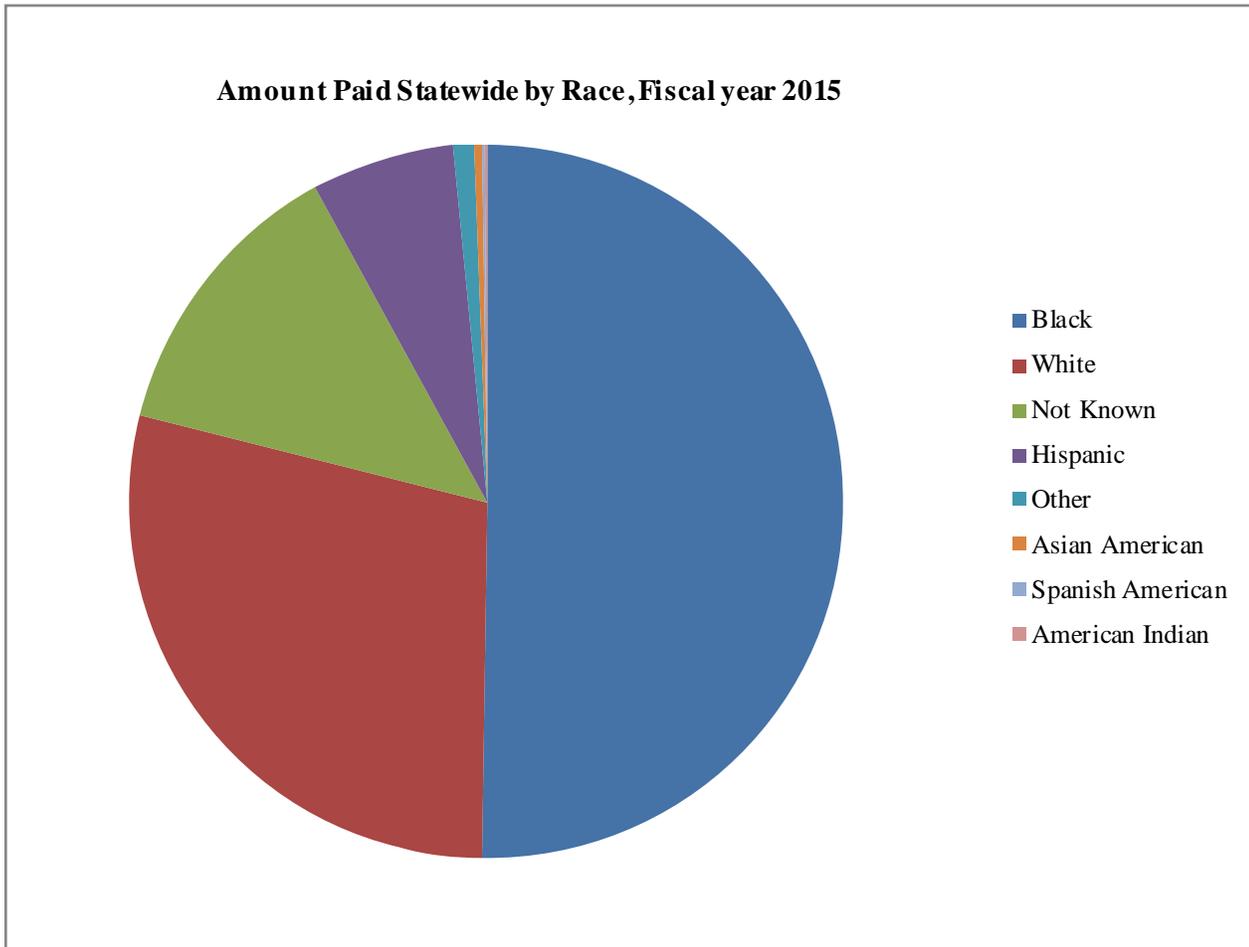
## CRIMINAL INJURIES COMPENSATION FUND

### AMOUNT PAID STATEWIDE BY RACE

Fiscal Year 2015

Race	Number Paid	Amount Paid	Percentage of Total Paid
Black	904	6,185,836.13	50.2%
White	658	3,535,165.02	28.7%
Not Known	1,979	1,623,582.86	13.2%
Hispanic	118	801,626.04	6.5%
Other	25	108,948.96	0.9%
Asian American	5	45,255.47	0.4%
Spanish American	10	23,765.40	0.2%
American Indian	5	2,567.11	0.0%
<b>Total</b>	<b>3,704</b>	<b>12,326,746.99</b>	<b>100.0%</b>

These numbers include claims for sexual assault forensic exam reimbursement.



# Tennessee Department of Treasury

## Title VI Discrimination Complaint Form

Note: We are asking for the following information to assist us in processing your complaint. If you need help in completing this form please let us know.

1. Complainant's Name \_\_\_\_\_  
Address \_\_\_\_\_  
City, State and Zip Code \_\_\_\_\_  
Telephone Number (home) \_\_\_\_\_  
(business) \_\_\_\_\_
2. Person discriminated against (if someone other than the complainant)  
Name \_\_\_\_\_  
Address \_\_\_\_\_  
City, State and Zip Code \_\_\_\_\_
3. What is the name and location of the agency that you believe discriminated against you?  
Name \_\_\_\_\_  
Address \_\_\_\_\_  
City, State and Zip Code \_\_\_\_\_  
Telephone Number \_\_\_\_\_
4. Which of the following best describes the reason you believe the discrimination took place? Was it because of your:  
a. Race/Color (specify) \_\_\_\_\_  
b. National Origin (specify) \_\_\_\_\_
5. What date did the alleged discrimination take place? \_\_\_\_\_
6. In your own words, describe the alleged discrimination. Explain what happened and who you believe was responsible. \_\_\_\_\_  
\_\_\_\_\_



Please provide information about a contact person at the agency/court where the complaint was filed.

Name \_\_\_\_\_

Address \_\_\_\_\_

City, State and Zip Code \_\_\_\_\_

Telephone Number \_\_\_\_\_

9. Do you intend to file this complaint with another agency?  Yes  No

If yes, when and where do you plan to file the complaint?

Date \_\_\_\_\_

Agency \_\_\_\_\_

Address \_\_\_\_\_

City, State, and Zip Code \_\_\_\_\_

Telephone Number \_\_\_\_\_

10. Has this complaint been filed with this agency before?  Yes  No

If yes, when? Date \_\_\_\_\_

11. Have you filed any other complaints with this agency?  Yes  No

If yes, when and against whom were they filed?

Date \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

City, State, and Zip Code \_\_\_\_\_

Telephone Number \_\_\_\_\_

Give a brief description of the other complaint \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

What is the status of the other complaint? \_\_\_\_\_

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12. Please sign below. You may attach any written materials or other information that you think is relevant to your complaint.

---

**Complainant's Signature**

---

**Date**

**TENNESSEE DEPARTMENT OF TREASURY**  
**DEPARTAMENTO DE TESORERÍA DE TENNESSEE**  
**TÍTULO VI – FORMULARIO PARA UNA QUEJA DE DISCRIMINACIÓN**

Nota: Pedimos la siguiente información que nos permita procesar su queja. Hable con nosotros si necesita ayuda para completar este formulario.

1. Nombre del denunciante \_\_\_\_\_  
Domicilio \_\_\_\_\_  
Ciudad, estado y código postal \_\_\_\_\_  
Número de teléfono (casa) \_\_\_\_\_  
(Trabajo) \_\_\_\_\_
2. Persona contra quien se discriminó (si no es la misma que el denunciante)  
Nombre del denunciante \_\_\_\_\_  
Domicilio \_\_\_\_\_  
Ciudad, estado y código postal \_\_\_\_\_
3. Nombre y domicilio del organismo que usted considera que discriminó contra usted.  
Nombre \_\_\_\_\_  
Domicilio \_\_\_\_\_  
Ciudad, estado y código postal \_\_\_\_\_  
Número de teléfono \_\_\_\_\_
4. ¿Cuál de los siguientes describe mejor el motivo por el cual usted considera que hubo discriminación? Fue debido a su:
  - a. Raza o color (especificar) \_\_\_\_\_
  - b. País de procedencia (especificar) \_\_\_\_\_
5. ¿En qué fecha ocurrió la supuesta discriminación? \_\_\_\_\_
6. Describa la supuesta discriminación en sus propias palabras. Explique lo que sucedió y a quién considera usted responsable. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

7. ¿Intentó usted solucionar esta queja con el organismo? \_\_\_\_ Sí \_\_\_\_ No

Si la respuesta es sí, ¿cuál es la situación de la queja? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

8. ¿Presentó usted esta queja a otro organismo federal, estatal o local, o ante un tribunal federal o estatal? \_\_\_\_ Sí \_\_\_\_ No

Si la respuesta es sí, marque todo lo que corresponda:

Organismo federal

Tribunal federal

Organismo estatal

Tribunal estatal

Organismo local

Otro

Proporcione información acerca de la persona de contacto en el organismo o tribunal donde se presentó la queja.

Nombre \_\_\_\_\_

Domicilio \_\_\_\_\_

Ciudad, estado y código postal \_\_\_\_\_

Número de teléfono \_\_\_\_\_

9. ¿Tiene intenciones de presentar esta queja a otro organismo? \_\_\_\_ Sí \_\_\_\_ No

Si la respuesta es sí, ¿cuándo y a quién planea presentar la queja?

Fecha \_\_\_\_\_

Organismo \_\_\_\_\_

Domicilio \_\_\_\_\_

Ciudad, estado y código postal \_\_\_\_\_

Número de teléfono \_\_\_\_\_

10. ¿Se presentó esta queja a este organismo anteriormente? \_\_\_\_ Sí \_\_\_\_ No

Si la respuesta es sí, ¿cuándo? Fecha \_\_\_\_\_

11. ¿Ha presentado otras quejas a este organismo? \_\_\_\_ Sí \_\_\_\_ No

Si la respuesta es sí, ¿cuándo y contra quién se presentaron?

Fecha \_\_\_\_\_

Nombre \_\_\_\_\_

Domicilio \_\_\_\_\_

Ciudad, estado y código postal \_\_\_\_\_

Número de teléfono \_\_\_\_\_

Describa brevemente la otra queja \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

¿Cuál es la situación de la otra queja? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

12. Firme abajo este formulario. Puede adjuntar todo material por escrito u otra información que considere pertinente a su queja.

\_\_\_\_\_  
**Firma del denunciante**

\_\_\_\_\_  
**Fecha**

# Title VI Employee Training

Presented by:  
Tennessee Department of Treasury  
Human Resources

Thank you for participating in this year's Title VI training. This is a required training for all employees of the Tennessee Department of Treasury. You must complete the presentation in its entirety in order for your attendance to be recorded. At the end of the presentation you will have the opportunity to print your training certificate.

## Training Outline

- Objective
- Introduction to Title VI
- Federally Funded Programs
- Treasury Department Policy
  - Limited English Proficiency
  - Complaint Process
- Retaliation
- Contact Information



Please take a look at today's outline and the topics we will cover during today's presentation.



**The objective of the presentation today is to provide annual training to all employees within the Department of Treasury. This training presentation is a refresher course that will reiterate Title VI and its purpose along with provide employees with up to date information regarding Title VI policies and procedures.**

## Introduction to Title VI



Title VI protects persons  
from discrimination  
based on:

- Race
- Color
- National origin

So what is Title VI? Title VI of the Civil Rights Act of 1964 is a Federal law that protects persons from discrimination based on their race, color or national origin in programs and activities that receive Federal financial assistance.

What does Title VI prohibit?



Introduction to Title VI continued...

**Title VI Prohibits the following:**

- ✓ Discriminatory activity in a facility built in whole or in part with Federal funds.
- ✓ Entities from denying an individual any service, financial aid, or benefits.
- ✓ Entities from providing any service or other benefit to an individual which is different, or is provided in a different manner, from that provided to others.
- ✓ Segregation or separate treatment in any manner related to receiving program services or benefits.
- ✓ Entities from requiring different standards or conditions as prerequisites for serving individuals.
- ✓ Entities from denying a person the opportunity to participate as a member of a planning or advisory body, which is an integral part of the program, and
- ✓ Locating facilities in any way that would limit or impede access to a federally funded service or benefit.

Discrimination could be:

- Intentional
- Unintentional



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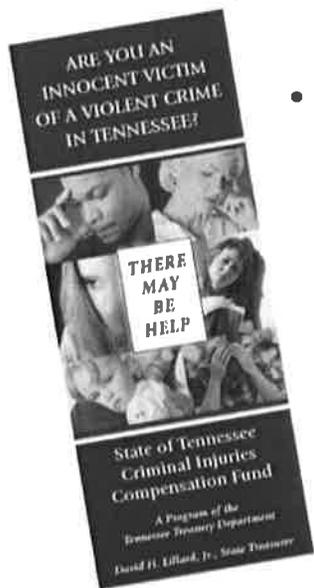
### Intentional vs. Unintentional

Introduction to Title VI continued...

All discrimination is not intentional and can sometimes be hard to recognize or understand. **Intentional Discrimination** is an intent claim that alleges that similarly situated persons are treated differently because of their race, color, or national origin.

**Unintentional Discrimination** is commonly referred to as disparate impact. This is when a neutral practice or procedure has discriminatory impact on protected individuals.

## Federally Funded Programs



- The Criminal Injuries Compensation Fund provides financial assistance to crime victims through two programs.
  1. *Criminal Injuries Compensation Program (CIC/Criminal Injuries Program)*
  2. *Sexual Assault Forensic Examination (SAFE)*

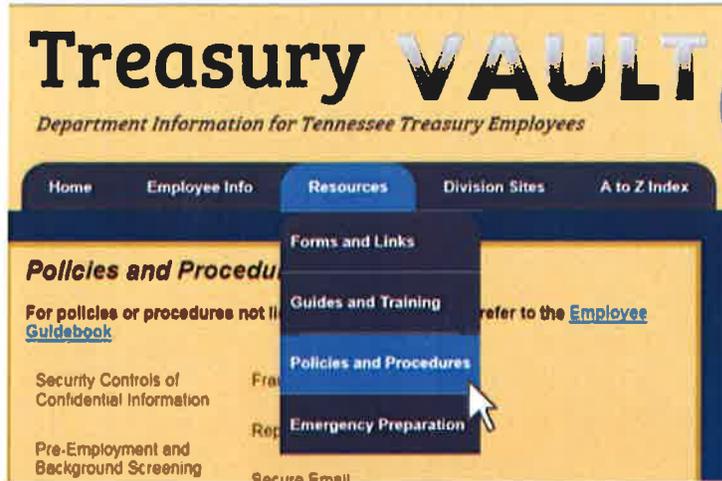
The Criminal Injuries Compensation Fund program is a federally funded program, therefore all employees within The Department of Treasury are required to receive Title VI training. Criminal Injuries is funded through:

1. Privilege taxes assessed in courts against criminal defendants and other offenders upon conviction,
2. Fees levied against parolees and probationers,
3. The proceeds of bond forfeitures in felony cases, and
4. A federal grant.

Jurors may also elect to donate their jury service reimbursement to the Fund.

The purpose of the Criminal Injuries Compensation Fund program is to assist victims of crimes or, in the case of the victim's death, their dependent relatives. Payments made under the Criminal Injuries Compensation Program are intended to defray the costs of medical services, loss of earnings, burial costs, and other financial losses incurred as a direct result of personal injuries sustained by a criminal offense. The Fund also provides reimbursement to any facility that performs sexual assault forensic exams on victims of certain sexually-oriented crimes.

## Department of Treasury Policy



Department of Treasury Policy continued...

The Tennessee Department of Treasury administers its programs free from discrimination on the basis of race, color or national origin and accommodations are made for individuals with Limited English Proficiency. The updated Title VI policy can always be found on the Intranet under the Policy and Procedures Section.



Accommodations will be made for individuals with Limited English Proficiency, or LEP.

✓ Reasonable steps will be taken to ensure that individuals with LEP have meaningful access and equal opportunity to participate in the *Criminal Injuries Compensation Program*.

✓ Reasonable steps will also be taken to ensure that individuals with LEP have meaningful access to other non-federally funded programs of the Tennessee Department of Treasury.

Assisting an individual with LEP:

Amy Dunlap  
Amy.Dunlap@tn.gov  
615-741-9962

Department of Treasury Policy continued...

**We have a contract with the Tennessee Foreign Language Institute for translating for individuals with LEP. Should you need support to assist an individual with LEP please contact Amy Dunlap for procedures and coordinating services. Amy Dunlap can also be found in the Employee Directory or in Microsoft Outlook.**

**Tennessee Department of Treasury**  
David H. Lillard, Jr., Treasurer

Treasury Home - Public Programs - Retirement Participants - Public Employees - Local Government - Workers Compensation - Contact Us

**Complaints: Discrimination**

Any person alleging discrimination based on race, color, or national origin in the administration of a Treasury program has a right to file a complaint to the State of Tennessee Treasury Department within 180 days of alleged discrimination.

Complaints are directed to the Human Resources Title VI Coordinator.

Treasury Human Resources  
14th Floor, Andrew Jackson Building  
503 Desha's Street  
Nashville, TN 37243

A complaint form may be accessed here:  
[Title VI Complaint Form \(English\)](#)  
[Title VI Complaint Form \(Spanish\)](#)

Individuals alleging discrimination are not precluded from filing a complaint with the Tennessee Human Rights Commission (T.C.A. 4-21-302); and the Treasury Department will cooperate with a complaint filed directly to the Tennessee Human Rights Commission.

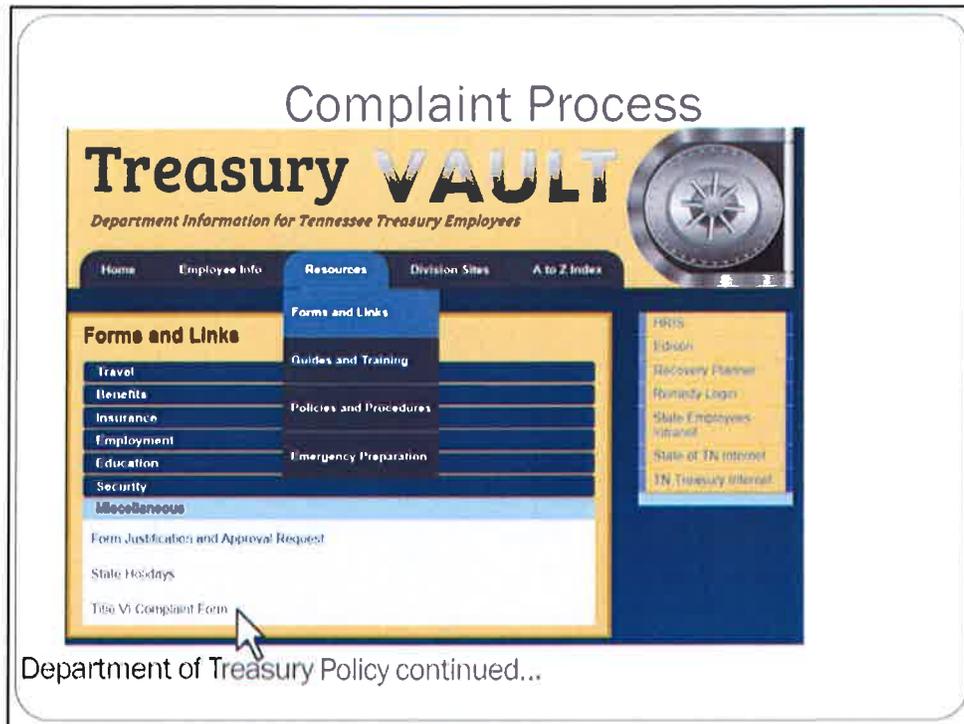
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## Complaint Process

Department of Treasury Policy continued...

Any person alleging discrimination on race, color, or national origin has a right to file an administrative complaint against any state department or agency (recipient), or sub-recipient receiving Federal financial assistance. The complaint must be filed within 180 days of the alleged discrimination.

The Title VI Complaint Form can be found on the Department of Treasury Website under 'Contact Us', as pictured here.



Treasury Employees can also access the Title VI Complaint Form via the Treasury Intranet by clicking the “Resources” tab, then “Forms and Links.” The Title VI Complaint Form is located under “Miscellaneous.”

A man in a dark suit and red tie is pointing his right index finger towards a red icon of a woman. Above him are four red human icons: three men and one woman. The woman icon is the one he is pointing at. The background is a blurred office setting.

**Retaliation**

Laws prohibit covered entities from retaliating against a person who files a charge of discrimination, or participates in a discrimination proceeding.

Once a complaint is made, our laws protect the complainant and witnesses from retaliation. All Title VI complaints alleging retaliation will be investigated.

## Contact Information

### **Tennessee Human Rights Commission Central Office**

William R. Snodgrass Tennessee Tower  
312 Rosa L. Parks Avenue, 23<sup>rd</sup> Floor  
Nashville, TN 37243  
Office (615) 741-5825  
Fax (615) 253-1886  
Spanish/Bilingual Free Line: 1-866-856-1252

### **Tennessee Department of Treasury**

LaToya Bailey, Title VI Coordinator  
Andrew Jackson Building  
502 Deaderick Street, 14<sup>th</sup> Floor  
Nashville, TN 37243  
Office (615) 253-8769  
Fax (615) 741-0996

Any Title VI Complaint can be filed directly with the Tennessee Human Rights Commission or the Tennessee Department of Treasury. For additional questions regarding Title VI or this training presentation, please contact LaToya Bailey in Human Resources.



Thanks for taking the time to complete your 2015 Title VI training. Please click on the [link here](#) to register your attendance and print your Title VI training certificate.

# THE TENNESSEE DEPARTMENT OF TREASURY

acknowledges

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for the successful completion of

## 2015 TITLE VI TRAINING

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LaToya Bailey

Title VI Coordinator



**TENNESSEE TREASURY DEPARTMENT  
TITLE VI COMPLAINTS  
STANDARD OPERATING PROCEDURES**

Background: Any person alleging discrimination based on race, color, or national origin has a right to file a complaint within 180 days of the alleged discrimination. At the complainant's discretion, the complaint can be filed with the Tennessee Human Rights Commission or the Tennessee Department of Treasury. If filed with the Department of Treasury, the complaint should be directed to the attention of the Human Resources Title VI Coordinator.

1. All complaints, written or verbal, should be accepted. In the event a complainant sets forth the allegations verbally and refuses to reduce such allegations to writing, the Human Resources Title VI Coordinator should reduce the elements of the complaint to writing.
2. Complaints, whether written or later reduced to writing by the Title VI Coordinator, should contain the following information:
  - A. Name, address, and telephone number of the complainant.
  - B. The location and name of the entity delivering the service.
  - C. The nature of the incident that led the complainant to feel discrimination was a factor.
  - D. The basis of the complaint, i.e. race, color or national origin.
  - E. Names, addresses and phone numbers of people who may have knowledge of the event.
  - F. The date or dates on which the alleged discriminatory event or events occurred.
3. Once the Title VI Coordinator receives the complaint the complaints should be handled within 90 days of their receipt.
4. Log the complaint on the Title VI Complaint Log.
5. Notify the Tennessee Human Rights Commission's Compliance Officer, Lauren Speer, of the new complaint by email at [Lauren.Speer@tn.gov](mailto:Lauren.Speer@tn.gov) within **ten business days of receiving the complaint**.

Please use the Use the [Title VI Complaint Notification form](#) when sending information.

- A. All fields on the form must be complete:
  1. The date the Complaint was received
  2. The name and contact information of the charging Party
  3. The Basis of the alleged discrimination (race, color, or national origin)
  4. A Brief explanation of the issues
  5. Any documentation received relative to the Complaint.
6. A letter should be sent acknowledging receipt of the complaint.
7. A preliminary inquiry should be conducted by the Title VI Coordinator on all complaints to substantiate or refute the allegations.

8. If the preliminary inquiry indicates that there may be a problem, then a full complaint investigation should be initiated.
9. Upon completion of the investigation, but **before** notifying the complainant you must submit a summary of the investigation and conclusion to the Tennessee Human Rights Compliance Officer, [Lauren.Speer@tn.gov](mailto:Lauren.Speer@tn.gov).
10. If the allegations are not substantiated a letter should be sent to the complainant that contains a description of the allegations investigated, the scope of the investigation, the facts learned and a closing statement summarizing the basis on which the determination was made.
11. Finalize the Title VI Complaint Log

Tennessee Human Rights Commission Title VI Contacts:

Lauren Speer, [Lauren.Speer@tn.gov](mailto:Lauren.Speer@tn.gov)

Matthew Stephenson, [Matthew.Stephenson@tn.gov](mailto:Matthew.Stephenson@tn.gov)

# TENNESSEE FINANCIAL LITERACY COMMISSION

REPORT TO THE GENERAL ASSEMBLY



2016

# FINANCIAL LITERACY

2016 Progress Report

## The Tennessee Financial Literacy Commission's Work

3075

teachers trained

since the Commission's inception

991 teachers trained in 2015 - 69 trainings held since inception - 23 trainings held in 2015

Using EverFi's

**VAULT – UNDERSTANDING MONEY**

program, 2014-2015 school year



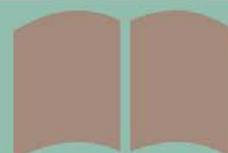
2,935

students reached



39 schools

actively used the program



9,441 learning modules completed

4,156 student hours

spent on the course

## *Board of Directors*

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Jackie Morgan  
Nashville, Tennessee



## A Note from Our Chair



Thanks to your support, the Tennessee Financial Literacy Commission has trained over 3,000 K-8 teachers across the state!

In 2015, we hosted 23 training summits and professional development exercises that equipped teachers with the tools and confidence to implement Financial Fitness for Life® curriculum and methods to inspire their students. We continue to develop dynamic partnerships with school districts, educators, and communities from Johnson City to Memphis, empowering them with innovative resources to incorporate financial literacy into the classroom. We've already scheduled ten training summits for the spring semester and, this year, we will be engaging classrooms through interactive educational platforms to extend our reach to more teachers and students than ever before!

Teachers remain a critical component of our success. They understand how important these lessons are to their students' growth. As Ms. Isobe with Jefferson County Schools explains, "Learning early financial concepts is just as important as learning the ABCs. As an educator, it is my quest to enable students to gain the necessary skills to live in an economic world. Learning basic concepts early will assist students as they transition into that world."

Just as teachers have an opportunity for impact, parents inevitably influence the financial understanding of their children as well. In 2015, the Commission joined forces with Dickson County and Emerge Financial Wellness to launch a pilot program that will bring good financial behavior from classrooms to households. TNFLC is currently providing Dickson County employees with Emerge's online financial wellness platform, where they can access personalized tools to help them with goal setting, financial coaching, and more. We are excited to see where this pilot will lead. When parents practice good financial habits, children learn, too, and the entire family is positively impacted.

Our vision is for Tennessee to have the lowest debt per citizen and lead the country in college and retirement savings per capita. Today, more than a third of Americans have no retirement savings and 59% believe they won't be able to pay off student loans. These statistics, and others, are what motivate us to equip teachers with the tools to prepare the next generation of Tennesseans. We are achieving this vision year after year because of our dedicated legislators that recognize the value of financial literacy education for our state and advocate for Tennesseans each and every day.

Sincerely yours,

A handwritten signature in blue ink, appearing to read "David H. Lillard, Jr.", written in a cursive style.

David H. Lillard, Jr.  
Tennessee State Treasurer  
Chair, Tennessee Financial Literacy Commission

## Change Begins in the Classroom

In order to change the financial culture of Tennessee, we must reach citizens ahead of key financial decisions in their lives. Since 2012, the Tennessee Financial Literacy Commission has focused on introducing financial education to Tennesseans at an early age by training teachers to incorporate financial literacy in the classroom.

Through statewide summits and schoolwide in-service days, we are engaging teachers in the communities they call home. Sessions are provided by qualified trainers utilizing the nationally-recognized Financial Fitness for Life curriculum developed by the Council for Economic Education.

Summits and in-service trainings are offered at no cost to teachers, schools or school districts, and include:

- One free set of curriculum for each attendee including a teacher's guide and student workbook specifically developed for grades K-2, 3-5 or 6-8.
- Access to *Vault – Understanding Money* by EverFi, an interactive learning platform that aligns with Financial Fitness for Life® lessons.
- Interactive demonstrations and lesson planning activities to equip teachers with the confidence to explore financial literacy concepts with students.



Based on an average K-8 class size,  
our trained teachers have reached

141,542 students\*

\*Calculated by TNFLC Staff assuming each teacher trained since inception has provided Financial Fitness for Life® instruction to an average Tennessee K-8 class size of 24 students annually since being trained.



**Vision for 2016:** Embarking on our fifth year training teachers, TNFLC will be adapting our training model to facilitate more dynamic partnerships with schools and school districts. In 2015, we had the privilege of training every K-8 public school teacher in the Oak Ridge and Benton County school systems. This unified approach for engaging entire school populations will allow us to move the needle forward with financial literacy on a larger scale.

The class of 2015 has the most student debt in US History with an average of \$35,051 per graduate, more than double the amount borrowed two decades ago.



**\$35,051**

Edvisors government data analysis May 2015

Tennessee's rate of bankruptcy filings was

**MORE THAN  
TWICE THE  
NATIONAL AVERAGE**

and the highest  
of all 50 states last year.

Chattanooga Times Free Press, "Tennessee still leads nation in bankruptcies," Jan. 10, 2016

**Only 24%**

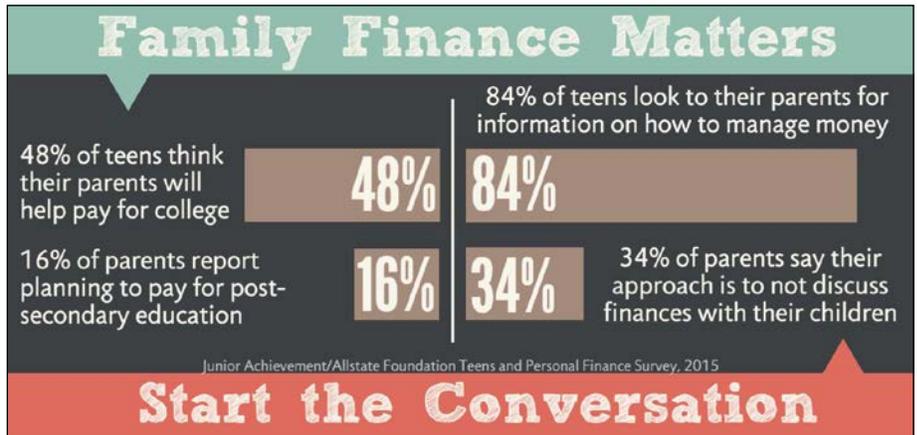
of millennials demonstrated basic financial knowledge - and only 8% demonstrated high financial literacy.

PWC, "Millennials and Financial Literacy - The Struggle with Personal Finance"

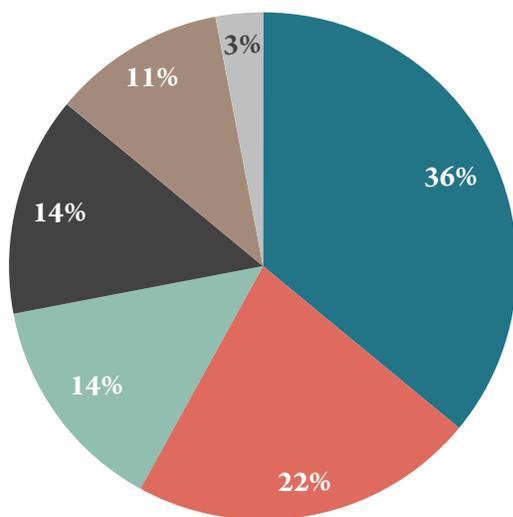
## Change Continues at Home

The impact of parents on the financial education of their children is undeniable. Whether it's managing a household grocery budget or making plans for financing a big purchase, parents model personal finance behavior for their children each and every day.

With the desire to bring good financial behavior from classrooms to households, the Tennessee Financial Literacy Commission joined forces with Dickson County and Emerge Financial Wellness in 2015. Utilizing Emerge's online financial wellness platform ([www.emergebenefit.com](http://www.emergebenefit.com)), Dickson County employees receive a customized and confidential plan for achieving financial goals and developing good financial habits.



### Dickson County Participants' Financial Priorities (60 participants surveyed)



- Retirement Savings
- Reduce Debt
- Keep a Budget
- Save for a Rainy Day
- Raise Credit Score
- Save for College



The percentage of Americans that do not have enough rainy day funds set aside to deal with even minor unexpected expenses:

**62%**

Bankrate.com Money Pulse Poll Dec 2015

Emerge access includes:

- Personalized assessments and feedback
- Credit score tracking and educational credit resources
- Personal financial coaching
- Goal setting strategies and tools

**Vision for 2016:** The Dickson County pilot program will conclude in May of 2016, providing us with measurable results of the impact on Dickson County employees. The Tennessee

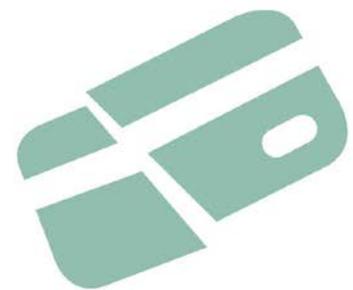
Financial Literacy Commission hopes to work with private sector partners in 2016 to offer the Emerge program to cities and municipalities throughout the State in order to improve the financial wellness of their workforces.



In 2015,  
**only 2 in 5 adults**  
said they have a budget and  
keep close track of their  
spending.



National Foundation for Credit Counseling,  
2015 Consumer Financial Literacy Survey



53% of millennials  
**carried over a credit  
card balance**  
in the last 12 months.

PWC, "Millennials & Financial Literacy -  
The Struggle with Personal Finance"

## Spring 2016 Summits

<b>January 16</b>	Southwest Tennessee Community College in Memphis, TN
<b>January 23</b>	Tennessee Technological University in Cookeville, TN
<b>January 30</b>	Columbia State Community College in Columbia, TN
<b>February 20</b>	Chattanooga State Community College in Chattanooga, TN
<b>February 27</b>	Tennessee Technological University in Cookeville, TN
<b>March 5</b>	Cleveland State Community College in Cleveland, TN
<b>April 2</b>	Harding Academy in Nashville, TN
<b>April 16</b>	Walters State Community College in Morristown, TN
<b>April 23</b>	Pellissippi State Community College in Knoxville, TN
<b>April 30</b>	Jackson State Community College in Jackson, TN
<b>May 14</b>	Dyersburg State Community College in Dyersburg, TN

Teachers interested in learning how to teach financial literacy and taking advantage of the resources provided are encouraged to attend one of our summits scheduled in every region of the state.

TNFLC also offers in-service trainings for schools and school districts. Principals and superintendents interested in benefitting from a financial literacy in-service training should contact us at 615-532-5892 or by email [tn.flc@tn.gov](mailto:tn.flc@tn.gov).

The Tennessee Financial Literacy Commission is a 501(c)(3) non-profit corporation operating primarily through donations from businesses and individuals dedicated to improving the financial culture of Tennessee.

To support our mission, please contact us at 615-532-5892 or [tn.flc@tn.gov](mailto:tn.flc@tn.gov)