

~ MEMORANDUM ~
BENTON COUNTY, TENNESSEE
BENTON COUNTY MAYOR

DATE: 1 September 2023

MEMO TO: All Department Heads

FROM: Jennifer Wheatley, Title VI Coordinator

RE: Title VI program

XC: Title VI file

Attached is a copy of the Benton County, Tennessee Title VI Plan. As Title VI Coordinator it is my responsibility to ensure that Benton County, Tennessee meets its obligation regarding Title VI of the Civil Rights Act of 1964.

To that end, I ask that all departments review our plan and pay strict attention to items 1, 2, 3, 7 and 8. You may want your receptionists to pay particular attention to #8, the **Limited English Proficiency** section. **Most field personnel are only required to be familiar with item 2.**

Departments receiving or administrating state or federal funds through grants or other programs must also concern themselves with items 4, 6 and 9.

Contract monitoring, item #9, is new to our program. We are now obligated to monitor all contractors, consultants, and suppliers that receive funds from state or federal projects through Benton County, Tennessee.

Note that **failure to meet our obligations regarding Title VI could jeopardize Benton County's eligibility for receiving state and federal funding.**

It is very important to notify me once your training has been completed. If you have any questions, I'll do my best to answer them and assist you in any way that I can.

Thank you for your cooperation!

BENTON COUNTY, TENNESSEE - TITLE VI PLAN

Benton County, Tennessee will meet its obligation in regards to Title VI by incorporating the following measures:

1. Title VI posters (including the Title VI coordinator's name) must be posted in every county building. (see "Public Notice" attached)
2. Employee Title VI indoctrination/training: All department heads must train their employees annually on how to properly address any Title VI discrimination using the materials that are provided by the Title VI Coordinator, Jennifer Wheatley.
 - ⇒ Please inform all prospective employees during the interview process that Benton County, Tennessee does not discriminate against anyone for any reason. **All employees should be reminded of this at least once each year.**
 - ⇒ In-house Title VI training is available through Benton County's Title VI Coordinator upon request.
3. Please include the following section in all city contracts, bid specifications, and requests for proposals:

STATEMENT OF INTENT – EQUITY AND FAIRNESS:

Benton County, Tennessee will not discriminate against any individual for any reason and will provide services to all citizens in a nondiscriminatory fashion. It is the intent of the county to fully comply with the provision of Title VI and Title VII of the Civil Rights Act of 1964. The county is committed to a moral, ethical, and legal responsibility to ensure equitable employment practices and the delivery of city services regardless of an individual's race, color, religion, national origin, age, disability, gender or political affiliation.

4. In accordance with State law, public meetings are held to discuss publicly funded projects that affect private property. Affected property owners are mailed notices about these meetings where explanations are offered and public input is requested.
5. **Minority residents are encouraged to participate in volunteer boards and commissions.** They are informed about these opportunities through articles posted in the Camden Chronicle.
6. **Informing minorities about contract opportunities:** RFPs are advertised in the Camden Chronicle and other newspapers. Benton County's Engineering department also plans to make a special effort to solicit bidders from TDOT's DBE (Disadvantaged Business Enterprise) list. Solicitations for bids will be directed primarily to Region IV (West Tennessee).

**BENTON COUNTY, TENNESSEE
TITLE VI PLAN**

7. **Procedure for Handling a Title VI Complaint:** If a resident/customer states a desire to file a Title VI complaint against Benton County, they should be directed to the city's Title VI Coordinator Jennifer Wheatley, Benton County Mayor's office, housed at 266 Highway 641 North, Camden, Tennessee 38320, 731-584-8395. The Coordinator will then schedule to meet with the complainant to learn the nature of the complaint. If the complaint is related to Title VI and the complainant wishes to file a complaint, the coordinator will assist. Guidelines for a proper Title VI complaint are as follows:

- ✓ Complaint must be in writing
- ✓ It should include the address, phone number, and signature of the drafter.
- ✓ Description of the discriminatory acts(s) that violate Title VI
- ✓ Include the name of recipient that the allegation is made against (<your agency> or sub-contractor's name)
- ✓ Complaint must be filed within 180 calendar days of the alleged discrimination.
- ✓ Record meeting in the presence of another employee. Complainant should be allowed to have a witness or representative present at said meeting.
- ✓ A written complaint would be requested (but not required) from the complainant.
- ✓ Upon receiving the complaint, the Title VI Coordinator would forward a copy to the appropriate agency within 7 working days. Determination of appropriate agency would be made after consultation with a member of TDOT's Title VI Department. (See note below)
- ✓ A copy of complaint should be forwarded to an official of any alleged discriminatory sub-contractor.
- ✓ A log should be made by Title VI coordinator of all complaints and appeals.

NOTE: Someone at the following address or phone should be contacted to assist in the determination of the agency with jurisdiction over alleged complaints:

TDOT Title VI Director
State of Tennessee
Department of Transportation
Civil Rights Office
Suite 1800, James K. Polk Building
505 Deaderick Street
Nashville, TN 37243
Telephone: 615-741-3681, Fax No. 615-741-3169

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8. LEP (Limited English Proficiency) Communication with Non-English Speaking

Person: In the event a city employee is contacted by non-English speaking customer the employee must first determine what language the person speaks before being able to assist. In order to do so:

- ⇒ Use of the Language Identification Flashcard may be helpful (see the attached sheet titled "Open Communications International"). It contains the message "Point here and an interpreter will be assigned to you, at no cost to you". If there is no response or if the customer speaks a language other than Spanish or Vietnamese, the employee should call **Open Communications International** (1-866-452-6482) who will serve as an interpreter between the employee and the customer. This will be a toll call charged to the city by the minute.

BENTON COUNTY, TENNESSEE TITLE VI PLAN

9. Section 9.1 should be included on a page by itself in all Engineering contracts and any other contracts that involve state or federal funding:

9.1 Contract Monitoring

The **Tennessee Department of Transportation** requires Benton County to maintain records of those ethnic and gender groups who are awarded bids on projects.

You are asked for voluntary disclosure of the following information as it pertains to the ownership of the bidding company:

Company Name: _____

Gender: Male _____ Female _____

Race: Caucasian _____
 African American _____
 Hispanic _____
 Other (please specify) _____

10. The following section applies to all contractors/consultants/suppliers that receive State and/or Federal funds through Benton County. The self survey form below should be filled out by the selected bidder.

SECTION 9.2 Monitoring of Contractors/Consultants/Suppliers

All contractors, consultants, and suppliers that receive funds from state or federal projects (through Benton County) must comply with Title VI guidelines.

That means that they have to follow many of the same guidelines that we follow. However, they are not required to have a Title VI coordinator. Benton County's Title VI coordinator will perform compliance reviews of these entities when they first become selected to receive funds and then reviews would be performed a minimum of every 3 years while they are receiving funds.

The following self survey will be the tool used by Benton County to ensure contractor/consultant/supplier compliance. If they are found to be non-compliant, the

Title VI Coordinator will attempt to bring them into compliance. If continued to be non-compliant, our association with them will be discontinued.

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Title VI Self Survey for Contractors/Consultants/Suppliers

Name of Contractor: _____ Date Completed: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____

This should be completed annually while the contract is active and submitted to the sub-recipient's Title VI Coordinator for review.

1. Are Title VI posters visible to staff? If yes, where? _____

2. Are all Physical Areas (i.e. restrooms, dining rooms, waiting rooms, etc.) provided without regard to race, color, or national origin? _____

3. How is Title VI information disseminated to new/current employees? _____

4. Describe how certified Disadvantaged Business Enterprises (DBEs), other small, minority and women-owned businesses are solicited to participate on contracts.

5. What process has been established to track and monitor ethnicity and gender of any contractors awarded contracts/sub-contracts?

6. Provide documentation to show that contracts contain non-discrimination assurance language.

7. Provide complaint procedures and attach complaint log form.

8. Provide Limited English Proficiency Communications Plan (i.e. how do you communicate with persons that speak a language other than English.)

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The Title VI Assurance (below) is to be submitted on Company (selected bidder's) Letterhead:

Contractor/Consultant Name assures that no person on the grounds of race, color, national origin, or sex, as provided by the Title VI of the Civil Rights Act of 1964 and from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance from the Tennessee Department of Transportation (TDOT).

DECLARATION OF RESPONDENT: I declare that I have completed this form to the best of my knowledge and believe it to be true and correct.

Name of Authorized Official

Date

PUBLIC NOTICE

TITLE VI OF THE 1964 CIVIL RIGHTS ACT

“No person in the United States shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

The State Department of Military provides benefits and services such as emergency management assistance, National Guard protection services and facility construction and maintenance, and disaster assistance following a major Presidential declaration. The federal assistance administered by the Military Department are pass through funds to local governments, other state agencies, and certain private non-profit organizations.

Anyone who believes that an agency or local government receiving the federal funding mentioned above has discriminated against someone on the basis of race, color or national origin has a right to file a complaint within 180 days of the alleged discrimination.

Local Title VI Coordinator: Jennifer Wheatley
Benton County Mayor’s Office
731-584-8395

**MILITARY DEPARTMENT
TITLE VI COMPLAINT HOTLINE:
1-800-367-9635**



Open Communications International

Interpreting and Translating Services

Do you speak English?	Point here and an interpreter will be assigned to you, at no cost to you.	English
¿Habla usted Español?	Apunte aquí y se le asignará un intérprete sin costo alguno.	Spanish
هل تتكلم العربية؟	أشر هنا والمترجم سيكون موجوداً مجاناً.	Arabic
ته کوردی دهناخقی؟	ئیشارەت ئێرێ بکە تەرجومان بۆ تەحازر دکهین ، به خۆرای .	Kurdish (Behdini)
ئایا کوردی قسه دهکهیت؟	ئیشارەت لێره بکە موتهرجیمت بۆ ئاماده دهکهین ، به خۆرای .	Kurdish (Sorani)
Bạn nói tiếng Việt phải không?	Chỉ vào đây và sẽ có người thông dịch viên giúp đỡ Bạn, Bạn không phải trả gì hết.	Vietnamese
Maku hadashaa atka somaaliga?	Halkaan farta ku-fiiq turjubaan lacag la-an ayaad heleysaa.	Somali
Da li govovite Bosanski?	Pokažite ovde i prevodioc će biti obezbijeden za vas besplatno.	Bosnian
Parlez-vous français?	Ici, un interpréteur sera assigné pour vous, sans avoir payé.	French
ຖ້າທ່ານປາກົດວ່າເວົ້າພາສາລາວ ຫຼື ພາສາອື່ນໆ?	ຕາມນີ້ຈະມີເຈົ້າໜ້າທີ່ແປພາສາໃຫ້ທ່ານໂດຍບໍ່ໄດ້ຄິດຄ່າທັມນຸມ	Laotian
你會講中文嗎?	請點在這裡我們為你免費提供翻譯服務.	Chinese (Mandarin)
Je-unazungunza kiswahili?	Nyosha kidofa hapa na utatafsiriwa bila kulipa chochote.	Swahili
Voce fala Português?	Aponte aqui e um intérprete lhe será fornecido sem custo algum.	Portuguese
क्या आप हिंदी बोल सकते हैं ?	इशारा यहाँ पर किजिये, भाषांतर करनेवाले विनामुल्य मिल जायेंगे।	Hindi
Вы говорите по-русски?	Укажите сюда, и совершенно бесплатно Вам будет предоставлен переводчик.	Russian
አንታን ቋንቋ ትናገሩ?	በዚህም ወይንስ ያመልክቱ ያለምንም ክፍያ እስተርጓሚ ያመደብሉታል!	Amharic
آیا شما فارسی صحبت میکنید؟	اگر به اینجا اشاره کنید، یک مترجم بصورت رایگان در اختیار شما قرار میگیرد.	Farsi
તમે ગુજરાતી બોલી શકો છો?	અહીંયા ઇશારો કરો, ભાષાંતર કરનાર વિનામુલ્યે મળી જશે.	Gujrati
Jin kueni thuok nuera	Wuanem deri thuok nuera Luang ke laatni, ka ke kuicdu thile kok.	Nuer
Türkçe biliyormusunuz?	Eğer, burayı gösterirseniz, ücretsiz tercuman size yardım edecektir.	Turkish
คุณพูดภาษาไทยหรือเปล่า?	กรุณาบอกให้ทราบด้วยถ้าคุณต้องการคนแปล	Thai
日本語を話せますか？	ここを指してください。 通訳者を無料で派遣いたします。	Japanese
한국말을하시면이곳에표시해	주십시오. 그러면통역하시는분이무료로도와드립니다.	Korean

Phone: 615.321.5858

Toll free: 1.866.4LANGUAGE (1.866.452.6482)