



STATE OF TENNESSEE
TENNESSEE COMMISSION ON CHILDREN AND YOUTH

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Sunset Public Hearing Questions/Responses
Created by Section 37-3-102, *Tennessee Code Annotated*
(Sunset termination June 2015)

1. Provide a brief introduction to the Commission on Children and Youth, including information about its purpose, statutory duties and staff.

Created by the General Assembly with a legislative history dating to 1955 and a continuous line through the present time, the Tennessee Commission on Children and Youth (TCCY) is a small state agency with the primary mission of advocacy to improve the quality of life for children and provide leadership for other children's advocates. Primary responsibilities of the Commission include the following:

- Make recommendations regarding priorities and needed improvements in services and programs for children and youth [TCA 37-3-103(a)(1)(A)];
- Make recommendations regarding the state budget [TCA 37-3-103(a)(1)(B)];
- Implement the Federal Juvenile Justice and Delinquency Prevention Act in Tennessee and administer funds as directed by the General Assembly [TCA 37-3-103(a)(1)(C)];
- Advocate and coordinate efficient and effective state, local and regional programs and services for children and youth [TCA 37-3-103(1)(a)(1)(D)];
- Publish and distribute an annual report on the status of children and youth in Tennessee [TCA 37-3-103(a)(1)(E)];
- Identify and analyze specific problems concerning programs and services for children and youth [TCA 37-3-103(b)(1)];
- Prepare and distribute impact statements on pending legislation that affects children and youth [TCA 37-3-103(b)(2)];
- Monitor foster care review boards and report on the impact of foster care [TCA 37-3-103(b)(3)];
- Implement an Ombudsman Program for children involved with the child welfare and juvenile justice systems (consistent with various provisions of TCA 37-3-103);

- Organize and support Regional Councils on Children TCA 37-3-106);
- Administer the Council on Children’s Mental Health TCA 37-3-110 – 115);
- Design and oversee resource mapping of federal and state funding for services for children in Tennessee that flow through the state budget (TCA 37-3-116);
- Administer the Second Look Commission (TCA 37-3-801-815); and
- Administer the Youth Transitions Advisory Council (TCA 37-2-601).

TCCY currently has 27 authorized positions with 23 of those positions filled. More information about TCCY staff, including their names, titles, ethnicity and gender, can be found in response to Question 24 on pages 26 and 27.

2. Provide a list of current commission members, or their designees, and describe how membership complies with Section 37-3-102, *Tennessee Code Annotated*. Please indicate each member’s county of principal residence, race, gender and which members, if any, are 60 years of age or older. Are there any vacancies on the commission and, if so, what is being done to fill those vacancies?

37-3-102 (b) provides the following: *The commission shall consist of twenty-one (21) members, to be appointed by the governor on the basis of broadly based and demonstrated leadership, interest, knowledge and activities concerning the problems and needs of children and youth. At least one (1) member of the commission shall be appointed from each of the state's nine (9) development districts. Membership shall include residents of urban as well as rural areas of the state. In making each appointment to the commission, the governor shall remain cognizant of, and shall give due consideration to, any applicable federal criteria that may be imposed pursuant to the provisions of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, and shall also remain cognizant of, and give due consideration to, the intent of this part that the commission shall act to promote and protect the health, well-being and development of all children and youth in Tennessee. In making appointments to the commission, the governor shall strive to ensure that at least one (1) person serving on the commission is sixty (60) years of age or older and that at least one (1) person serving on the commission is a member of a racial minority.*

There currently are 21 Commission members appointed by the Governor to staggered three-year terms, with a maximum length of service of three consecutive three-year terms. A survey of members indicates seven are age 60 years of age or older (designated on the list with an “*”). There is at least one member from each development district, and members represent rural and urban areas. Three members are African-American, and one is Hispanic.

In addition to complying with state statutory provisions, members meet the requirements for applicable federal criteria pursuant to the provisions of the Juvenile Justice and Delinquency Prevention Act of 1974 (JJDP), as amended. As required by the JJDP, the Commission includes 20 percent youth members (members who are under the age of 24 at the time of their initial appointment and designated with “**”). The Commission clearly understands, promotes and protects the health, well-being and development of all children and youth in Tennessee.

Current Members of the Tennessee Commission on Children and Youth

Name	County of Residence	Region Represented	Race/Ethnicity
Brenda Davis*, Chair	Williamson	Mid-Cumberland	Caucasian
Phil Acord*	Hamilton	Southeast	Caucasian
Kelly Drummond	Knox	East	African American
Ethan Flynn	Washington	Northeast	Caucasian
Lynne Fugate	Knox	East	Caucasian
Audrey Taylor Gonzalez*	Shelby	Memphis/Shelby	Caucasian
Joshua Grubb**	Davidson	Mid-Cumberland	Caucasian
Genesis Hardin**	Knox	East	African American
Jennie Harlan	Maury	Southcentral	Caucasian
Bill Haynes*	Madison	Southwest	Caucasian
Gary Houston*	Obion	Northwest	Caucasian
Petrina Jones-Jesz	Davidson	Mid-Cumberland	African American
Amy Lawrence**	Knox	East	Hispanic
Rob Mortensen	Davidson	Mid-Cumberland	Caucasian
Steven Neely	Davidson	Mid-Cumberland	Caucasian
Wendy Shea*	Shelby	Memphis/Shelby	Caucasian
Christy Siglar	Rutherford	Mid-Cumberland	Caucasian
Tawny Spinelli**	Davidson	Mid-Cumberland	Caucasian
Dwight Stokes*	Sevier	East	Caucasian
Jill Grayson Stott	Washington	Northeast	Caucasian
Glenda Terry	Putnam	Upper Cumberland	Caucasian

3. How many times did the commission meet during fiscal year 2013 and to date for fiscal year 2014? How many members attended each meeting?

The Commission met four times in fiscal year 2013 and has met four times in fiscal year 2014. The Commission meets on Thursday afternoon, meeting as a committee-of-the-whole both days

or with Committee meetings on Thursday and full Commission meeting on Friday. The dates of the meetings and the number of members at each meeting in fiscal years 2013 and 2014 are presented in the tables below.

Fiscal Year 2013	
Commission Meeting Dates	Number of Members Present
August 16, 2012	18
August 17, 2012	19
October 25, 2012	16
October 26, 2012	14
February 21, 2013	15
February 22, 2013	16
May 30, 2013	13
May 31, 2013	14

Fiscal Year 2014	
Commission Meeting Dates	Number of Members Present
August 22, 2013	17
August 23, 2013	16
November 14, 2013	17
November 15, 2013	15
February 13, 2014	13
February 14, 2014	13
May 08, 2014	20
May 09, 2014	18

- Section 37-3-102(c), *Tennessee Code Annotated*, states that following any member's three consecutive absences from commission meetings, the chair may request the Governor to declare a vacancy and to fill the unexpired term. Do any commission members have excessive absences? If so, what actions has the commission taken to improve attendance? Have any members been removed for excessive absenteeism in the last two fiscal years?

Overall attendance by Commission members has been very good. Among current members, only one Commission member has met the statutory provision authorizing the chair to request the governor replace a member who has missed three successive meetings. That member has consistently had good reasons for being absent. Attendance records for individual members have been provided to staff in the Governor's Office each year for consideration in making reappointments when terms expire and the need to have members who are present has been stressed to those staff by the chair. The member who has missed three consecutive meetings has

a term expiring June 30, 2014, and has been replaced with a new member whose term begins July 1, 2014..

5. What per diem or travel reimbursement do members receive? How much was paid to commission members during fiscal year 2013 and to date for fiscal year 2014? Were any other expenses charged to the commission?

The commission members receive per diem and travel reimbursement for attending quarterly meetings and some conferences. They are reimbursed in accordance with the “Department of Finance and Administration Department Head and Board Member – Travel Reimbursement Rate Schedule.” Per diem and travel reimbursements are paid directly to Commission members or to vendors for hotel rooms, registration fees and meals/lunch costs as follows:

Per Diem/Travel Reimbursement	Fiscal Year 2013	Fiscal Year 2014 to date
To Commission Members	\$15,317	\$14,768
To Vendors (hotel, registration fees, meals)	\$7, 867	\$7,290

6. What were the commission’s revenues (by source) and expenditures (by object) for fiscal year 2013 and to date for fiscal year 2014? Does the commission carry a fund balance and, if so, what is the total of that fund balance? If expenditures exceeded revenues, and the commission does not carry a fund balance, what was the source of the revenue for the excess expenditures?

The Commission’s revenues and expenditures for fiscal year 2013 and to date for fiscal year 2014 are presented below and on the next page. The Commission does not have any fund balance, so there is no total reported for a fund balance. Expenditures did not exceed revenues in fiscal year 2013 and will not for fiscal year 2014.

TCCY Revenue		
Source	Fiscal Year 2013	Fiscal Year 2014 (to date)
State	\$2,139,812	\$1,807,875
Federal	1,291,655	436,799
Interest	1,829	447
Interdepartmental	579,726	318,664
Current Services	98,071	54,452
Total Revenue	\$4,111,093	\$2,618,237

TCCY Expenditures		
Object	Fiscal Year 2013	Fiscal Year 2014 (to date)
Salaries/Longevity	\$1,246,888	969,154
Benefits	485,838	365,187
Total Personnel & Benefits	\$1,732,726	\$1,334,341
Travel	88,991	42,773
Printing	44,058	51,706
Communications & Shipping	3,397	2,033
Prof. and Admin. 3 rd Party	38,847	44,814
Supplies & Materials	7,720	8,485
Rentals & Insurance	23,277	7,379
Awards & Indemnities	0	779
Grants & Subsidies	1,703,890	852,585
Unclassified/Other	800	0
Training	6,390	3,857
Computer Related	6,088	5,100
Prof. Services – State Agency	454,909	264,385
Total Other Expenses	\$2,378,367	1,283,896
Total Expenditures	\$4,111,093	\$2,618,237

7. How does the commission ensure that its members are operating in an impartial manner and there are no conflicts of interest? If the commission operates under a formal conflict of interest policy, please attach a copy of that policy.

The Commission’s “Conflict of Interest Statement” is a formal conflict of interest policy. Commission members are asked to complete a “Conflict of Interest Form” when they are first appointed to the Commission and to update the form or complete a new one annually. Copies of the Statement and Form are included as Appendix A. Commission members consistently declare when they have a conflict of interest in terms of action on pending legislation, grant applications, etc., and recuse themselves from voting when they do have a conflict.

8. Section 37-3-103(a)(1)(E), *Tennessee Code Annotated*, requires the commission to “publish annually, on or before December 31, a comprehensive report on the status of children and youth in Tennessee; and distribute the report to the governor, to each member of the General Assembly and to each of the state’s depository libraries...” Please attach copies of the last two reports. What other reports does the commission prepare on its operations, activities,

and accomplishments, and who receives these reports?

The two most recent *KIDS COUNT: The State of the Child in Tennessee* reports can be found online at the following. They are not attached per permission from Phil DeBusk since they are readily available on line.

- <http://www.tn.gov/tccy/kc-soc11.pdf>
- <http://www.tn.gov/tccy/kc-soc12.pdf>

KIDS COUNT: The State of the Child in Tennessee is posted on the Commission's website, delivered to members of the General Assembly, the Governor, Commissioners of child-serving departments and members of the Commission, and distributed through the agency's listserv and widely at regional council meetings and local, regional and state conferences where the Commission has a display.

As required by statute, the Commission also prepares the following reports that are delivered to members of the General Assembly or key committees as specified in the legislation, sent to Commissioners of relevant child-serving departments and the members of the relevant groups, distributed through the agency's listserv, and posted online with notice distributed through FaceBook. The most recent reports can be found on the Commission's website at the following addresses:

- Council on Children's Mental Health – <http://www.tn.gov/tccy/ccmh-report13.pdf>
- Resource Mapping - <http://www.tn.gov/tccy/MAP-rpt14.pdf>
- Second Look Commission – <http://www.tn.gov/tccy/slc-areport13.pdf>
- Youth Transitions Advisory Council Annual Report - <http://www.tn.gov/tccy/yt-ar-13.pdf>

9. Does the commission have a web site? If so, please provide its web address. What kind of public information is provided on the site?

The Commission's website can be found at www.tn.gov/tccy. The website includes a list of Commission members and copies of approved minutes for Commission and Committee meetings and agendas for upcoming meetings; press releases; all publications, including the agency newsletter, *The Advocate*; information about TCCY programs and activities; contact information for staff; notice of availability of grant funds, when available, and application forms; budget recommendations; legislative impact statements and legislative reports with links to bills; regional councils information; advocacy materials; an Events Calendar; Ombudsman information and reports; and *Tennessee Compilation of Selected Laws on Children, Youth and Families*.

10. Is the commission 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 procedure does the commission have for informing the public of its meetings and making its minutes available to the public?

The Tennessee Commission on Children and Youth is subject to and in compliance with TCA 8-44-101 et seq. Public Notice is posted on bulletin boards throughout Legislative Plaza and War Memorial Building prior to each Commission meeting. The notices include the date, time and location of the meeting. Tentative agendas for each meeting are also posted. TCCY maintains an Events Calendar on its website where Commission meeting information is available. TCCY posts Commission meeting agendas, including Committee agendas, on its website, and minutes are also available there following Commission approval. Information about Commission meetings is posted on the State of Tennessee website Public Participation Calendar. Information on Commission meeting is also disseminated through the TCCY listserv, in the TCCY newsletter *The Advocate*, and Legislative Updates. Commission notices and agendas are disseminated on the Calendar Alert of Tennessee Legislation Service to its subscribers.

11. Has the commission promulgated rules as authorized by Section 37-3-103(a)(1)(F), *Tennessee Code Annotated*? If so, please cite the reference.

The Commission has not promulgated any rules; therefore, there is no reference to cite.

12. What were the commission's major accomplishments during fiscal year 2013 and to date for fiscal year 2014? Specifically, describe the nature and extent of commission activities as they pertain to the enumerated powers and duties defined in Section 37-3-103, *Tennessee Code Annotated*.

The enumerated powers and duties for the Commission in 37-3-103 are presented below, sometimes grouped when appropriate, and the major accomplishments related to them are specified for fiscal year 2013 and 2014.

- Make recommendations regarding priorities and needed improvements in services and programs for children and youth [TCA 37-3-103(a)(1)(A)]; Make recommendations regarding the state budget [TCA 37-3-103(a)(1)(B)]

At meetings in August 2012 and August 2013, the Commission approved budget recommendations. These were sent to Governor Haslam, the Commissioners of the child serving departments and the executive director of the Administrative Office of the Courts, and leaders

and members of key committees of the General Assembly. The budget recommendations are one of the primary strategies for recommending priorities and needed improvements, though other recommendations are also produced through the work of the Regional Councils on Children and Youth, Second Look Commission, Council on Children's Mental Health, Youth Transitions Advisory Council and legislative impact statements, all discussed below.

The majority of the Commission's budget recommendations for both fiscal year 2013 and fiscal year 2014 have been included in the state budgets. They include the following: preserving the infrastructure for pre-kindergarten programs, home visiting programs, Coordinated School Health and Family Resource Centers and providing additional funding for the Department of Children's Services, Department of Mental Health and Substance Abuse Services and Court Appointed Special Advocate Programs.

- Implement the Federal Juvenile Justice and Delinquency Prevention Act in Tennessee and administer funds as directed by the General Assembly [TCA 37-3-103(a)(1)(C)]

The Commission has continued efficient and effective implementation of the Federal Juvenile Justice and Delinquency Prevention Act (JJJPA) in Tennessee and administered funds as directed by the General Assembly. The Commission monitors secure facilities for compliance with the core requirements of the JJJPA, including the deinstitutionalization of status offenders, removal of children from adult jails, separation of children from adults in secure placements, and efforts to assess and address the disproportionate contact minority children (DMC) have with the justice system.

TCCY has continued an emphasis on DMC and supported one statewide DMC Task Force and five local DMC Task Forces (Blount, Davidson, Knox, Montgomery and Shelby counties) in both fiscal years 2013 and 2014. On June 6, 2014, the Commission and the statewide and Shelby County DMC Task Forces sponsored a DMC Summit in Memphis with over 140 people registered. In February 2014, the East Tennessee Council on Children and Youth had a DMC meeting featuring Juvenile Court Judge, Commission Member and State DMC Task Force Chair Dwight Stokes and TCCY staff Craig Hargrow and Gerald Papica. The event was extremely successful, and plans are underway to replicate it in other parts of the state.

Monitoring for compliance with the other core requirements for continued eligibility for Federal JJJPA funds must be carried out on a calendar year basis. The state's measures for calendar years 2012 and 2013 and to date in 2014 are presented in the following table. All are well within the requirements for de minimis compliance and, therefore, continued eligibility for funding.

Federal Juvenile Justice and Delinquency Prevention Act Compliance Data			
JJDP Core Requirement	Violations 2012	Violations 2013	Violations 2014 (to date)
Deinstitutionalization of Status Offenders (No more than 29.4 per 100,000 children or 439 maximum)	63	52	10
Separation from Adult Offenders (No more than 9 per 100,000 or 166 maximum)	0	1	0
Jail Removal (No more than 9 per 100,000 or 166 maximum)	0	0	0

In fiscal year 2013, the Commission had a total of 44 federal juvenile justice grants, of which 31 were to counties to assist in paying for alternatives to adult jails. In fiscal year 2014, the Commission had a total of 43 federal juvenile justice grants, of which again 31 were with counties to assist in paying for alternatives to adult jail. These numbers include all federal juvenile justice funding sources: JJDP, Juvenile Accountability Block Grant (JABG), Title V Delinquency Prevention and Enforcing Underage Drinking Laws (EUDL). Funding for all except the JJDP has essentially been eliminated at the federal level, though some dollars remain in the pipeline. A list of the grantees for fiscal years 2013 and 2014 is included in response to Question 25.

In addition to federal juvenile justice funds, the General Assembly has also directed the Commission to administer Court Appointed Special Advocate (CASA) funds for local CASA programs and to support the Tennessee CASA Association. In fiscal years 2013 and 2014, funds were administered for 26 CASA programs in 45 counties. In fiscal year 2013, these CASA programs reported serving a total of 5,074 children. Data for fiscal year 2014 is not yet available. Funding for the Tennessee CASA Association was also administered in fiscal year 2014. A list of CASA grants and the counties served is provided in response to Question 25.

- Advocate and coordinate efficient and effective state local and regional programs and services for children and youth [TCA 37-3-103(1)(a)(1)(D)]

The nine Regional Councils on Children and Youth established by TCA 37-3-106 are an important vehicle for advocacy and coordination at the local and regional level. Statewide, the Councils had approximately 2,500 members at the end of fiscal year 2013 and 2,700 members

near end of fiscal year 2014. The Councils are important networking, information sharing and local problem solving vehicles to advocate and coordinate efficient and effective state, local and regional programs and services for children and youth. Additionally, the Council on Children’s Mental Health and Youth Transitions Advisory Council discussed below contribute to fulfilling this statutory responsibility.

The Commission’s Ombudsman Program for children involved with the child welfare and juvenile justice systems also has a role in advocating and coordinating the services provided to children who are the focus of complaints. The TCCY Ombudsman is a trained Rule 31 mediator and uses a mediation approach to facilitate resolutions to complaints that are in the best interests of the child and the safety of the community. The TCCY Ombudsman provides training for new Department of Children’s Services safety staff at the youth development centers. In fiscal year 2013, training was provided for 177 staff, and to date in fiscal year 2014 training has been provided to 136 staff. Additionally, in recent years, the Ombudsman Program has had interns/externs from Middle Tennessee State University and the Lipscomb Master’s Program in Conflict Management. This provides important training and invaluable learning opportunities for future Ombudsmen and children’s advocates.

The table below presents Ombudsman data for fiscal years 2013 and 2014.

	Fiscal Year 2013	Fiscal Year 2014 through May 30
Ombudsman Program Referrals	140	154
Active Cases	117	125
Information Only Cases	23	29
Gender – Male	67	70
Gender – Female	69	82
Gender – Unknown	4	4
Age – 0-5	45	48
Age – 6-12	45	46
Age – 13+	46	52
Age – Unknown	4	8

- Publish and distribute an annual a report on the status of children and youth in Tennessee [TCA 37-3-103(a)(1)(E)]

As reported in response to Question 8, the two most recent *KIDS COUNT: The State of the Child in Tennessee* reports can be found online at the following:

- <http://www.tn.gov/tccy/kc-soc11.pdf>
- <http://www.tn.gov/tccy/kc-soc12.pdf>

KIDS COUNT: The State of the Child in Tennessee reports are typically a year behind because of time lags in obtaining updated data. A new *KIDS COUNT: The State of the Child in Tennessee* report is nearing completion and will be sent to the printer, at the end of June or early July. Data is updated on the Annie E. Casey Foundation KIDS COUNT Data Center as soon as it is available. The Data Center can be found at <http://datacenter.kidscount.org/>.

- Identify and analyze specific problems concerning programs and services for children and youth [TCA 37-3-103(b)(1)]

The Ombudsman Program discussed above is involved in identification, analysis and problem resolution for specific problems concerning services for individual children and youth involved with the child welfare and juvenile justice systems in Tennessee. This program facilitates provision of appropriate services for vulnerable children in Tennessee. Ombudsman Program data is provided above.

The Commission is extensively involved in the identification and analysis of problems concerning programs and services for children and youth through the Regional Councils on Children and Youth (a broad range of problems of concern in each region), and the work of the Second Look Commission (focused on improving the state's response to child maltreatment), Council on Children's Mental Health (focused on behavioral children's behavioral health, including mental health and substance abuse), Youth Transitions Advisory Council (services and supports to help youth transition successfully to adulthood), and the development of budget recommendations and impact statements on pending legislation. All these efforts focus on the use of data and research regarding best practices to guide Commission activities and positions.

- Prepare and distribute impact statements on pending legislation that affects children and youth [TCA 37-3-103(b)(2)]

Commission staff review pending legislation and identify bills that have the greatest impact on children and families, and therefore warrant development of an impact statement. Input regarding the content of the impact statements is solicited from TCCY staff and the Regional Councils on Children and Youth to ensure the perspectives of children's advocates across the state are considered. Draft impact statements are prepared by staff and reviewed by members of the Commission. Additional impact statements are prepared at the request of Commission members. The Commission's Legislative Committee reviews impact statements and identifies revisions and whether or not the Commission should consider approving an impact statement on individual bills. Following a recommendation for approval from the Legislative Committee, impact statements are presented to the full Commission for revisions and approval. Commission approved Impact Statements are posted on the TCCY website and guide TCCY advocacy during

the Legislative Session, including the development of briefing sheets for participants in Children's Advocacy Days each March. Impact Statements are shared in discussions with legislators, presentations to legislative committees, and in presentations to interested groups.

In fiscal year 2013, TCCY approved Impact Statements on 18 pieces of legislation, and in fiscal year 2014, TCCY approved Impact Statements on 37 pieces of legislation.

- Monitor foster care review boards and report on the impact of foster care [TCA 37-3-103(b)(3)]

Some TCCY staff serve on foster care review boards to monitor their impact on foster care. Currently, four staff serve on five boards in four counties. Information about specialized foster care review boards focused on children who are transitioning from state custody to adulthood was presented to the Youth Transitions Advisory Council (YTAC). YTAC continues to monitor the interface of foster care review boards with young adults in extended foster care. In one region, the regional coordinator regularly convenes a Juvenile Court Youth Services Officer (YSO) Roundtable. The YSOs typically coordinate foster care review boards for the courts, and, as part of the Roundtable, they provide periodic reports regarding the status of foster care review boards in their counties. One of the current Commission members, Audrey Taylor Gonzalez, provided significant leadership for establishing foster care review boards in Shelby County, and encouraged Commissioner Jim Henry with the Department of Children's Services to convene the first ever conference bring together foster care review board members from across the state. The conference was held in fiscal year 2014.

In addition to the enumerated powers and duties included in Tennessee Code Annotated 37-3-103, there are other statutory provisions that include enumerated powers and duties for the Commission. Major accomplishments related to and in compliance with those powers and duties are presented in the rest of this response to Question 12.

- Regional Councils on Children (TCA 37-3-106)

As indicated above, the nine Regional Councils on Children and Youth are an important vehicle for advocacy and coordination at the local and regional level. Statewide, the Councils had approximately 2,500 members at the end of fiscal year 2013 and 2,700 members near end of fiscal year 2014. The Councils are important networking, information sharing and local problem solving vehicles to advocate and coordinate efficient and effective state, local and regional programs and services for children and youth. They provide important training opportunities that help children's services providers and advocates receive required training hours and/or continuing education units (CEUs). Additional information about Regional Councils on Children and Youth is provided in response to Question 13.

- Council on Children’s Mental Health (TCA 37-3-110 – 115)

The Council on Children’s Mental Health (CCMH) is administratively attached to the Commission. It is co-chaired by the executive director of the Commission and the Commissioner of the Department of Mental Health and Substance Abuse Services. CCMH brings together stakeholders from all across the state to work toward improvements and changes in the children’s mental health system in Tennessee. As provided by the statute, CCMH is working to implement a system of care for children’s mental health that is child-centered, family-driven and culturally and linguistically competent. During fiscal year 2013, CCMH met five times with an average attendance of 50 stakeholders from across Tennessee. In fiscal year 2014 to date, the CCMH has met four times with an average attendance of 64 stakeholders. An additional meeting focused on improving collaboration in children’s mental health is scheduled for June 19 and 20. CCMH submitted its required report to the General Assembly in June 2013. A copy can be found on the TCCY website at <http://www.tn.gov/tccy/ccmh-report13.pdf>. It was reauthorized in the sunset review process in 2013 through June 30, 2018. CCMH plans to submit reports to the General Assembly every two years, with the next one scheduled for 2015. CCMH is open to anyone who would like to participate. The Council on Children’s Mental Health has been beneficial in helping the Department of Mental Health and Substance Abuse Services obtain four federal grants totaling \$31 million to support implementation of a system of care in Tennessee.

- Resource Mapping of federal and state funding for services for children in Tennessee (TCA 37-3-116)

Since the authorizing legislation passed in 2008, the Commission has carried out Resource Mapping of federal and state funding for services for children in Tennessee that flow through the state budget. Each year the Commission brings together key staff in all state departments that serve children and collects expenditure information. The data is then analyzed, and a report submitted to the General Assembly by April 15 of each year. In fiscal year 2013, 23 agencies reported expenditures of \$9,107,212,958, with 43.1 percent of all funding federal dollars. In fiscal year 2014, 23 agencies reported expenditures of \$9,346,346,355, with 41.3 percent federal dollars. The report for fiscal year 2013 can be found on the Commission’s website at <http://www.tn.gov/tccy/MAP-rpt13.pdf>, and the report for fiscal year 2014 can be found on the Commission’s website at <http://www.tn.gov/tccy/MAP-rpt14.pdf>.

- Second Look Commission (TCA 37-3-801-815)

Established in 2010, the Second Look Commission (SLC) is administratively attached to the Commission. The SLC is charged with reviewing cases of children who have experienced a second or subsequent incident of severe abuse and making recommendations to improve the

child protection system in Tennessee. The SLC has authority to conduct closed meetings as it reviews the cases of children. During fiscal year 2013, the SLC met six times, and in fiscal year 2014 to date, it has met four times. As required by statute, the SLC has submitted reports to the General Assembly including recommendations for improving responses to child maltreatment in Tennessee. The report submitted in December 2012 can be found on the Commission's website at <http://www.tn.gov/tccy/slc-areport12.pdf>, and the report submitted in December 2013 can be found at <http://www.tn.gov/tccy/slc-areport13.pdf>.

- Youth Transitions Advisory Council (TCA 37-2-601)

In 2012, responsibility for staffing the Youth Transitions Advisory Council (YTAC) was assigned to the Commission. YTAC has had a strong, collaborative relationship with the Department of Children's Services and other child serving departments. In recent years, there have been positive strides in improving the services and supports provided youth transitioning from state custody to extension of foster care and independent adulthood. There also have been important collaborations involving services provided for youth transitioning from children's to adult mental health and substance abuse treatment systems. In fiscal year 2013, YTAC met four times with an average attendance of 23, and to date in fiscal year 2014, TYAC has met three times with an average attendance of 27. YTAC submitted annual reports to the General Assembly in October of 2012 and 2013. The fiscal year 2013 report can be found on the Commission's website at <http://www.tn.gov/tccy/yt-ar-12.pdf>, and the fiscal year 2014 report can be found at <http://www.tn.gov/tccy/yt-ar-13.pdf>. Participation with YTAC is open to all interested in improving services and supports for young people transitioning to adulthood. YTAC sponsorship and support assisted the Department of Mental Health and Substance Abuse Services in securing a federal grant from the Substance Abuse and Mental Health Services Administration to fund a pilot program to improve access to substance abuse treatment for adolescents and young adults with total funding \$3.8 million over four years.

13. Has the commission set goals and measured its performance compared to those goals? What performance indicators or goals does management use to measure the effectiveness and efficiency of the commission? How well has the commission performed based on those performance indicators?

Commission staff reports a number of metrics to Commission members at each Quarterly meeting. The metrics presented above with statutory responsibilities include reported quarterly metrics. TCCY staff prepares a "Dashboard" for each Commission meeting that includes reporting/metrics on publications, grant programs, Ombudsman, web statistics, and regional councils. A TCCY Dashboard will be provided to members of the Joint Government Operations Education, Health and General Welfare Committee at the Sunset Hearing for TCCY.

As required by state policies, the Commission has established strategic and operational goals that provide the basis for job performance goals for agency employees. The three strategic goals and two operational goals for fiscal year 2014 are presented below along with metrics, many of which were also presented in response to Question 12.

Strategic Goal 1 – Effectively/efficiently implement advocacy responsibilities

Effectively and efficiently achieve advocacy-related statutory requirements: develop impact statements on pending legislation, make recommendations on the budget, implement Resource Mapping of expenditures for children by state departments, and prepare and disseminate an annual report on the well-being of children in Tennessee. Engage in effective advocacy efforts to improve outcomes for children: serve as the Annie E. Casey Foundation’s KIDS COUNT partner in the state; implement the ombudsman program to resolve conflicts for children involved with the child welfare and juvenile justice systems in the best interests of the child and the safety of the community; participate on local, regional and state task forces, boards, committees and commissions focused on improving outcomes for children; provide leadership, support and technical assistance for other children’s advocates; and convene partners for collaborative efforts and provide consultation to partners in efforts to improve outcomes for children.

Strategic Goal 1 is obviously a very broad goal that includes a listing of many of the agency’s advocacy and operational responsibilities. These are also discussed in the response to Question 12, and metrics are included in those responses. Some metrics are presented again here in summary.

- Impact Statements on pending legislation, 18 in fiscal year 2013 and 37 in fiscal year 2014 with legislative outcomes consistent with the majority of impact statements;
- Budget Recommendations submitted for fiscal years 2013 and 2014 with recommendations substantially followed;
- Resource Mapping Reports submitted timely to the General Assembly in fiscal years 2013 and 2014;
- Annual report on the well-being of children in Tennessee, *Kids Count: The State of the Child in Tennessee* reports prepared each year, and collaboration with the Annie E. Casey Foundation in the release of the annual *KIDS COUNT Data Book* and policy reports and data snapshots;
- Ombudsman program successfully implemented with 140 referrals in fiscal year 2013 and 154 referrals through May 30 in fiscal year 2014;

- Local, regional and state task forces, boards, committees, and commissions focused on improving outcomes for children: Commission staff participates extensively on these with staff representation totaling 226 in fiscal year 2013 (four national, 67 state, 66 regional and 89 local); 2014 data will be collected at the end of the fiscal year, when it is not expected to be significantly different;
- Leadership, support and technical assistance for other children’s advocates provided by Commission staff participation on task forces, boards, etc., through Regional Councils on Children and Youth, and through individual work with a range of organizations at the regional and state levels;
- Convenes partners for collaborative efforts and consultation to partners in efforts to improve outcomes for children, provided by Regional Councils on Children and Youth, participation on task forces, etc., through the Annual Children’s Advocacy Days with approximately 650 attendees, and through the Council on Children’s Mental Health, Second Look Commission and Youth Transitions Advisory Council.

Strategic Goal 2 – Support Regional Councils on Children and Youth

Provide administrative and advocacy support for nine regional councils on children and youth required by TCA 37-3-106, and provide local, regional and state training, networking and collaboration opportunities to enhance the capabilities of council members to encourage improvements in outcomes for children related to health, welfare, education, youth employability and public safety/juvenile justice.

The Commission has provided strong administrative and advocacy support for the nine regional councils on children and youth, and the councils in turn have provided training, networking and collaboration opportunities to enhance the capabilities of the council members to encourage improvements for children. In both fiscal 2013 and 2014, the Commission provided a Children’s Advocacy Days event that brought together approximately 650 council members, service providers and advocates to learn about pending legislation, hear updates from state child-serving departments and hear new information to help them be more effective children’s advocates. Event evaluation responses for Children’s Advocacy Days 2014 rated the event as follows: 56.8% excellent, 39% very good, 3.7% adequate; one person was disappointed.

The Regional Councils on Children and Youth regularly provide networking and training events to meet the interests and needs of their members. As reported under Question 12, at the end of fiscal year 2013, there were approximately 2,500 members of regional councils, and as of May 2014, there were approximately 2,700 regional council members statewide. Regional Council email distribution lists had approximately 11,012 recipients at the end of fiscal year 2013 and 11,173 to date in fiscal year 2014. The persons on these email distribution lists receive a

significant amount of information related to grant funds availability, learning opportunities, data and research on children's issues, notice of the availability of TCCY publications, etc.

Attendance at regional council organized or co-sponsored training events provides important opportunities for participants to receive training contact hours and/or continuing education units (CEUs) related to licensing requirements. In fiscal year 2014, the Regional Councils on Children and Youth combined provided 51 council-sponsored learning opportunities and co-sponsored an additional 23 learning opportunities. These events had a total of 4,536 attendees. As part of efforts reported below under Operational Goal 2, TCCY is working to identify more outcome-oriented metrics related to regional council and other activities.

Strategic Goal 3 – Support CCMH, SLC and YTAC

Provide administrative and advocacy support for three councils/commissions statutorily attached to the Commission on Children and Youth (Council on Children's Mental Health, Second Look Commission, Youth Transitions Advisory Council), to ensure they meet their statutory mandates and submit required reports to the General Assembly.

As discussed in response to Question 12, the Commission has provided administrative and advocacy support for the Council on Children's Mental Health, Second Look Commission and Youth Transitions Advisory Council. Metrics for this include full compliance with statutory mandates and submission of required reports to the General Assembly on or before the due date. Support over time from CCMH and YTAC made major contributions to the receipt of a total of \$34.8 million in federal grant funds to improve the children's mental health system and services and provide evidence-based services for youth and young adults with substance abuse treatment needs. Many of the recommendations of the Second Look Commission have been implemented as the Department of Children's Services works to improve its response to child maltreatment in the state.

Operational Goal 1 – Administer state & federal funds

Efficiently and effectively administer state Court Appointed Special Advocate funds and federal juvenile justice grants and ensure Tennessee's continued eligibility for federal funds by monitoring compliance with the Juvenile Justice and Delinquency Prevention Act requirements on the placement of children, and working to enhance public safety by improving the juvenile justice system.

The Commission has continued to efficiently and effectively administer Court Appointed Special Advocate and federal juvenile justice grants. A complete list of grants for fiscal years 2013 and 2014 is provided in response to Question 25. As reported in the response to Question 12, in fiscal

years 2013 and 2014, funds were administered for 26 CASA programs in 45 counties. Funding for the Tennessee CASA Association was also administered in fiscal year 2014.

The Commission has also continued to efficiently and effectively administer federal juvenile justice funds. A complete list of current grants is provided in response to Question 25. As reported in the response to Question 12, in fiscal year 2013, the Commission had a total of 44 federal juvenile justice grants, of which 31 were with counties to assist in paying for alternatives to adult jails. In fiscal year 2014, the Commission had a total of 43 federal juvenile justice grants, of which again 31 were with counties to assist in paying for alternatives to adult jail.

Commission staff has consistently monitored secure facilities in Tennessee, as mandated for receipt of Federal Juvenile Justice and Delinquency Prevention Act funding, to ensure the state remains compliant with the deinstitutionalization of status offenders, jail separation and jail removal core requirements. As reported in the response to Question 12, the following are the compliance monitoring metrics for Tennessee for fiscal year 2013 and 2014:

Federal Juvenile Justice and Delinquency Prevention Act Compliance Data			
JJDPA Core Requirement	Violations 2012	Violations 2013	Violations 2014 (to date)
Deinstitutionalization of Status Offenders (No more than 29.4 per 100,000 children or 439 maximum)	63	52	10
Separation from Adult Offenders (No more than 9 per 100,000 or 166 maximum)	0	1	0
Jail Removal (No more than 9 per 100,000 or 166 maximum)	0	0	0

Operational Goal 2 – Strategically improve effectiveness

Improve agency operations and efficiency through participation in the Department of Human Resources Talent Management Program and Centers for Performance Excellence/Baldrige process, implement LEAN strategies for administering state and federal funds, and identify other strategies to improve agency operational effectiveness.

In June 2013, TCCY staff participated in a LEAN Event to improve the TCCY Grants Management Process. The outcome of this event has been the identification and implementation of recommendations to reduce errors on the part of grantees in their reporting to TCCY and improve operational efficiency. Electronic submission of reimbursement requests and progress reports has significantly improved this process. Electronic reporting also provides some of the data needed for federal reporting. This has enabled the Commission to manage these grant programs more efficiently within existing staff resources.

A leadership team composed of the executive director and TCCY staff who have or are participating in LEAD Tennessee have been involved with the Department of Human Resources (DOHR) Talent Management Program in a series of meetings and exercises to improve agency operations and effectiveness. As part of this process, staff has developed “process maps” for a range of TCCY functions, and are extensively engaged in efforts to improve the metrics produced regarding TCCY activities and outcomes.

One of the outcomes from the Talent Management work with DOHR will be an application by the Commission to the Centers for Performance Excellence for recognition in the Baldrige Performance Excellence Program. TCCY anticipates submitting an application in fiscal year 2015.

14. Describe the commission’s process for awarding grants. Include explanations of the grant application process, the grant review process and what steps are taken to ensure that grants are awarded in a fair and consistent manner. Is a grantee’s performance reviewed before awarding continuing funding?

Federal Juvenile Justice Funds: The Commission’s historical process for awarding federal juvenile justice grants has included an announcement of the availability of funds/request for proposals widely distributed to interested persons, including juvenile court judges, juvenile court lead staff, county mayors, local education agencies and others who have expressed interest, and posting of the availability of funds and the grant application forms on the TCCY website. Additionally historically, TCCY staff provided “grant writing training” in each of the state’s three grand divisions to help potential applicants better understand the requirements.

Grant proposals were accepted in response to the request for proposals when submitted by the due date. They were reviewed and scored by staff and members of the Grant Review Committee for compliance with application requirements, quality of proposal, reasonableness of budget, etc. If the proposal were for a continuation application, previous performance as indicated by quarterly progress reports, onsite visit reports and Policy 22 Monitoring Reports was considered. The Grant Review Committee of the Commission recommended applicants to receive funding,

with consideration of the quality of the application and the anticipated impact, coupled with efforts to distribute the funds statewide. The Grant Review Committee recommendations were presented to the full Commission for approval or disapproval.

As a result of declining federal juvenile justice grant funds, no funding for new programs has been available for the last three years. Continuation applications have been received and reviewed through the process described above. The Commission anticipates returning to the historical process when there is available federal funding, which may be in fiscal year 2016.

Reimbursement Account: The Reimbursement Account was established by TCA 37-1-161 in 1984 to provide financial assistance to counties to assist in the removal of children from adult jails as required by the Federal Juvenile Justice and Delinquency Prevention Act. As provided by statute, these funds are to assist counties that did not operate secure juvenile detention facility – an alternative to placing children in adult jails – at the time legislation was passed prohibiting placement of children in adult jails. Each year, TCCY staff notifies the counties meeting this criteria of the availability of Reimbursement Account funds. Counties interested in participating submit a request and are allocated funds. The amount of dollars each county receives is based on historical usage and availability of funds, and for many counties, roughly relates to population size. Currently 31 counties receive funding through the Reimbursement Account for amounts ranging from \$150 to \$10,000 per county. Total funding in the Reimbursement Account for fiscal year 2014 is \$90,000.

Court Appointed Special Advocate (CASA) Funds: CASA funding is provided by the Tennessee General Assembly. Guided by the intent of the General Assembly, the Commission works closely with the Tennessee CASA Association in the expansion of CASA programs as funds are available. There are two primary considerations in distribution of these funds. One is to provide them to counties that have CASA programs that are already operational or ready to become operational but have not received state funding. The other consideration is to widely distribute CASA funding across the state. In order for a CASA program to be or become operational, it must have the support of the juvenile court judge, as CASA volunteers are actually commissioned by the court, and the court determines when a CASA volunteer will be assigned to a case. However, the individual volunteer is designated by the CASA program staff.

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

At this time, there are no legislative changes proposed related to the Commission on Children and Youth.

16. Should this commission be continued? Why or why not?

The Tennessee Commission on Children and Youth should definitely be continued. It provides critical leadership for improving public policies and outcomes for Tennessee children and families. The Commission is a reliable source of data and information about evidence-based or best practices for improving services for Tennessee children. It is a major convener for children's advocates and children's services providers, at the state and regional levels, to facilitate networking, information sharing, problem solving and implementation of strategies to improve the lives of Tennessee children and their families.

17. Please list all commission programs or activities that receive direct or indirect 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 two Commission programs/activities that receive direct or indirect federal financial assistance are the juvenile justice program and the Council on Children's Mental Health. TCCY administers Federal Juvenile Justice and Delinquency Prevention Act funds and other related federal juvenile justice funds. Federal juvenile justice funds totaled \$1,291,655 in fiscal year 2013 and have totaled \$436,799 to date for fiscal year 2014. The Council on Children's Mental Health receives some support through an interdepartmental arrangement with the Tennessee Department of Mental Health and Substance Abuse Services (TDMHSAS). These funds are from the Substance Abuse and Mental Health Services Administration grant to TDMHSAS to work toward statewide implementation of a system of care for children's mental health. The Commission received \$31,290 in fiscal year 2013, and \$44,336 in fiscal year 2014 for the Council on Children's Mental Health.

If the committee does receive federal assistance, please answer questions 18 through 25. If the committee does not receive federal assistance, proceed directly to question 24.

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

The Commission prepares an annual Title VI Plan. A copy of the most recent plan is attached as Appendix B. Please note this plan was submitted while the Commission was still located on Mainstream Drive in Metro Center; therefore, the address included for the agency in the report is no longer current.

19. 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.

The Commission does not have a Title VI coordinator whose sole or even primary responsibility is related to Title VI. Richard Kennedy, TCCY Associate Director, has, among his many responsibilities, coordination of submission of the Title VI Plan and responding to Title VI complaints, if any. His phone number is 615-532-1570.

20. 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.

Commission Title VI Reports are submitted to the Tennessee Human Rights Commission (THRC). The information submitted is the annual Title VI Plan and the response to any subsequent information requests from THRC. The Title VI Plan is not submitted to the Federal Office of Juvenile Justice and Delinquency Prevention (OJJDP). However, TCCY does provide certification to OJJDP that methods are in place that ensure sub-recipients comply with Title VI.

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

When funds are available for award and grant applications are received, TCCY staff reviews the proposals submitted by current and potential grantees to make sure they adhere to grant application requirements. These requirements include cultural competency training for staff. Additionally, pre-application training is presented for potential grantees, including training on Title VI requirements as specified in the Title VI Plan.

TCCY requires all grantees to provide cultural competency services to staff and participants, and, where possible, Limited English Proficiency (LEP) services to program participants. All personnel involved with the program, including volunteers, must be provided cultural competency training within the first two quarters of the project implementation period. If the training is provided by an outside agency, documentation of that training must be submitted with the third quarter report. The training should include information regarding Title VI and other non-discriminatory policies, laws, and regulations. TCCY also requires all recipients to comply with the obligations under other applicable federal civil rights laws, such as informing recipients about:

1. The prohibition of discrimination not only under Title VI, but also under the Safe Streets Act, the Juvenile Justice and Delinquency Prevention Act (JJDP), the Americans with Disabilities Act (ADA), the Rehabilitation Act of 1973, and the age Discrimination Act of 1975;
2. The Equal Employment Opportunity Plans requirements;
3. Providing meaningful access to programs and activities for Limited English Proficiency individuals;
4. Having procedures in place to receive and evaluate complaints from employees and beneficiaries alleging discrimination not only under Title VI, but also under the Safe Streets Act, the JJDP, the ADA, the Rehabilitation Act of 1973 and the Age Discrimination Act of 1975.

Members of the Commission and TCCY staff receive Title VI training annually in conjunction with a quarterly meeting of the Commission Meeting.

22. 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.

TCCY uses three primary strategies to ensure it is meeting Title VI requirements:

1. Each grant recipient/contractor is required to submit an annual compliance report to TCCY.
2. When on-site reviews of each recipient/contractors are conducted, either by the Juvenile Justice Specialist conducting on site visits or during the Policy 22 Review process, compliance with Title VI is considered.
3. TCCY requires all grantees to include information in their quarterly progress reports regarding Title VI trainings conducted. Additionally, when there is an RFP for new funding, the grantee must submit a statement verifying compliance with the provision of Title VI regarding provision of training for staff.

23. Please describe the commission's procedures for handling Title VI complaints. Has your commission received any Title VI-related complaints during the past year? 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).

There have been no Title VI complaints to the Commission in the past year. In fact, the only Title VI complaint the Commission has ever had was in May 2004. Following investigation, it

was determined there was no evidence of any discriminatory action under Title VI. The Commission’s procedures for handling Title VI complaints are presented on pages 22-25 in the current Title VI Plan, which is attached as Appendix B.

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

The Commission currently has 23 filled positions, eight Caucasian females, 8 Caucasian males, four African American females, one African American male and two Asian males. Summary information by title, number of staff, ethnicity and gender is as follows:

TCCY Staffing			
Title	Number of Staff by Title	Ethnicity	Gender
Children and Youth Director	1	Caucasian	Female
Children and Youth Associate Director	1	Caucasian	Male
Statistical Research Specialist	1	Caucasian	Female
Executive Administrative Assistant 2	2	Caucasian	Male
Executive Administrative Assistant 2	1	African American	Male
Executive Administrative Assistant 2	1	Asian	Male
Children’s Program Coordinator	4	African American	Female
Children’s Program Coordinator	3	Caucasian	Female
Children’s Program Coordinator	4	Caucasian	Male
Children’s Program Coordinator	1	Asian	Male
Publications Editor 2	1	Caucasian	Female
Information Resource Support Specialist 4	1	Caucasian	Male
Administrative Services Assistant 3	1	Caucasian	Female
Administrative Services Assistant 2	1	Caucasian	Female

The following is a list of all Commission staff by name, official and functional title, ethnicity and gender.

Tennessee Commission on Children and Youth Staff			
Employee Name	Official Title/Functional Title	Ethnicity	Gender
Diane Baham	Administrative Services Assistant 3	Caucasian	Female
Dana Cobb	Children's Program Coordinator/Northwest Regional Coordinator	Caucasian	Female
Lindsey Cody	Children's Program Coordinator/East Tennessee Regional Coordinator	Caucasian	Male
Susan Cope	Children's Program Coordinator/Mid-Cumberland Regional Coordinator	Caucasian	Female
Sujit Das	Executive Administrative Assistant 2/Data Manager	Asian	Male
Fay Delk	Publications Editor 2	Caucasian	Female
Craig Hargrow	Executive Administrative Assistant 2/Second Look Commission Director/Juvenile Justice Division Director	African American	Male
Rodger Jowers	Children's Program Coordinator/Southwest Regional Coordinator	Caucasian	Male
Dustin Keller	Executive Administrative Assistant 2/ Council on Children's Mental Health Director	Caucasian	Male
Richard Kennedy	Children's Services Associate Director	Caucasian	Male
Bill Latimer	Information Resource Support Specialist 4	Caucasian	Male
Rosalyn Leavell-Rice	Children's Program Coordinator/Southeast Regional Coordinator	African American	Female
Rose Naccarato	Statistical Research Specialist/Resource Mapping Director/KIDS COUNT Director	Caucasian	Female
Shaun Noblit	Children's Program Coordinator/South Central Regional Coordinator	Caucasian	Male
Linda O'Neal	Children and Youth Director/Executive Director	Caucasian	Female
Gerald Papica	Children's Program Coordinator/Ombudsman	Asian	Male
Steve Petty	Executive Administrative Assistant 2/Youth Policy Advocate/Director, Youth Transitions Advisory Council	Caucasian	Male
Sarah Rudd	Administrative Services Assistant 2	Caucasian	Female
John Rust	Children's Program Coordinator/Upper Cumberland Regional Coordinator	Caucasian	Male
Vicki Taylor	Children's Program Coordinator/Juvenile Justice Specialist	African American	Female
Zanira Whitfield	Children's Program Coordinator/Juvenile Justice Specialist	African American	Female
Diane Wise	Children's Program Coordinator/Northeast Regional Coordinator	Caucasian	Female
Gwendolyn Wright	Children's Program Coordinator/Memphis-Shelby County Regional Coordinator	African American	Female

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

Tennessee Commission on Children and Youth Federal Juvenile Justice Grants				
Contractor/Grantee	Purpose/ Service	Contract Amount	Contract Amount	Ethnicity
Federal Grants:		FY 2013	FY 2014	
Administrative Office of Courts	Juvenile Court Training	\$37,500	\$50,000	State Government
Austin Peay State University (DMC)	DMC Task Force Support	\$10,000		State University
Big Brothers Big Sisters	Mentoring	\$45,000	\$40,000	Private Non Profit
Boys & Girls Club of Cleveland	After School Services	\$39,467	\$35,081	Private Non Profit
Boys & Girls Club of TN Valley	After School Services	\$39,467	\$35,081	Private Non Profit
Children & Family Services	Mentoring & Life Skills	\$60,000		Private Non Profit
Department of Mental Health and Substance Abuse Services	Enforcing Underage Drinking Laws	\$0	\$59,639	Private Non Profit
Florence Crittenton Agency	Juvenile Court Assessments	\$31,562	\$62,116	Private Non Profit
Knox County Government	Juvenile Drug Court	\$31,486	\$19,184	Local Government
L.E.A.P. Organization	Reduce Recidivism	\$60,824	\$81,098	Private Non Profit
Madison County Government	Youth Town Aftercare Services	\$51,131		Local Government
Metro Government of Nashville	Improving Reading Skills in an After School Program	\$0	\$17,700	Local Government
Metropolitan Government of Nashville	Juvenile Justice Probation Officers	\$101,023	\$60,869	Local Government
Oasis Center	Detention Alternatives	\$56,500		Private Non Profit
Shelby County Government	Mentoring, Drug Education & Testing	\$129,881	\$78,280	Local Government
TN Legal Community Foundation	Youth Courts Technical Assistance & Coordination	\$37,500	\$50,000	Private Non-Profit
University of Tennessee – Knoxville (DMC)	DMC Task Force Support	\$10,000	\$2,500	State University
University of Memphis (DMC)	DMC Task Force Support	\$10,000	\$2,500	State University

**Tennessee Commission on Children and Youth
Reimbursement Account Contracts (Federal JJDPA Funds)**

Contractor/Grantee	Purpose/Service	Contract Amount	Contract Amount	Ethnicity
Reimbursement Account	Alternatives to Adult Jail	FY 2013	FY 2014	
Anderson County	Alternatives to Adult Jails	\$2,025	\$2,025	Local Government
Cannon County	Alternatives to Adult Jails	\$700	\$600	Local Government
Carter County	Alternatives to Adult Jails	\$3,000	\$3,000	Local Government
Cheatham County	Alternatives to Adult Jails	\$300	\$345	Local Government
Cocke County	Alternatives to Adult Jails	\$2,400	\$2,400	Local Government
Coffee County	Alternatives to Adult Jails	\$4,750	\$4,600	Local Government
Crockett County	Alternatives to Adult Jails	\$1,000	\$1,000	Local Government
Dickson County	Alternatives to Adult Jails	\$4,500	4,500	Local Government
Giles County	Alternatives to Adult Jails	\$315	\$0	Local Government
Hamblen County	Alternatives to Adult Jails	\$10,000	\$10,000	Local Government
Hardeman County	Alternatives to Adult Jails	\$0	\$300	Local Government
Hardin County	Alternatives to Adult Jails	\$300	\$300	Local Government
Haywood County	Alternatives to Adult Jails	\$600	\$600	Local Government
Henderson County	Alternatives to Adult Jails	\$315	\$315	Local Government
Humphreys County	Alternatives to Adult Jails	\$300	\$300	Local Government
Jefferson County	Alternatives to Adult Jails	\$2,500	\$2,500	Local Government
Johnson County	Alternatives to Adult Jails	\$300	\$400	Local Government
Lake County	Alternatives to Adult Jails	\$300	\$350	Local Government
Lauderdale County	Alternatives to Adult Jails	\$4,500	\$4,500	Local Government
Loudon County	Alternatives to Adult Jails	\$1,600	\$1,500	Local Government
Marion County	Alternatives to Adult Jails	\$2,400	\$2,400	Local Government
Marshall County	Alternatives to Adult Jails	\$1,300	\$1,300	Local Government
Maury County	Alternatives to Adult Jails	\$4,000	\$4,000	Local Government
McMinn County	Alternatives to Adult Jails	\$1,440	\$1,440	Local Government
Montgomery County	Alternatives to Adult Jails	\$11,000	\$11,000	Local Government
Morgan County	Alternatives to Adult Jails	\$180	\$150	Local Government
Robertson County	Alternatives to Adult Jails	\$4,230	\$4,230	Local Government
Sequatchie County	Alternatives to Adult Jails	\$1,845	\$1,845	Local Government
Stewart County	Alternatives to Adult Jails	\$600	\$500	Local Government
Sullivan County	Alternatives to Adult Jails	\$10,000	\$10,000	Local Government
Warren County	Alternatives to Adult Jails	\$3,300	\$3,300	Local Government
Washington County	Alternatives to Adult Jails	\$10,000	\$10,000	Local Government

**Tennessee Commission on Children and Youth
Court Appointed Special Advocate (CASA) Contracts**

Contractor/Grantee	Purpose/Service	Contract Amount	Contract Amount	Ethnicity
CASA Grants 7/1/12 – 6/30/16	Court Appointed Special Advocate Program (CASA)	FY 2013	FY 2014	
Bradley County	CASA	\$30,000	\$31,500	Private Non-Profit
Campbell County	CASA	\$15,000	\$16,500	Private Non-Profit
TN CASA Association	CASA Support	0	25,000	Private Non-Profit
CASA for Kids, Inc.	CASA	\$30,000	\$33,000	Private Non-Profit
CASA Works	CASA	\$45,000	\$49,500	Private Non-Profit
Corridor of East TN	CASA	\$45,000	\$49,500	Private Non-Profit
Davidson County	CASA	\$15,000	\$16,500	Private Non-Profit
Decatur County	CASA	\$15,000	\$16,500	Private Non-Profit
Dyer-Lake County	CASA	\$30,000	\$33,000	Private Non-Profit
East TN	CASA	\$60,000	\$66,000	Private Non-Profit
Hamilton County	CASA	\$15,000	\$16,500	Local Government
Henderson County	CASA	\$15,000	\$16,500	Private Non-Profit
Madison County	CASA	\$15,000	\$16,500	Private Non-Profit
Maury County	CASA	\$15,000	\$16,500	Private Non-Profit
Memphis & Shelby Co	CASA	\$15,000	\$16,500	Private Non-Profit
Monroe County	CASA	\$15,000	\$16,500	Private Non-Profit
Ninth Judicial District	CASA	\$45,000	\$49,500	Private Non-Profit
Northeast TN	CASA	\$45,000	\$49,500	Private Non-Profit
Robertson County	CASA	\$15,000	\$16,500	Private Non-Profit
Rutherford County	CASA	\$15,000	\$16,500	Private Non-Profit
Sumner County	CASA	\$15,000	\$16,500	Private Non-Profit
Tennessee Heartland	CASA	\$45,000	\$49,500	Private Non-Profit
Tipton County	CASA	\$15,000	\$16,500	Private Non-Profit
UCHRA of Putnam Co.	CASA	\$60,000	\$66,000	Private Non-Profit
Weakley County	CASA	\$15,000	\$16,500	Private Non-Profit
Williamson County	CASA	\$15,000	\$16,500	Private Non-Profit
Wilson County	CASA	\$15,000	\$16,500	Private Non-Profit

Appendix A

Conflict of Interest Statement for Tennessee Commission on Children and Youth



STATE OF TENNESSEE
TENNESSEE COMMISSION ON CHILDREN AND YOUTH

Andrew Jackson Building, 9th Floor
502 Deaderick Street
Nashville, Tennessee 37243-0800
(Phone) 615-741-2633 (Fax) 615-741-5956
1-800-264-0904

CONFLICT OF INTEREST STATEMENT
for
Tennessee Commission on Children and Youth

- 1) Each Commission member shall avoid any action, whether or not specifically prohibited by statute or regulation that might result in or create the appearance of:
 - i. using public office for private gain;
 - ii. giving preferential treatment to any person;
 - iii. impeding government efficiency or economy;
 - iv. losing complete independence or impartiality;
 - v. making a government decision outside of official channels; or
 - vi. affecting adversely the confidence of the public in the integrity of the government.
- 2) Use of information. No Commission member shall, directly or indirectly:
 - i. use, disclose, or allow the use of official information which was obtained through or in connection with his or her appointment to the respective Commission and which has not been made available to the general public for the purpose of furthering the private interest or personal profit of any person, including the Commission member; or
 - ii. engage in a financial transaction as a result of, or primarily relying upon, information obtained through his or her Commission appointment.
- 3) Use of government property. No Commission member shall make use of the facilities, equipment, personnel, or supplies of the State or its agencies for private use or gain, except to the extent that the use is incidental or de minimus or is lawfully available to the public.
- 4) The Commission member will avoid all known conflicts of interest, and to the extent he or she becomes aware of a conflict of interest in connection with any matter brought before the Commission on which he or she serves, he or she will disclose such conflict to the appropriate person and will further recuse himself or herself from participating in any consideration of the matter.
- 5) While serving on any board or commission, the Commission member will not participate in considerations or actions involving individuals in his or her immediate family, individuals employed by him or her, or his or her organization, services provided by him or her, or his or her organization, or any other matter in which his or her participation may create an appearance of bias or impropriety.
- 6) While serving on the Commission, the Commission member shall not serve as an officer, or otherwise serve in a policy-making role, in any trade or professional association. Service on committees of trade or professional associations is permissible provided, however, that while in such service, the Commission member does not participate in considerations or actions concerning the Commission of which he or she is a member.
- 7) Questions on interpretation of this statement. When a Commission member is in doubt as to the proper interpretation of this conflict of interest statement, he or she is expected to seek the advice of the Executive Director of the Tennessee Commission on Children and Youth.

Commission Member

Date

Printed Name



STATE OF TENNESSEE

TENNESSEE COMMISSION ON CHILDREN AND YOUTH

Andrew Jackson Building, 9th Floor
502 Deaderick Street
Nashville, Tennessee 37243-0800
(Phone) 615-741-2633 (Fax) 615-741-5956
1-800-264-0904

CONFLICT OF INTEREST REQUIREMENTS
for
Tennessee Commission on Children and Youth

Commission Members

Each Commission member notifies the Tennessee Commission on Children and Youth Executive Director in writing of membership in all organizations, directly or indirectly related to children and youth issues and discloses such member's role in the organization as an officer, director, or as having a special relationship with any such organizations.

If any matter before the Commission involves a project, transaction, or relationship in which a member of his or her associated institution, business, or agency has a direct or indirect conflicting interest, the member shall make known to the Commission that interest and shall abstain from the proceedings or from voting.



STATE OF TENNESSEE
TENNESSEE COMMISSION ON CHILDREN AND YOUTH

Andrew Jackson Building, 9th Floor
502 Deaderick Street
Nashville, Tennessee 37243-0800
(Phone) 615-741-2633 (Fax) 615-741-5956
1-800-264-0904

CONFLICT OF INTEREST FORM
COMMISSION MEMBER
Tennessee Commission on Children and Youth

Name: _____

Date of Birth: _____

Business Address: _____

Business Phone: (____) _____

FAX: (____) _____

E-mail address: _____

Home Address: _____

Home Phone: _____

Job Title: _____

Place of Employment: _____

Education: _____

Past Employers: _____

Conflict of Interest Form

Name: _____

Date: _____

Page Three

I, the undersigned, a member of the TCCY, in order to assure that any appearance of conflict of interest is avoided, do hereby make the following statements and assurances:

I am not the owner of any obligation or indebtedness of the State of Tennessee, any of its political subdivisions, or municipal corporations, except as listed herein:

I am not related by blood or marriage to any employee of the State of Tennessee, or to any official of any political subdivision or municipal corporation, nor do I have any other relationship with any employee or official that might give the appearance of a conflict of interest, except as listed below:

I have not been employed by any governmental entity or any agency receiving funds from the State other than those listed below:

I have no other potential conflicts other than those listed below:

If, during my membership on the TCCY, I become an owner as described, or a relative or other person becomes an officer or employee as described, I promise that I shall immediately disclose such information to the Commission.

By my signature below, I affirm that all of the above is true to the best of my knowledge and belief and I acknowledge that any material misstatement herein shall be adequate grounds for disciplinary action, up to and including dismissal, where appropriate.

Considering all of the above, I hereby set my signature, this the _____ day of

_____, 20____.

Signature

Printed Name

Appendix B

Tennessee Commission on Children and Youth

Title VI Plan

TENNESSEE COMMISSION ON CHILDREN AND YOUTH

TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

IMPLEMENTATION PLAN

2014



Submitted: October 1, 2013

Tennessee Commission on Children and Youth
601 Mainstream Drive
Nashville, Tennessee 37243-0800

Phone: (615) 741-2633/ Fax: (615) 741-5956

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TENNESSEE COMMISSION ON CHILDREN AND YOUTH

TITLE VI IMPLEMENTATION PLAN

SECTION ONE

OVERVIEW

I. Mission:

The Tennessee Commission on Children and Youth (TCCY) is a small agency created by the Tennessee General Assembly. The primary mission of the Commission is to advocate for improvements in the quality of life for Tennessee's children and families. And, to provide leadership and support for child advocates.

The Commission shall serve as an informational resource and advocacy agency for the efficient planning and enhancement and coordination of state, regional and local policies, programs and services to promote and protect the health, well being and development of all children and youth in Tennessee (T.C.A. 37-3-102).

We believe:

- Children are Tennessee's most precious resource, and they deserve a safe, healthy quality of life provided in the least restrictive, most appropriate living situation possible.
- Families and communities have the responsibility to sustain, nurture and protect their children.
- Government is an important partner in improving the lives of children and families in Tennessee.
- Tennessee has a responsibility to promote positive change for children and their families, especially children in need of state services.
- Every child deserves equitable treatment under the law.
- Services for Tennessee children should be provided through a system of care that strives for continuous improvement.
- The Tennessee Commission on Children and Youth provides objective evaluations and accurate information so Tennesseans can make good decisions for children.

II. Structure:

TCCY has 23 full-time positions, 14 of which are located in the central office in Nashville. The other nine (9) are stationed across the state, by development district.

The TCCY Executive Director is responsible for the administration of the agency, including the selection of staff and other personnel decisions.

The current TCCY Organizational Chart is included in this plan (See page 8).

Appointed by the Governor for three-year staggered terms, the twenty-one Commission Members serve as the policy board for the agency, the maximum time any one member can serve is nine (9) consecutive years. Each development district should be represented by at least one Commission Member, and the Commissioners of state departments serving children, or their designees, are ex-officio members. The Commission also has youth advisory members to meet the requirements for serving as the State Advisory Group under the Federal Juvenile Justice and Delinquency Prevention Act.

A list of current Commission Members can be found on page 61 of this report.

III. Operation:

The Commission Members meet quarterly over two days to address the business of the agency. Currently, the Commission is meeting as a “committee of the whole” instead of assigned individual committees. This is being done, in part, due to the large number of newly appointed Members and as an orientation/learning strategy for those new members.

Historically, there have been nine (9) standing committees to oversee the operations of the agency.

The Commission officers and committee chairs have served as the Executive Committee. The Governor appoints the chair for a three-year term. Other officers, vice-chair and secretary, are elected by the members of the Commission. The historical nine (9) TCCY standing committees are described below. Primary staff support is included in each committee description. The reason this information remains relevant is that the Chair can at any time return the previous committee structure and the historical model is one plan from which to deviate..

Executive Committee consists of the Commission Chairs and all Chairs of the sub-committees of the Commission along with the TCCY Executive Director and Division Directors. The committee summarizes the projected work of TCCY prior to the meeting of the full Commission.

The Budget and Data Committee is responsible for TCCY efforts to collect and disseminate information, including the *Advocate*, Kids Count, The State of the Child Report, and commission budget requests, budget analysis. The Kids Count staff, Legislative staff, and the publications editor have historically been assigned to this committee.

The Councils Committee reviews activities related to the nine Regional Councils on Children and Youth and interdepartmental activities. Field Operations staff have historically been assigned to this committee.

The Children's Services Committee oversees the Ombudsman, Council on Children's Mental Health, Second Look Commission, as well as, the Youth Transitions Advisory Council activities. Staff from those programs have historically been assigned to this committee.

The Juvenile Justice and Minority Issues Committee is a committee that has multiple roles. It supervises the implementation of the Federal Juvenile Justice and Delinquency Prevention Act in Tennessee, the administration of Federal Formula, Title V, Juvenile Accountability Block Grants and grant funds for juvenile justice activities. State juvenile justice funding includes Court Appointed Special Advocates (CASA) and Reimbursement Account (state and federal dollars). This committee ensures adequate consideration of the needs of children of color in all TCCY efforts, with particular emphasis on the issue of minority overrepresentation in secure confinement. This committee also oversees all Title VI compliance efforts. Historically, juvenile justice staff members have been assigned to this committee.

Grant Review Committee reviews all grants applications submitted to TCCY for federal grants and makes recommendations to the full Commission for approval or disapproval of grant amounts.

The Personnel Committee handles personnel matters and provides oversight on TCCY personnel issues. This committee is responsible for establishing performance standards for the executive director, as well as, reviewing of the executive director's performance.

Audit Committee is responsible for reviewing and oversight on all audit finding(s) related to TCCY agency operations. The committee also works with the TCCY Executive Director and Division Directors to ensure all audit findings and recommendation(s) are addressed.

Legislative Committee reviews all proposed legislation pertaining to Tennessee's children and families. Assisted by TCCY's Legislative staff, the committee identifies the most relevant bills and makes recommendation(s) to the Commission as to the benefits or consequences of those bills should they pass which would impact children, youth and/or families.

In addition to the areas of responsibility for each committee, the Commission is also heavily involved in legislative advocacy. This includes monitoring legislation and appropriate committees of the General Assembly and disseminating information through Legislative Reports and Legislative Updates. Legislative staff performs these duties.

Administrative support duties are performed by the support services staff, which is also responsible for administrative tasks such as purchasing, personnel actions, and property management.

IV. Nondiscrimination Policy Statement:

The following information reflects TCCY's non-discrimination policy.

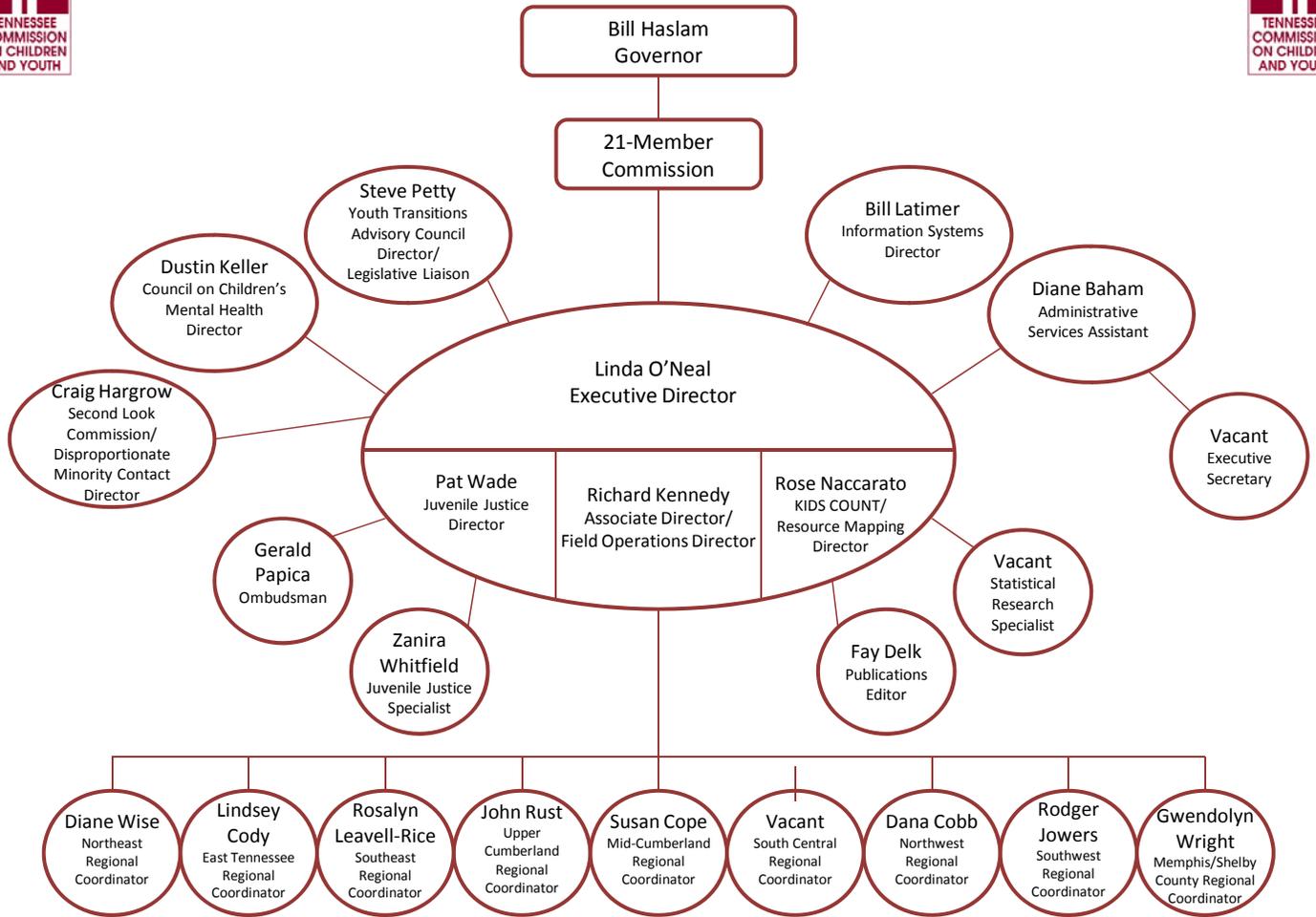
Purpose: The purpose of Title VI in the Civil Rights Act of 1964 is to prohibit programs that receive federal funds from discriminating against participants or clients on the basis of race, color, or national origin. The intent of the law is to ensure that all persons, regardless of their race, color, or national origin, is allowed the equal opportunity to participate in these federally funded programs. In addition, TCCY complies with the following federal laws:

- The Omnibus Crime Control and Safe Streets Act of 1968, which prohibits discrimination on the basis of race, color, national origin, religion, or sex in the delivery of services and employment practices (42 U.S.C. § 3789d(c)(1)), and the DOJ implementing regulations at 28 C.F.R. Part 42, Subpart D;
- Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination on the basis of disability in the delivery of services and employment practices (29 U.S.C. § 794), and the DOJ implementing regulations at 28 C.F.R. Part 42, Subpart G;
- Title II of the Americans with Disabilities Act of 1990, which prohibits discrimination on the basis of disability in the delivery of services and employment practices (42 U.S.C. § 12132), and the DOJ implementing regulations at 28 C.F.R. Part 35;
- Title IX of the Education Amendments of 1972, which prohibit discrimination on the basis of sex in educational programs (20 U.S.C. § 1681), and the DOJ implementing regulations at 28 C.F.R. Part 54; and
- The Age Discrimination Act of 1975, which prohibits discrimination on the basis of age in the delivery of services (42 U.S.C. § 6102), and the DOJ implementing regulations at 28 C.F.R. Part 42, Subpart I.
- The DOJ regulations on the Equal Treatment for Faith-Based Organizations, which prohibit discrimination on the basis of religion in the delivery of services and prohibit organizations from using DOJ funding on inherently religious activities (28 C.F.R. Part 38).

V. TCCY Organizational Chart



Tennessee Commission on Children and Youth



SECTION TWO

FEDERAL PROGRAMS OR ACTIVITIES:

TCCY administers the Federal Juvenile Justice and Delinquency Prevention Act (JJDPA). Each year the state receives funding through the Act and other federal funds. This includes Federal Formula Grants, Juvenile Accountability Block Grant (JABG) funds, Title V Delinquency Prevention and Enforcing Underage Drinking Laws (EUDL). The Commission awards grants to agencies and organizations for delinquency prevention, intervention and accountability to ensure youth who commit offenses receive appropriate placements and services as well as making sure juveniles are held accountable for criminal offenses. The Court Appointed Special Advocates (CASA) grants are provided through monies designated by the Tennessee General Assembly and are non-competitive. In 2013 the legislature approved an amount of \$16,500 for each county having an established CASA program.

In Fiscal Year 2012-2013, TCCY awarded the following dollar amounts:

- Federal Formula Grants \$180,434.00
- Juvenile Accountability Block Grants \$540,907.00
- Reimbursement Accounts \$90,000.00
- Court Appointed Special Advocate \$660,000.00

Generally, projects are funded on a year-to-year basis, and usually for a maximum of three years. Usually a declining share basis is used for Federal Formula grants, with one hundred percent of an approved budget funded the first year, seventy-five percent of the first year's budget amount funded in the second year, and fifty percent of the first year's budget amount funded in the third year. On page 10 of this report, the table outlines how the federal funds were allocated by TCCY in FY 2012-2013. The other federal grant awards usually receive level funding (if available) for up to three years.

The Commission also administers state funds for the improvement of juvenile court services. Reimbursement Account funds are provided to counties that do not have juvenile detention centers. These funds are used for alternative services for juveniles instead of placing them in adult secure facilities. Reimbursement funds are a combination of state and federal dollars. Counties can receive from \$300 to \$12,000 depending on the historical use of the funds.

Finally, TCCY administers state funds for the Court Appointed Special Advocate (CASA) program. The purpose of the CASA program is to recruit, train, and supervise volunteers, approved by the court, to serve as advocates for the best interests of abused, neglected, or dependent children and other children whose placement is being decided by juvenile court. CASA funds are provided through approval by the State Legislature. A total of 45 counties received CASA funds.

Juvenile Justice Funds Administered by TCCY – FY 2012-2013

<u>Program</u>	<u>State Share</u>	<u>Federal Share</u>	<u>Total</u>
Federal Formula		\$180,434	\$180,434
Juvenile Justice & Delinquency Prevention Act Reimbursement Account	\$ 0.00	\$540,907	\$540,907
Court Appointed Special Advocates (CASA) Title V	\$ 660,000	-0-	\$660,000
	0.00	0.00	0.00

TCCY GRANTEES 2012-2013

FFG	Big Brothers Big Sisters of Middle TN	45,000
FFG	Boys & Girls Clubs of the Tennessee Valley	39,467
FFG	Boys and Girls Clubs of Cleveland	39,467
Alt Detention	Oasis Center, Inc	56,500
Federal Formula Grant Total		180,434

Juvenile Accountability Block Grant

JABG-SA	Children and Family Services	60,000
JABG-SA	Florence Crittenton Agency	31,562
JABG-SA	L.E.A.P. ORG	60,824
JABG-SA	Madison County Government	51,131
JABG-SA	Administrative Office of the Courts	37,500
JABG-SA	TN Legal Community Foundation	37,500
JABG-PT	Metropolitan Govt of Nashville-Nashville	101,023
JABG-PT	Knox County Government	31,486
JABG-PT	Shelby County Government	129,881
Juvenile Accountability Block Grant Total		540,907

Juvenile Justice Reimbursement

Reimbursement	Anderson County	2,025.00
Reimbursement	Cannon County	700.00
Reimbursement	Carter County	3,000.00
Reimbursement	Cheatham County	300.00
Reimbursement	Cocke County	2,400.00
Reimbursement	Coffee County	4,750.00
Reimbursement	Crockett County	1,000.00
Reimbursement	Dickson County	4,500.00
Reimbursement	Giles County	315.00
Reimbursement	Hamblen County	10,000.00
Reimbursement	Hardin County	300.00
Reimbursement	Haywood County	600.00
Reimbursement	Henderson County	315.00
Reimbursement	Humphreys County	300.00
Reimbursement	Jefferson County	2,500.00
Reimbursement	Johnson County	300.00
Reimbursement	Lake County	300.00

Reimbursement	Lauderdale County	4,500.00
Reimbursement	Loudon County	1,600.00
Reimbursement	Marion County	2,400.00
Reimbursement	Marshall County	1,300.00
Reimbursement	Maury County	4,000.00
Reimbursement	McMinn County	1,440.00
Reimbursement	Montgomery County	11,000.00
Reimbursement	Morgan County	180.00
Reimbursement	Robertson County	4,230.00
Reimbursement	Sequatchie County	1,845.00
Reimbursement	Stewart County	600.00
Reimbursement	Sullivan County	10,000.00
Reimbursement	Warren County	3,300.00
Reimbursement	Washington County	10,000.00
		90,000

Court Appointed Special Advocates

CASA	CASA Corridor of East TN -Rhea, Meigs, McMinn	45,000
CASA	CASA for Kids, Inc	30,000
CASA	CASA Inc of Davidson County	15,000
CASA	CASA Monroe	15,000
CASA	CASA of Campbell County	15,000
CASA	CASA of East Tennessee	75,000
CASA	CASA of Maury County	15,000
CASA	CASA of Memphis & Shelby County	15,000
CASA	CASA of Northeast Tennessee	45,000
CASA	CASA of Robertson County	15,000
CASA	CASA of Rutherford County	15,000
CASA	CASA of the Ninth Judicial District	45,000
CASA	CASA of the Tennessee Heartland	30,000
CASA	CASA of Tipton County, Inc.	15,000
CASA	CASA Overton c/o Putnam UCHRA	15,000
CASA	CASA Works Inc	45,000
CASA	Dyer-Lake County CASA	30,000
CASA	Hamilton County CASA	15,000
CASA	Henderson & Decatur Counties	30,000
CASA	Madison County CASA Inc	15,000
CASA	Sumner County CASA Inc	15,000
CASA	UCHRA CASA of Putnam County	45,000
CASA	Williamson County CASA Inc	15,000
CASA	Wilson County CASA	15,000
CASA	CASA of Bradley County	15,000
CASA	Northwest CASA (Weakley County)	15,000
		660,000

SECTION THREE

CIVIL RIGHTS OFFICE/CIVIL RIGHTS COORDINATOR

The overall responsibility for complying with the provisions of Title VI is vested in the TCCY Executive Director, who is accountable for the administration of TCCY and its organizational subdivisions, field offices, and contracting agencies and governmental units.

When appointed, the Chair of the Juvenile Justice and Minority Issues Committee shall oversee Title VI compliance efforts, in conjunction with the TCCY Title VI Coordinator, and the Title VI Work Group. The responsibility for coordinating Title VI within TCCY is assigned to and divided among the supervisory staff of TCCY. The Juvenile Justice and Minority Issues Committee, or full Commission shall conduct an annual review of compliance efforts prepared by TCCY staff to ensure that the following have occurred:

- a. Commission staff has received appropriate and adequate training on Title VI to function fully in their responsibilities associated with Title VI compliance and implementation.
- b. Commission staff and members have received all materials such as procedural manuals, posters, and pamphlets required for administering and complying with the Title VI program.
- c. Appropriate TCCY staff has on file copies of compliance reports from grantees indicating the status of their Title VI compliance.
- d. An overview of Title VI requirements has been incorporated into new staff and new Commission member orientation, and information about Title VI is included in the agency "Employee Policies and Procedures Manual".

The TCCY Title VI Coordinator is responsible for maintaining all Title VI records and documentation within the Agency. The Juvenile Justice Director shall maintain a database used to conduct statistical analyses concerning Title VI compliance. The Title VI Coordinator shall work with monitoring staff to ensure an adequate number of Title VI training sessions are conducted statewide in conjunction with TCCY Commission and Council meetings and other appropriate events. The Title VI Coordinator for TCCY is:

Mr. Richard Kennedy
Associate Director
601 Mainstream Drive
Nashville, TN 37243-0800
(615) 741-2633

The relationship between TCCY and sub-recipients consists of TCCY granting funds to said sub-recipients, explaining compliance requirements, supplying compliance materials (e.g. self surveys, posters, and brochures), and monitoring programs implemented by sub-recipients.

SECTION FOUR

DATA COLLECTION AND ANALYSIS

Funded Programs – Agency Participation /Beneficiary Data

As stated previously, each grantee shall complete the Title VI Self Survey annually, or as otherwise required, and mail it to the TCCY Central Office in Nashville with the signed contract for funds. During on-site monitoring visits, Central Office TCCY Monitors shall verify information reported in the Title VI Self Survey. Additionally, if a Title VI Self Survey contains any missing information, the Central Office TCCY Juvenile Justice staff shall make efforts to secure such missing data. TCCY staff also conducts on-site visits for each program one time per year to determine if programs are meeting specific goals and objectives stated in their application and contract. Staff will verify compliance with Title VI guidelines.

The Title VI Self Surveys will be analyzed by the TCCY Juvenile Justice Director. A database shall be developed which will consist of data from the Title VI Self Surveys. The database shall include such information as representation of minorities on boards or planning committees, the name of the Local Title VI Coordinator, whether the agency has a non-discrimination policy, the number and percent of minority children served, and the number and percent of minority staff employed. The population eligible to participate in a program shall be identified by racial/ethnic category for each service delivery point. This information shall be derived from the U.S. Census and shall be updated in conjunction with U.S. Census updates.

Commission Members/Agency Staff

Commission Members

Members of the Tennessee Commission on Children and Youth are appointed to three-year staggered terms by the Governor of Tennessee. Historically, within TCCY, several committees have been developed which focus on issue-specific concerns. The Commission Members, as of August 26, 2013 can be found on the following page.

Historically, the Commission has had standing committees. The current Chair has not appointed committees. Currently the Commission is meeting as a “committee of the whole.” In reference to recipients of TCCY funding, whenever a planning or advisory body, such as a board or committee, is an integral part of the recipients’ programs, that facility or agency should take such steps as are necessary to ensure that minorities are notified of the existence of such bodies and are provided equal opportunity to participate as members.

Where members of the board or committee are appointed by the contracting facility or agency and where minorities, as defined by Title VI, comprise as much as five percent (5%) of the service delivery area or the surrounding community, the facility or agency must appoint a minority representative to serve on the board.

TCCY has a full-time staff position, who spends a portion of his time, coordinating the Agency’s work on minority overrepresentation in the juvenile justice system in Tennessee.

Agency Staff

TCCY has 25 full-time positions, 21 of which are currently filled. All are located in the central office in Nashville, except for nine (9) who are stationed across the state, by development district. The TCCY Executive Director is responsible for the administration of the agency, including the selection of staff and other personnel decisions. A listing of TCCY staff, as well as their gender and race is included on the following page.

TENNESSEE COMMISSION ON CHILDREN AND YOUTH
TITLE VI SUMMARY OF COMPLAINTS/LAWSUITS

Annual Report

REPORT PERIOD: 2012-2013

1. 44 - Number of grantees funded with federal funds.
2. 44 - Number of grantees monitored for compliance with Title
3. 44 - Number of grantees in compliance with Title VI rules.
4. 0 - Number of grantees out of compliance with Title VI rules.
5. 0 - Number of grantees issued corrective action plans for Title VI compliance.
6. 0 - Total Number of Title VI complaints filed with TCCY.

a. Number of Complaints CLOSED for the following reasons:

1. 0 - Administratively (e.g. timeliness, failure to cooperate, etc.)

0 - Failure to meet a prima facie case

0 - Settlement and /or resolution reached

- b. 0 - Number of complaints immediately referred to another state or federal department or agency, and the reason.

c. List lawsuits filed (Complaints name, address)

No lawsuits filed alleging discrimination on the basis of race, color or national origin under any federally funded program or activity.

7. 0 - Number of Title VI complaints satisfactorily resolved.
8. 0 - Number of Title VI complaints to be resolved.
9. 0 - Number of Appeals filed.
10. 0 - Number of Appeals resolved.
11. 0 - Lawsuits Filed.
12. 0 - Total number of complaints received.

SECTION FIVE 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.

Civil Rights Compliance Reviews: Regular, systematic inspections of agency programs conducted by Central Office TCCY Staff to determine regulatory compliance with civil rights laws and regulations is done at least once per year. These reviews help to measure the effectiveness of agency civil rights programs. They identify problems such as denial of full benefits, barriers to participation, different treatment, lack of selection to advisory boards and planning committees, lack of information, and denial of the right to file a civil rights complaint.

Compliance: The fulfillment of the requirements of Title VI, other applicable laws, implementing regulations, and instructions to the extent that no distinctions are made in the delivery of services or benefits based on race, color, or national origin.

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.

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. Federal financial assistance may be in the form of property, technical assistance, grants, or partnerships and does not refer solely to the distribution of funds.

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/or failure or refusal to implement departmental regulations.

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.

Public Notification: Process of publicizing information on the availability of programs, services, benefits, the right to file a Title VI complaint, and TCCY statements of nondiscrimination. Notification is attained primarily through the use of newsletters, brochures,

pamphlets, community organizations, TCCY Commission meetings and Council meetings, the release of requests for grant proposals, and grant-writing training.

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.

\

SECTION SIX
DISCRIMINATORY PRACTICES:

Prohibited practices include the following:

- Denying any individual, on the basis of race, color, national origin, sex, religion, age or disability any services, opportunity, or other benefit for which this individual is otherwise qualified (e.g. denying minority children the right to participate in a mentoring program which receives TCCY funding would be a prohibited practice);
- Providing any individual, on the basis of race, color, national origin, sex, religion, age or disability with any quality service, or other benefit, that is different or is provided in a different manner from that which is provided to others under the program;
- Subjecting any individual, on the basis of race, color, national origin, sex, religion, age or disability to segregated or separate treatment in any manner related to that individual's receipt of that service;
- Restricting any individual, on the basis of race, color, national origin, sex, religion, age or disability in any way in the enjoyment of services, facilities, or any other advantage, privilege, or other benefit provided to others in the program;
- Adopting methods of administration that would limit participation by any group of recipients or subject them to discrimination (e.g. if a TCCY-funded teen pregnancy prevention program targeting a high minority teen pregnancy rate chooses to locate in an area of the city where few minorities reside, or where it is not easily accessible to minorities, that program may be found to be in noncompliance with Title VI requirements);
or
- Addressing an individual in a manner that denotes inferiority based on race, color, national origin, sex, religion, age or disability.

SECTION SEVEN

LIMITED ENGLISH PROFICIENCY (LEP)

Purpose: To set forth examples of prohibited discriminatory practices specific to the agency. For the staff's knowledge as well as to increase public awareness:

TCCY does not utilize translator or interpreter services. Due to the fact that we do not provide direct services to community participants. We do not work with children or families directly. However, the Tennessee Commission on Children and Youth (TCCY) will take reasonable steps to ensure that persons with Limited English Proficiency (LEP) have meaningful access and an equal opportunity to participate in our services, activities, programs and other benefits. This will be accomplished by the following:

- Making available the Title VI training video to any grantee or Tennessee citizen, who may request it.
- Having on-going trainngs for TCCY staff annually, training the awarded grantees yearly,
- Using language cards,
- When possible, having bi-lingual staff,
- Using the state contracted language service, AVAZA for LEP issues, providing an on-line LEP video, having TCCY brochure information available in at least Spanish and another selected popular language, as the budget allows.

The policy of the Tennessee Commission on Children and Youth (*TCCY*) 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, consent forms, grantee contracts, federal and state assurances, letters from the juvenile court judge, court administrator, or lead YSO, educational degrees and certificates. TCCY requires all sub-grantees to provide cultural competent services to participants and where possible, LEP services to program participants. TCCY does require the following of funded agencies: All sub recipients to comply with their obligations under other applicable federal civil rights laws, such as informing sub recipients about (a) the prohibition of discrimination not only under Title VI, but also under the Safe Streets Act, the JJDP, the Americans with Disabilities Act, the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975, (b) the EEO requirements, (c) providing meaningful access to programs and activities for LEP individuals, and (d) having procedures in place to receive and evaluate complaints from employees and beneficiaries alleging discrimination not only under Title VI, but also under the Safe Streets Act, the JJDP, the Americans with Disabilities Act, the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975; 3) Organizations and agencies that TCCY collaborates with are all English speaking.

PROCEDURES:

A. IDENTIFYING LEP PERSONS AND THEIR LANGUAGE:

If TCCY staff encounters a person(s) with LEP needs in the course of performing their duties, they are instructed to do the following: 1) See if staff can determine what language the LEP person is speaking; 2) Use language cards or posters, if identity of LEP language remain unknown; 3) Call the state contracted language service, AVAZA for assistance, if further assistance is needed (5209 Linbar Drive, suite 603, Nashville, TN 37211, 615-534-3400/615-810-8506 (fax)).

In addition, when records are kept of past interactions with individuals or their family members, the language used to communicate with the LEP person will be included as part of the record.

B. OBTAINING A QUALIFIED INTERPRETER:

TCCY's Title VI Coordinator, Richard Kennedy 615-532-1570 is the person responsible for:

- (a) Maintaining an accurate and current list showing the name, language, phone number and hours of availability of bilingual staff. The current staff with bilingual skills are:

Gerald Papica, Filipino and Tagalog, 615-532-1572; and he is available during office hours of 9:00 a.m. to 5:00 p.m.

- (b) Contacting the appropriate bilingual staff member to interpret, in the event that an interpreter is needed, if an employee who speaks the needed language is available and is qualified to interpret;

- (c) Obtaining an outside interpreter if a bilingual staff or staff interpreter is not available or does not speak the needed language.

AVAZA Language Services Corp. has agreed to provide qualified interpreter services. Their telephone number is 1-615-534-3400 and the hours of availability are twenty-four (24) a day, seven days per week, year round.

Some LEP persons may prefer or request to use a family member or friend as an interpreter. However, family members or friends of the LEP person will not be used as interpreters unless specifically requested by that individual and after the LEP person has understood that an offer of an interpreter at no charge to the person has been made by the department or agency. Such an offer and the response will be documented in the person's file. If the LEP person chooses to use a family member or friend as an interpreter, issues of competency of interpretation, confidentiality, privacy, and conflict of interest will be considered. If the family member or friend is not competent or appropriate for any of these reasons, competent interpreter services will be provided to the LEP person.

Children (e.g. persons under the age of 18) will not be used to interpret, in order to ensure confidentiality of information and accurate communication.

C. PROVIDING WRITTEN TRANSLATIONS:

Translation is the replacement of a written text from one language (source language) into an equivalent written Text in another (target language). TCCY will use to the extent of our obligation to provide written translations of documents should be determined by TCCY on a case-by-case basis, looking at the totality of the circumstances in light of the four-factor analysis. Because translation is a one-time expense, consideration should be given to whether the upfront cost of translating a document (as opposed to oral interpretation) should be amortized over the likely lifespan of the document when applying the four factor analysis.

- (a) When translation of vital documents is needed, each division or unit in TCCY will submit documents for translation into frequently-encountered languages to Richard Kennedy, TCCY's Title VI Coordinator. Original documents being submitted for translation will be in final, approved form.

- (b) TCCY will set benchmarks for translation of vital documents into additional languages over time, as the budget allows.

D. MONITORING LANGUAGE NEEDS AND IMPLEMENTATION:

On an ongoing basis, TCCY will assess changes in demographics, types of services or other needs that may require reevaluation of this policy and its procedures. In addition, TCCY will regularly assess the efficacy of these procedures, including but not limited to mechanisms for securing interpreter services, equipment used for the delivery of language assistance, complaints filed by LEP persons, and feedback from the public and community organizations.

SECTION EIGHT

COMPLAINT PROCEDURES

Discrimination Complaints

A complaint alleging discrimination against a facility, contracting agency, or governmental unit providing services that TCCY funds may be filed by a client with contracting agency staff, Central Office TCCY Monitors or Commission Members, or with the U.S. Department of Justice.

Sub recipients must comply with any applicable federal non-discrimination requirements, which may include the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3789d); the Victims of Crime Act (42 U.S.C. 10604(e)); the Juvenile Justice and Delinquency Prevention Act of 2002 (42 U.S.C. 5672(b)); the Civil Rights Act of 1964 (42 U.S.C. 2000(d)); the Rehabilitation Act of 1973 (29 U.S.C.794); The Americans with Disabilities Act of 1990 (42 U.S.C. 12131-34); the Education Amendments of 1972 (20 U.S.C. 1681, 1683, 1685 – 86); the Age Discrimination Act of 1975 (42 U.S.C. 6101-07); 28 C.F.R. pt. 42 (U.S. Department of Justice Regulations – Non-discrimination; Equal Employment Opportunity; Policies and Procedures); Ex. Order 13279 (equal protection of the law for faith based and community organizations); and 28 C.F.R. pt. 38 (U.S. Department of Justice Regulations – Equal treatment for Faith Based Organizations).

In the event a federal or state court or federal or state administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin, sex, disability, and retaliation against a recipient of funds, the sub recipient will forward a copy of the finding to the U.S. Department of Justice, Office of Justice Programs, Office of Civil rights (OCR), and the Tennessee Commission on Children and Youth (TCCY).

The sub recipient will determine whether it is required to formulate an Equal Opportunity Program (EEO), in accordance with 28 CFR 42.301 *et. seq.* If the applicant is not required to formulate an EEO, it will submit a certification form to the U.S. Department of Justice, Office of Justice Programs, Office of Civil Rights (OCR) and to TCCY indicating that it is not required to develop an EEO. If the applicant is required to develop an EEO for OCR, the applicant will submit a certification form to OCR and to TCCY certifying that it has an EEO on file which meets the applicable requirements. If the applicant is awarded a grant of \$500,000 or more and has more than fifty employees, it will submit a copy of its EEO to the OCR and to TCCY. Non-profit organizations, Indian Tribes, and medical and education institutions are exempt from the EEO requirement, but are required to submit a certification form to the OCR to claim exemption. A copy of the certification form should be also be submitted to TCCY. Information about civil rights obligations of the grantees can be found at www.ojp.usdoj.gov/ocr/.

In accordance with the federal civil rights laws, the sub recipient shall not retaliate against individuals for taking action or participating in action to secure rights protected by these laws.

Complaints must be filed in writing, preferably on the TCCY Complaint form CY-0092. The complaint can be filed at the local, state or federal level. This complaint form can be filled out by the complainant, by his or her representative, or by appropriate TCCY staff or Commission Members. The form can be sent to:

Tennessee Commission on Children and Youth
601 Mainstream Drive
Nashville, Tennessee 37243-0800
(FAX) 615-741-5956
OR
U.S. Department of Justice
Office of Justice Programs
Office for Civil Rights
810 7th Street, N.W.
Washington, DC 20531

If the complainant is unwilling to complete the form, he or she may write, or have written, a letter stating the circumstances of the complaint. If the complaint is not filed on form CY-0092, then the Title VI Coordinator will fill out this form and attach it to the complainant's letter. Complaints initially received by contracting agency employees must be filed immediately within ten (10) days with the TCCY Title VI Coordinator. The Coordinator must notify the Executive Director and Juvenile Justice Director immediately whenever a complaint is filed (within five (5) days of receipt of complaint). Complaints can be filed at the local, state or federal levels; however, TCCY recommends that the complaint be first filed at the local level. Experience shows that complaints have a good probability of being resolved at the level where they arose. If the complainant files the complaint at the local level, he/she should include documentation of the results at that level when sending the complaint on to the state or federal level.

The TCCY Title VI Coordinator will maintain information regarding the complaints. A copy of the complaint must also be kept with the grantee or contractor files. The Title VI Work Group has the primary responsibility of reviewing the complaints and reporting findings to the full Commission, and the appropriate state agency responsible for oversight of Title VI in Tennessee. The Title VI Coordinator must investigate the complaint and report findings to the TCCY Executive Director and Juvenile Justice Director.

In accordance with federal regulations, generally a federal complaint with the Department of Justice must be filed no later than 180 calendar days after the alleged discrimination occurred. However, to allow a complainant time to file sequentially within the Commission and externally to the U.S. Department of Justice if he or she chooses, the complaint should be filed at the local level no later than 30 calendar days after the alleged discrimination occurred. If it is filed beyond the 30 calendar day period, TCCY and the facility, agency, or governmental unit are encouraged to investigate and process the complaint if the filing is prompt enough to allow proceedings to be concluded and leave sufficient time for the complainant to file externally at the federal level.

If a complaint is filed both internally with the Commission and externally with the U.S. Department of Justice during the same time, the external complaint supersedes the internal complaint filing. Accordingly, the internal complaint procedures will be suspended pending outcome of the federal complaint.

When a complaint is received at the local level, the TCCY Title VI Coordinator will conduct and complete a fact-finding investigation within 30 calendar days of receipt of the complaint and report the findings to the highest-ranking official of the contracting agency or governmental unit and the TCCY Executive Director and Juvenile Justice Director. Within ten (10) business days after this report, the written findings will be given to the complainant. Complainant's rights to appeal, including instructions for filing an external complaint, will also be provided at this time. If the report includes a finding of noncompliance, the report should include recommendations for remedial action by the Grantee. The Grantee must submit a remedial action plan, which includes steps to correct the problem and procedures to avoid future discriminatory issues within thirty (30) days. If the Grantee does not comply with this policy, then TCCY will notify the Grantee that funds will be suspended until compliance is met.

If a complainant chooses to appeal a finding or the proposed remedial action by the Commission, he or she should do so within the next 30 calendar days following receipt of the findings. If the appeal is filed beyond the 30-calendar day limit, the Commission may still continue if the proceedings can be concluded and leave sufficient time for the complainant to file externally. An appeal made by a complainant regarding a finding may be filed with the Central Office TCCY Monitor, TCCY's Central Office in Nashville, or with a Commission Member. This appeal opportunity constitutes the second and final level in TCCY's internal complaint system.

When a finding is appealed, a copy of the complaint, the findings, the proposed remedial action, and the request for appeal must be forwarded to the Executive Director of TCCY, the Chair of the Juvenile Justice and Minority Issues Committee, the Juvenile Justice Director and the TCCY Title VI Coordinator. When an appeal is filed, the Chair of the Juvenile Justice and Minority Issues Committee or the TCCY Chair, in cooperation with the Title VI Workgroup has broad latitude to review an appealed case and make a finding. The Title VI Workgroup should review previous findings and conduct a complete fact-finding within 30 calendar days after receipt of such complaint or appeal. Procedures can include, but are not limited to, discussing the complaint with the complainant, the alleged offender, and the initial reviewer to determine the facts. Any findings shall be reported to the full Commission for action. When an appeal is concluded by the full Commission, the complainant will first be notified in writing of the findings and then a copy of the findings will be sent to the contractor or grantee. If the grantee does not comply with the decision of the Commission after the appeal is concluded, the funds will be suspended until compliance is achieved.

If after appealing to the Commission, a complainant remains unsatisfied with the findings or the proposed remedial action, then he or she may file externally, with the U.S. Department of Justice within the stated time limit of 180 calendar days. The external appeal shall be explained to the complainant when notified of the findings of the appeal. However, a complainant does not have to wait for a finding from the Commission to file a complaint with the U.S. Department of Justice as previously stated. The complainant may file a complaint with the U.S. Department of Justice at anytime within the required statutory time limits.

**STATE OF TENNESSEE
TENNESSEE COMMISSION ON CHILDREN AND YOUTH
COMPLAINT UNDER CIVIL RIGHTS ACT OF 1964**

Date: _____

TO: TENNESSEE COMMISSION ON CHILDREN AND YOUTH

I, _____, hereby file an official complaint against

Name of Person or Agency

Located at : _____

Complainant's Name: _____

Complainant's Address: _____

Basis of Complaint: _____

Date of alleged discrimination: _____

Signed: _____

Section Below to be Completed by the Tennessee Commission on Children and Youth

Referred to _____ on _____ for investigation and report.
Local Coordinator Date

Use back of Sheet if necessary.

TCCY Coordinator

SECTION NINE

COMPLIANCE REVIEW

A. Pre-Award Procedures – Assurances and Data Collection

TCCY staff reviews grant applications for potential and current grantees to make sure they adhere to grant applications requirements. These requirements include cultural competency training for staff. Also, application training is presented for potential grantees, which includes training on Title VI requirements as specified in the Title VI Plan.

- 1) TCCY and its sub recipients and /or contractors shall make available any compliance report to be reviewed by the Tennessee Human Rights Commission (THRC) upon request.
- 2) List of Grantees for FY 2012-2013 are as follows and all have signed Statement of Assurances:

TCCY GRANTEES 2012-2013

FFG	Big Brothers Big Sisters of Middle TN	45,000
FFG	Boys & Girls Clubs of the Tennessee Valley	39,467
FFG	Boys and Girls Clubs of Cleveland	39,467
Alt Detention	Oasis Center, Inc	56,500
Federal Formula Grant Total		180,434

Juvenile Accountability Block Grant

JABG-SA	Children and Family Services	60,000
JABG-SA	Florence Crittenton Agency	31,562
JABG-SA	L.E.A.P. ORG	60,824
JABG-SA	Madison County Government	51,131
JABG-SA	Administrative Office of the Courts	37,500
JABG-SA	TN Legal Community Foundation	37,500
JABG-PT	Metropolitan Govt of Nashville-Nashville	101,023
JABG-PT	Knox County Government	31,486
JABG-PT	Shelby County Government	129,881
Juvenile Accountability Block Grant Total		540,907

Juvenile Justice Reimbursement

Reimbursement	Anderson County	2,025.00
Reimbursement	Cannon County	700.00
Reimbursement	Carter County	3,000.00
Reimbursement	Cheatham County	300.00
Reimbursement	Cocke County	2,400.00
Reimbursement	Coffee County	4,750.00
Reimbursement	Crockett County	1,000.00
Reimbursement	Dickson County	4,500.00
Reimbursement	Giles County	315.00

Reimbursement	Hamblen County	10,000.00
Reimbursement	Hardin County	300.00
Reimbursement	Haywood County	600.00
Reimbursement	Henderson County	315.00
Reimbursement	Humphreys County	300.00
Reimbursement	Jefferson County	2,500.00
Reimbursement	Johnson County	300.00
Reimbursement	Lake County	300.00
Reimbursement	Lauderdale County	4,500.00
Reimbursement	Loudon County	1,600.00
Reimbursement	Marion County	2,400.00
Reimbursement	Marshall County	1,300.00
Reimbursement	Maury County	4,000.00
Reimbursement	McMinn County	1,440.00
Reimbursement	Montgomery County	11,000.00
Reimbursement	Morgan County	180.00
Reimbursement	Robertson County	4,230.00
Reimbursement	Sequatchie County	1,845.00
Reimbursement	Stewart County	600.00
Reimbursement	Sullivan County	10,000.00
Reimbursement	Warren County	3,300.00
Reimbursement	Washington County	10,000.00
		90,000

Court Appointed Special Advocates

CASA	CASA Corridor of East TN -Rhea, Meigs, McMinn	45,000
CASA	CASA for Kids, Inc	30,000
CASA	CASA Inc of Davidson County	15,000
CASA	CASA Monroe	15,000
CASA	CASA of Campbell County	15,000
CASA	CASA of East Tennessee	75,000
CASA	CASA of Maury County	15,000
CASA	CASA of Memphis & Shelby County	15,000
CASA	CASA of Northeast Tennessee	45,000
CASA	CASA of Robertson County	15,000
CASA	CASA of Rutherford County	15,000
CASA	CASA of the Ninth Judicial District	45,000
CASA	CASA of the Tennessee Heartland	30,000
CASA	CASA of Tipton County, Inc.	15,000
CASA	CASA Overton c/o Putnam UCHRA	15,000
CASA	CASA Works Inc	45,000
CASA	Dyer-Lake County CASA	30,000
CASA	Hamilton County CASA	15,000
CASA	Henderson & Decatur Counties	30,000
CASA	Madison County CASA Inc	15,000
CASA	Sumner County CASA Inc	15,000
CASA	UCHRA CASA of Putnam County	45,000
CASA	Williamson County CASA Inc	15,000
CASA	Wilson County CASA	15,000

CASA	CASA of Bradley County	15,000
CASA	Northwest CASA (Weakley County)	15,000
		660,000

3) Excerpt of the contractual provision(s) prohibiting discrimination, which is agreed to by sub recipients and/or contractors of TCCY:

D8 Nondiscrimination: The Grantee hereby agrees, warrants, and assures that no person shall be excluded from participation in, be denied of, or be otherwise subjected to discrimination in the performance of this Grant Contract or in the employment practices of the Grantee on the grounds of disability, age, race, sex, religion, national origin, or any other classification protected by federal, Tennessee State constitutional, or statutory law. The Grantee shall, upon request, show proof of such nondiscrimination and shall post in conspicuous places, available to all employees and applicants, notices of non-discrimination.

4) Federal Finance Assistance Application

There is no federal financial assistance application pending with any federal or state department.

5) Title VI Self Survey provided by TCCY to Sub recipients and/or Contractors TCCY staff made a total of Sixty (60) reviews of Title VI Self Survey forms for FY 2012-2013. The Title VI self survey is included.

6) Field or On-Site Reviews of Sub recipients and/or Contractors In 2012-2013 TCCY staff reviewed one Federal Formula Grantee, three Juvenile Accountability Block Grant Grantees, two Reimbursement Grantees, and twenty six Court Appointed Special Advocate Grantees. These reviews were a combination of onsite and desk reviews which utilized the same monitoring tools used for on-site reviews. TCCY fulfilled the Policy 22 requirements in the plan approved by the Department of Finance and Administration.

7) Title VI Trainings for Sub recipients and/or Contractors

Cultural Competency/Title VI Training

TCCY requires all subgrantees to provide cultural competency services to staff and participants, and, where possible, Limited English Proficiency (LEP) services to program participants. All personnel involved with the program, including volunteers, must be provided cultural competency training within the first two quarters of the project implementation period. If the training is provided by an outside agency, then documentation of that training must be submitted with the third quarter report. The training should include information regarding Title VI and other Non-Discriminatory policies, laws, and regulations. TCCY also requires the following of funded agencies:

All subrecipients to comply with their obligations under other applicable federal civil rights laws, such as, informing subrecipients about (a) the prohibition of discrimination not only under Title VI, but also under the Safe Streets Act, the JJDP, the Americans with Disabilities Act, the Rehabilitation Act of 1973, and the age Discrimination Act of 1975, (b) the EEO requirements;

(c) providing meaningful access to programs and activities for LEP individuals; and, d) having procedures in place to receive and evaluate complaints from employees and beneficiaries alleging discrimination not only under Title VI, but also under the Safe Streets Act, the JJDP, the Americans with Disabilities Act, the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975.

Training

There were a total of three (3) trainings on Title VI in the FY 2012-2013 for all grants (FFG, JABG, Reimbursement and CASA) funded through TCCY.

Title VI Training included review of the Title VI plan that was submitted for the previous FY. The Title VI Self Survey was reviewed to inform grantees on how to complete it. Also, a Title VI video was shown which included an explanation of the Title VI Act and requirements needed for Limited English Proficiency (LEP) compliance.

Title VI Training for TCCY Staff /Commission Members

Members of the Commission and TCCY staff received Title VI training at the Commission Meeting on October 26, 2012.

Minutes of that meeting are included at the end of this section.

- 8) Other TCCY procedures utilized, but not mentioned in Implementation Plan Report: TCCY provides application training for potential grantees and includes Title VI training during that time. Once a grantee is funded, orientation training is provided, which also includes Title VI training information as well as, a video regarding LEP.

II. Post-Award Procedures

A. Annual compliance report provided by TCCY to Sub recipients and/or Contractors

TCCY staff reviews grant applications for potential and current grantees to make sure they adhere to grant application requirements. These requirements include cultural competency training for staff. Also, application training is presented for potential grantees which includes training in Title VI requirements as specified in the Title VI plan.

B. Field or On-Site Reviews of Sub recipients and/or Contractors

Field or On-Site Reviews of Sub recipients and/or Contractors In 2012-2013 TCCY staff reviewed one Federal Formula Grantee, three Juvenile Accountability Block Grant Grantees, two Reimbursement Grantees, and twenty six Court Appointed Special Advocate Grantees. These reviews were a combination of onsite and desk reviews which utilized the same monitoring tools used for on-site reviews. TCCY fulfilled the Policy 22 requirements in the plan approved by the Department of Finance and Administration.

C. **Title VI Training Requirements by TCCY for Sub recipients and/or Contractors**

TCCY requires all grantees to include in their progress reports, submitted each quarter to specify trainings conducted. Also, in the new RFP the grantee must submit a statement specifying their compliance with the provision of Title VI training to their staff.

D. **Other TCCY procedures utilized, but not mentioned in Title VI Implementation Plan Report**

There are no other procedures utilized by TCCY.

III. Minority Representation

Commission Members/Agency Staff/Contractors

Commission Members

Members of the Tennessee Commission on Children and Youth are appointed to three-year staggered terms by the Governor of Tennessee. As of August 26, 2013, the racial composition of the Commission is as follows: 4 African Americans and 17 Caucasians and 1 Hispanic. Within the members of the Commission, there are four (4) Youth Advisory members. Their racial composition is: 1 African American, 2 Caucasian and 1 Hispanic.

In reference to recipients of TCCY funding, whenever a planning or advisory body, such as a board or committee, is an integral part of the recipients' programs, that facility or agency should take such steps as are necessary to ensure that minorities are notified of the existence of such bodies and are provided equal opportunity to participate as members.

Where members of the board or committee are appointed by the contracting facility or agency and where minorities, as defined by Title VI, comprise as much as five percent (5%) of the service delivery area or the surrounding community, the facility or agency must appoint a minority representative to serve on the board.

In addition, TCCY has one full-time staff position who devotes a portion of his time to coordinate the Agency's work on minority overrepresentation in the juvenile justice system in Tennessee.

Agency Staff

TCCY currently has 21 full-time positions, 14 of which are located in the central office in Nashville. The other nine (9) are stationed across the state, by development district. The TCCY Executive Director is responsible for the administration of the agency, including the selection of staff and other personnel decisions. Staff are organized as indicated on the Organizational Chart in this report.. The racial breakdown of the 21 staff is as follows: 3 African American Female, 1 African American Male, 9 Caucasian Female, 7 Caucasian Male and 1 Asian American.

IV. PUBLIC NOTICE AND OUTREACH

TCCY staff in Nashville will distribute pamphlets and posters designed to inform TCCY grantees and their service recipients of the availability of services, one's rights under Title VI, and the complaint procedures. TCCY staff and Commission Members will also be informed of their obligations under Title VI. TCCY grantees are responsible for making Title VI pamphlets available to service recipients, for displaying Title VI posters in prominent locations, and for making additional pamphlets and posters available as needed. TCCY staff will include as part of their on-site visits whether posters and brochures are visible and accessible to service recipients.

To further assure Title VI compliance, TCCY's newsletter, *The Advocate*, which is distributed statewide (www.tennessee.gov/tccy/advocte.html), will periodically include the following formal statement of compliance to declare TCCY's intentions:

"No person shall on the grounds of race, color, national origin, sex, age, religion, disability, or ability to pay, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity operated, funded, or overseen by the Tennessee Commission on Children and Youth (TCCY). It is the intent of TCCY to bind all agencies, organizations, or governmental units operating under its jurisdiction and control to fully comply with and abide by the spirit and intent of the Civil Rights Act of 1964."

TCCY dissemination of information to clients, constituents and public

I. Nondiscriminatory Policy – TCCY requires all sub recipients to display a Title VI Nondiscriminatory Policy Poster in an area of the agency that can be viewed by all participants and general public.

(ii). Programs and Services – TCCY monitors agencies to make sure they provide notice of programs and services offered to the community.

(iii). Complaint Procedures – During program monitoring TCCY makes sure agencies provide staff and participants regarding the process for filing complaints.

(iv). Minority participation on planning boards and advisory bodies –TCCY requires agencies to provide data regarding minority participation on boards and advisory bodies.

Minority Representation on planning boards and advisory bodies

(I). Members of the Tennessee Commission on Children and Youth are appointed to three-year staggered terms by the Governor of Tennessee. Members of the Tennessee Commission on Children and Youth are appointed to three-year staggered terms by the Governor of Tennessee. As of August 26, 2013, the racial composition of the Commission is as follows: 4 African Americans and 17 Caucasians and 1 Hispanic. Within the members of the Commission, there are four (4) Youth Advisory members. Their racial composition is: 1 African American, 2 Caucasian and 1 Hispanic.

In reference to recipients of TCCY funding, whenever a planning or advisory body, such as a board or committee, is an integral part of the recipients' programs, that facility or agency should take such steps as are necessary to ensure that minorities are notified of the existence of such bodies and are provided equal opportunity to participate as members.

Where members of the board or committee are appointed by the contracting facility or agency and where minorities, as defined by Title VI, comprise as much as five percent (5%) of the service delivery area or the surrounding community, the facility or agency must appoint a minority representative to serve on the board.

In addition, TCCY has a full-time staff position who spends a portion of his time coordinate the Agency's work on minority overrepresentation in the juvenile justice system in Tennessee.

- (ii). Yes. TCCY does publish the list of its Commission members on the agency website, Tennessee Compilation of Selected Laws on Children, youth, and Families, the Advocate, an agency quarterly publication, and the agency's annual report.
- (iii). Members of the Tennessee Commission on Children and Youth are appointed to three-year staggered terms by the Governor of Tennessee. As of August 26, 2013, the racial composition of the Commission is as follows: 4 African Americans and 17 Caucasians and 1 Hispanic. Within the members of the Commission, there are four (4) Youth Advisory members. Their racial composition is: 1 African American, 2 Caucasian and 1 Hispanic.
- (iv). Commission members of TCCY are appointment to each planning or advisory board or committee by either volunteering for a committee or appointed by the chair of Commission.
- (v). Five members of the the TCCY Commission are minority members.

Documentation of Minority Input

TCCY has a Title VI Work Group to assist in developing the Agency's Title VI Policy and Procedures Implementation Plan. The Title VI Work Group consists of TCCY Juvenile Justice staff. The Title VI Coordinator facilitated the development and revision of the policies and procedures. The racial composition of the Title VI Work Group is as follows: 2 African Americans, 1 Asian American and 2 Caucasians. Also, TCCY utilizes both print and audio (radio) media that is owned by minority persons (African American, Latino American and Asian American) to reach audiences in the minority community concerning available federal grant opportunities.

Grant information from TCCY has been placed in the following minority media: Tri-State Defender, La Noticia, Latino News, Tennessee Chinese News and Tennessee Chinese Times.

List methods used by TCCY to inform the public of grant opportunities

- TCCY State Website (www.tennessee.gov/tccy)
- TCCY direct mailings
- TCCY newsletter, The Advocate
- TCCY Staff and Commission members
- Regional Councils
- DMC Task Force
- Legislators

V. PROCEDURES FOR NONCOMPLIANCE

A complaint alleging discrimination against a facility, contracting agency, or governmental unit providing services that TCCY funds may be filed by a client with contracting agency staff, Central Office TCCY Monitors or Commission Members, or with the U.S. Department of Justice.

Sub recipients must comply with any applicable federal non-discrimination requirements, which may include the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3789d); the Victims of Crime Act (42 U.S.C. 10604(e)); the Juvenile Justice and Delinquency Prevention Act of 2002 (42 U.S.C. 5672(b)); the Civil Rights Act of 1964 (42 U.S.C. 2000(d)); the Rehabilitation Act of 1973 (29 U.S.C. 794); The Americans with Disabilities Act of 1990 (42 U.S.C. 12131-34); the Education Amendments of 1972 (20 U.S.C. 1681, 1683, 1685 – 86); the Age Discrimination Act of 1975 (42 U.S.C. 6101-07); 28 C.F.R. pt. 42 (U.S. Department of Justice Regulations – Non-discrimination; Equal Employment Opportunity; Policies and Procedures); Ex. Order 13279 (equal protection of the law for faith based and community organizations); and 28 C.F.R. pt. 38 (U.S. Department of Justice Regulations – Equal treatment for Faith Based Organizations).

In the event a federal or state court or federal or state administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin, or sex against a recipient of funds, the sub recipient will forward a copy of the finding to the U.S. Department of Justice, Office of Justice Programs, Office of Civil Rights (OCR), and the Tennessee Commission on Children and Youth (TCCY).

The sub recipient will determine whether it is required to formulate an Equal Opportunity Program (EEO), in accordance with 28 CFR 42.301 *et. seq.* If the applicant is not required to formulate an EEO, it will submit a certification form to the U.S. Department of Justice, Office of Justice Programs, Office of Civil Rights (OCR) and to TCCY indicating that it is not required to develop an EEO. If the applicant is required to develop an EEO for OCR, the applicant will submit a certification form to OCR and to TCCY certifying that it has an EEO on file which meets the applicable requirements. If the applicant is awarded a grant of \$500,000 or more and has more than fifty employees, it will submit a copy of its EEO to the OCR and to TCCY. Non-profit organizations, Indian Tribes, and medical and education institutions are exempt from the EEO requirement, but are required to submit a certification form to the OCR to claim exemption. A copy of the certification form should be also be submitted to TCCY. Information about civil rights obligations of the grantees can be found at www.ojp.usdoj.gov/ocr/.

In accordance with the federal civil rights laws, the sub recipient shall not retaliate against individuals for taking action or participating in action to secure rights protected by these laws.

Complaints must be filed in writing, preferably on the TCCY Complaint form CY-0092 on page 26 in this report. This complaint form can be filled out by the complainant, by his or her representative, or by appropriate TCCY staff or Commission Members. If the complainant is unwilling to complete the form, he or she may write, or have written, a letter stating the circumstances of the complaint. If the complaint is not filed on form CY-0092, then the appropriate TCCY staff will fill out this form and attach it to the complainant's letter. Complaints initially received by contracting agency employees must be filed

immediately within ten (10) days with the TCCY Title VI Coordinator. The Coordinator must notify the Executive Director and Juvenile Justice Director immediately whenever a complaint is filed (within five (5) days of receipt of complaint). Unless a complaint is being filed externally at the federal level, all complaints should be filed at the local level. Experience shows that complaints have a good probability of being resolved at the level where they arose. Thus, no complaint should by-pass the first level. Complainant must show evidence that the Title VI complaint was filed at the local level first and include the documentation of the results at that level.

Any TCCY staff that handles complaints must maintain a Title VI complaint log to show identifying information, type, and status of each complaint filed at that level. A copy of the complaint must be maintained by the Title VI Coordinator, who notifies the TCCY Executive Director, the Chair of the Juvenile Justice and Minority Issues Committee, and the Juvenile Justice Director. A copy of the complaint must also be kept with the grantee or contractor files. The Title VI Work Group has the primary responsibility of reviewing the complaints and reporting findings to the full Commission, and the appropriate state agency responsible for oversight of Title VI in Tennessee. The Title VI Coordinator must investigate the complaint and report findings to the Executive Director and Juvenile Justice Director.

In accordance with federal regulations, a federal complaint with the Department of Justice must be filed no later than 180 calendar days after the alleged discrimination occurred. However, to allow a complainant time to file sequentially within the Commission and externally to the U.S. Department of Justice if he or she chooses, the complaint should be filed at the local level no later than 30 calendar days after the alleged discrimination occurred. If it is filed beyond the 30 calendar day period, TCCY and the facility, agency, or governmental unit are encouraged to investigate and process the complaint if the filing is prompt enough to allow proceedings to be concluded and leave sufficient time for the complainant to file externally at the federal level.

If a complaint is filed both internally with the Commission and externally with the U.S. Department of Justice during the same time, the external complaint supersedes the internal complaint filing. Accordingly, the internal complaint procedures will be suspended pending outcome of the federal complaint.

When a complaint is received at the local level, the TCCY Title VI Coordinator will conduct and complete a fact-finding investigation within 30 calendar days of receipt of the complaint and report the findings to the highest-ranking official of the contracting agency or governmental unit and the TCCY Executive Director and Juvenile Justice Director. Within ten (10) business days after this report, the written findings will be given to the complainant. Complainant's rights to appeal, including instructions for filing, will also be provided at this time. If the report includes a finding of noncompliance to Title VI, the report should include recommendations for remedial action by the Grantee. The Grantee must submit a remedial action plan, which includes steps to correct the problem and procedures to avoid future discriminatory issues within thirty (30) days. If the Grantee does not comply with this policy, then TCCY will notify the Grantee that funds will be suspended until compliance is met.

If a complainant chooses to appeal a finding or the proposed remedial action by the Commission, he or she should do so within the next 30 calendar days following receipt of the findings. If the appeal is filed beyond the 30 calendar day limit, the Commission may still continue if the proceedings can be concluded and leave sufficient time for the complainant to file externally. An appeal made by a complainant regarding a finding may be filed with the Central Office TCCY Monitor, TCCY's Central Office in

Nashville, or with a Commission Member. This appeal opportunity constitutes the second and final level in TCCY's internal complaint system.

When a finding is appealed, a copy of the complaint, the findings, the proposed remedial action, and the request for appeal must be forwarded to the Executive Director of TCCY, the Chair of the Juvenile Justice and Minority Issues Committee, the Juvenile Justice Director and the TCCY Title VI Coordinator. When an appeal is filed, the Chair of the Juvenile Justice and Minority Issues Committee, in cooperation with the DMC Task Force, has broad latitude to review an appealed case and make a finding. The TCCY DMC Task Force should review previous findings and conduct a complete fact-finding within 30 calendar days after receipt of such complaint or appeal. Procedures can include, but are not limited to, discussing the complaint with the complainant, the alleged offender, and the initial reviewer to determine the facts. Any findings shall be reported to the full Commission for action. When an appeal is concluded by the full Commission, the complainant will first be notified in writing of the findings and then a copy of the findings will be sent to the contractor or grantee. If the grantee does not comply with the decision of the Commission after the appeal is concluded, the funds will be suspended until compliance is achieved. If after appealing to the Commission, a complainant remains unsatisfied with the findings or the proposed remedial action, then he or she may file externally, with the U.S. Department of Justice within the stated time limit of 180 calendar days. The external appeal shall be explained to the complainant when notified of the findings of the appeal.

SECTION TEN

COMPLIANCE/NONCOMPLIANCE REPORTING

TCCY coordinated development of the Title VI implementation plan

For the purposes of tracking complaints and assuring grantee compliance with Title VI through monitoring visits and investigations when necessary, and documenting and standardizing the occurrence of such events, TCCY has developed several forms, which are to be used for specific Title VI purposes. The following forms are to be used to report Title VI activities and a copy of each appears in the Appendices.

Self Survey, Form #CY-0089, must be used to report Title VI compliance efforts. Each grantee, contracting agency, or governmental unit must submit the Self Survey to the TCCY Central Office in Nashville annually within 90 days of receiving funding by TCCY. These surveys will be used to create a database to study Title VI compliance. A copy of the Self Survey follows this section.

Assurance of Compliance Under Title VI of the Civil Rights Act, Form #CY-0091, must be submitted by each grantee, contracting agency, or governmental unit prior to receiving TCCY funding.

Title VI Compliance, a question is included on each grant review guide concerning Title VI. The monitoring review guide is completed by Local TCCY Monitors each time they conduct monitoring visits. The completed forms are submitted as part of the working papers and filed in Central Office for the grantee. Copies of the monitoring guides used can be found at the end of this section.

Complaint under Civil Rights Act of 1964—Title VI, Form #CY-0092, may be used for filing complaints. Alternatively, a letter describing the complaint can be prepared by the complainant instead of using the complaint form. However, appropriate TCCY staff must fill out this form and attach it to the letter, as described in Part II, Number 4 of this implementation manual.

Withdrawal of Complaint, Form #CY-0090, must be submitted if a complaint or a request is withdrawn. All requests for withdrawal must be in writing.

Report of Investigation, Form #CY-0093, may be used to summarize and report the findings of an investigation; or the general outline of the form can be incorporated into a report structured by the investigator, if it addresses the essential issues outlined on the form.

Appeal from Finding, Form #CY-0094, may be used to appeal a finding or the proposed remedial action by the agency at the local level to the Commission in Nashville.

Remedial Action Recommendation, Form #CY-0108, must be used to state in detail what remedial steps were suggested by TCCY to correct any problems found as a result of an investigation.

SECTION ELEVEN

TITLE VI TRAINING PLAN

Each year Federal Formula and JABG applicants are trained on Title VI compliance during the grant writing and orientation training for potential applicants and current grantees. Employees of grant recipients, contractees, and other organizations and governmental units will also receive orientation training as necessary regarding the obligations and rights involved in the Title VI program through their own agencies. This grant writing and orientation training occurs as decisions are made about the availability of funding for new grantees. Grantees are given brochures and posters regarding Title VI that are to be displayed in their agency. In-service training for sub-recipient grantee employees should continually apprise them of their responsibility to render a high level of service to all recipients and clients regardless of their race, color, or national origin.

TCCY requires all grantees to include in their progress reports, submitted each quarter, the specified trainings conducted. Also, in the new RFP the grantee must submit a statement specifying their compliance with the provision of Title VI training for their staff.

There were a total of three (3) trainings on Title VI in the FY 2012-2013 for all grantees funded through TCCY.

TCCY Commission Members and Staff received Title VI training on October 26, 2012.

SECTION TWELVE

Public Notice and Outreach

Disseminating Information

- TCCY staff in Nashville will distribute pamphlets and posters designed to inform TCCY grantees and their service recipients of the availability of services, one's rights under Title VI, and the complaint procedures. TCCY staff and Commission Members will also be informed of their obligations under Title VI. TCCY grantees are responsible for making Title VI pamphlets available to service recipients, for displaying Title VI posters in prominent locations, and for making additional pamphlets and posters available as needed. TCCY staff will include as part of their on-site visits whether posters and brochures are visible and accessible to service recipients.
- Title VI Implementatini Plan is made available to TCCY grantees, staff and Commission members.
- Complaint Procedures are included in the Plan and are given to those stated above.
- Non-Discrimination Policy is included in the Plan and also the Personnel Policy Manual. The Plan is given to those mentioned above and the Policy Manual is given to agency staff.
- Programs, seviles, and grant information is put on the TCCY website: www.tennessee.gov/tccy.
- Information is also distributed to TCCY mailing list that includes: state legislators, judges, Youth Service Officers, Regional Coordinators, Newspapers, Disproportinate Minority Task Force s, Commission Members, Grantees and Individual name of peoplerequesting to be out on the mailing list.

TCCY dissemination of information to clients, constituents and public

(I). Nondiscriminatory Policy – TCCY requires all sub recipients to display a Title VI Nondiscriminatory Policy Poster in an area of the agency that can be viewed by all participants and general public.

(ii). Programs and Services – TCCY monitors agencies to make sure they provide notice of programs and services offered to the community.

(iii). Complaint Procedures – During program monitoring TCCY makes sure agencies provide staff and participants regarding the process for filing complaints.

(iv). Minority participation on planning boards and advisory bodies –TCCY requires agencies to provide data regarding minority participation on boards and advisory bodies.

TCCY Minority Representation on planning boards and advisory bodies

Internal

Members of the Tennessee Commission on Children and Youth are appointed to three-year staggered terms by the Governor of Tennessee. As of August 26, 2013, the racial composition of the Commission is as follows: 4 African Americans and 17 Caucasians and 1 Hispanic. Within the members of the Commission, there are four (4) Youth Advisory members. Their racial composition is: 1 African American, 2 Caucasian and 1 Hispanic.

External

- Council on Children’s Mental Health
- Resource Mapping Advisory Group
- Second Look Commission
- Disproportionate Contact Task Force
- Nine Refional Councils across Tennessee

In reference to recipients of TCCY funding, whenever a planning or advisory body, such as a board or committee, is an integral part of the recipients’ programs, that facility or agency should take such steps as are necessary to ensure that minorities are notified of the existence of such bodies and are provided equal opportunity to participate as members.

Where members of the board or committee are appointed by the contracting facility or agency and where minorities, as defined by Title VI, comprise as much as five percent (5%) of the service delivery area or the surrounding community, the facility or agency must appoint a minority representative to serve on the board.

In addition, TCCY has a full-time staff position who devotes a portion of his time to coordinating the Agency’s work on minority overrepresentation in the juvenile justice system in Tennessee.

- (ii). Yes. TCCY does publish the list of its Commission members on the agency website, Tennessee Compilation of Selected Laws on Children, youth, and Families, the Advocate, an agency quarterly publication, and the agency’s annual report.
- (iii). Members of the Tennessee Commission on Children and Youth are appointed to three-year staggered terms by the Governor of Tennessee. As of August 26, 2013, the racial composition of the Commission is as follows: 4 African Americans and 17 Caucasians and 1 Hispanic. Within the members of the Commission, there are four (4) Youth Advisory members. Their racial composition is: 1 African American, 2 Caucasian and 1 Hispanic.
- (iv). When a committee structure is in place, Commission members of TCCY are appointed to each planning or advisory board or committee by either volunteering for
a committee or appointed by the chair of Commission. The Council on Children’s Mental Health, Resource Mapping and Second Look Commission Members are designated by state statute, which created the board or commission. The DMC Task Force members are selected by people volunteering, request from various county officials appoint participants, and people invited to participate on the task force.
- (v). There is minority representation on all the internal committees, advisory boards, councils, and task forces.

To further assure Title VI compliance, TCCY’s newsletter, *The Advocate*, which is distributed statewide (www.tennessee.gov/tccy/advocte.html), will periodically include the following formal

statement of compliance to declare TCCY's intentions:

"No person shall on the grounds of race, color, national origin, sex, age, religion, disability, or ability to pay, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity operated, funded, or overseen by the Tennessee Commission on Children and Youth (TCCY). It is the intent of TCCY to bind all agencies, organizations, or governmental units operating under its jurisdiction and control to fully comply with and abide by the spirit and intent of the Civil Rights Act of 1964."

Documentation of minority input

TCCY formed a Title VI Work Group to assist in developing the Agency's Title VI Policy and Procedures Implementation Plan. The Title VI Work Group consists of TCCY Juvenile Justice staff. The Title VI Coordinator facilitated the development and revision of the policies and procedures. The racial composition of the Title VI Work Group is as follows: 1 African Americans, 1 Asian American and 2 Caucasians. In addition, TCCY utilizes both print and audio (radio) media that is owned by minority persons (African American, Latino American and Asian American) to reach audiences in the minority community concerning available federal grant opportunities. Grant information from TCCY has been placed in the following minority media: Tri-State Defender, La Noticia, Latino News, Tennessee Chinese News and Tennessee Chinese Times.

List methods used by TCCY to inform the public of grant opportunities

- TCCY State Website (www.tennessee.gov/tccy)
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- TCCY newsletter, The Advocate
- TCCY Staff and Commission members
- State Legislators
- DMC Task Force Members
- Regional Coordinators

SECTION THIRTEEN

EVALUATION PROCEDURES

Evaluation of the Title VI implementation is conducted during the Program Monitoring Process. That evaluation of all programs compliance is completed by September 30th of each year.

TCCY conducts training each year Federal Formula, Title V, EUDL, and JABG applicants and current grantees on Title VI compliance during the grant writing, as funds are available and always during orientation training. Employees of grant recipients, contractees, and other organizations and governmental units will also receive orientation training as necessary regarding the obligations and rights involved in the Title VI program through their own agencies. This grant writing and orientation training began in FY 1997-98 and has continued through this present year. Grantees are given brochures and posters regarding Title VI to display in their agency. In-service training for sub-recipient grantee employees should continually apprise them of their responsibility to render a high level of non-discriminatory service to all recipients and clients.

Employees of grant recipients, contractees, and other organizations and governmental units are required to receive cultural competency training within the first two quarters regarding the obligations and rights involved in the Title VI program through their own agencies.

When in place, the TCCY Juvenile Justice and Minority Issues Committee has primary oversight duties for Title VI compliance, If not in place the full Commission shall have oversight duties and shall meet in conjunction with regularly scheduled TCCY Commission meetings, or as needed

TCCY Central office staff shall conduct on-site visits of funded programs to determine if Title VI compliance is being met. Review of the agencies policies and procedures will include: documentation of Title VI training for staff, display of Title VI poster in the agency, review of non-discriminatory practices and procedures for filing discrimination complaints. Information reported in the Title VI Self Surveys by grant recipients shall be verified by TCCY staff during on-site and program monitoring visits. Upon completion of the visit, the grant recipient will be notified of Compliance/Non-Compliance with Title VI. The racial composition of TCCY staff with on-site visit and program monitoring responsibilities is as follows: 2 African Americans and 6 Caucasians.

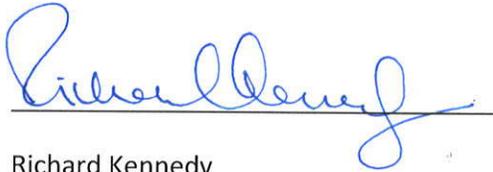
Timeline

- The timeline for Program Monitoring for compliance with the Title VI requirements is between January and September of each year.
- Federal Formula Grantees and Juvenile Accountability Block Grants are monitored between March and September of each year.
- On-site visits of all grantees are conducted during the 12 months of each State Fiscal Year, depending on the availability of the grantee for the visit.
- TCCY will provide a copy of the compliance strategy or monitoring tools for all programs to THRC as requested.

RESPONSIBLE AUTHORITIES



Linda O'Neal, TCCY Executive Director



Richard Kennedy

Associate Director and Title VI Coordinator