

**PUTNAM COUNTY, TENNESSEE**  
**PROCEDURE MANUAL**  
**FOR COMPLIANCE WITH**  
**"TITLE VI OF THE CIVIL RIGHTS ACT OF 1964"**

I. INTRODUCTION

- A. Purpose: The purpose of Title VI of the Civil Rights Act of 1964 is to prohibit programs which 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 insure that all persons, regardless of their race, color or national origin, are allowed to participate in these federally funded programs. To insure that Putnam County meets its compliance responsibility, the following procedures have been established to provide for comprehensive monitoring of Title VI compliance activities and complaint processing in all operations and programs, directly or indirectly responsible to Putnam County, all of which receive federal or state funding in whole or in part.

The County Executive will budget sufficiently to enforce or comply with federal guidelines and criteria in order to prohibit discrimination in federally assisted programs and activities, as required by Title VI of the Civil Rights Act of 1964. The County Executive will, as part of his/her duties, collect and compile statistical data of minority participation in contracting and procurement by Putnam County.

- B. Putnam County, Tennessee: Functions and Organization: Putnam County government is committed to providing the highest quality of services to all residents of Putnam County. The executive branch of the government is headed by the County Executive who is elected county wide, and the legislative branch is comprised of twenty four (24) members of the Board of Commissioners who are elected from their respective geographical district. The County Trustee, Assessor of Property, County Clerk, Circuit Court Clerk, Clerk & Master, Sheriff, Highway Department, and General Sessions Court Judges are individually responsible to the voters and autonomously operate their respective offices. The Putnam County Election Commission is created by the general law of the State of Tennessee and is not part of political subdivisions of the State. All Departments fall under the foregoing policy. Other divisions of County government, include but are not limited to the following:

Health Department: The major initiative undertaken within the Health Department is the expansion of primary health care services at the Health Department clinic in order to adequately address the community's primary care needs within a reformed, managed care environment. It is the responsibility of the Administrator to direct the Health Department's programs and personnel, as well as formulate medical policy and supervises medical personnel.

Solid Waste Department: The Solid Waste Department is responsible for administrating and supervising the sanitation services; serves as advisor and consultant to the County Executive and County Commission, and sees that the needs of the citizens of the County are met.

Maintenance Department: The Maintenance Department is responsible for Building Inspection and Maintenance of County Properties; serves as advisor and consultant to the County Executive and County Commission, and sees that the needs of the citizens of the County are met.

Ambulance Department: The Ambulance Department is responsible for Ambulance Services; serves as advisor and consultant to the County Executive and County Commission, and sees that the needs of the citizens of the County are met.

- C. Scope: This policy applies to (i) all Putnam County functions, facilities, operations, programs and projects (hereinafter referred to as "Services") that receive federal funds and (ii) all Services provided by sub-recipients that receive federal financial assistance through Putnam County.

## II. TITLE VI POLICY AND PROCDFURES

- A. Policy: Putnam County reaffirms its policy to afford all individuals the opportunity to participate in federal financially assisted services and adopts the following provision:

"No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of or be subjected to

discrimination under any program or activity receiving Federal financial assistance."

**1. Prohibited Discriminatory Practices:**

Putnam County and its sub-recipients of federal funds will not

- a. Deny any individual any services, opportunity, or other benefit for which such individual is otherwise qualified;
- b. Provide any individual with any service, or other benefit, which is inferior (in quantity or quality) to, or which is provided in a different manner from that which is provided to others;
- c. Subject any individual to segregated or disparate treatment in any manner related to such individual's receipt of services or benefits;
- d. Restrict an individual in any way in the enjoyment of services, facilities or any other advantage, privilege or other benefit provided to others;
- e. Adopt or use methods of administration, which would limit participation by any group of recipients or subject any individual to discrimination;
- f. Address any individual in a manner that denotes inferiority because of race, color, or national origin;
- g. Permit discriminatory activity in a facility built in whole or in part with federal funds;
- h. Fail to advise the population eligible to be served or benefited by any federally funded program of such program's existence;
- i. Deny any segment of the population the opportunity to participate in the operations of a planning or advisory body that is an integral part of a federally funded program;
- j. Fail to provide service or information in a language other than English when significant numbers of potential or actual beneficiaries are of limited English speaking ability;
- k. Subject an individual to discriminatory employment practices under any federally funded program whose object is to provide employment;

1. Locate a facility in any way which would limit or impede access to a federally-funded service or benefit.
2. Assurances: Any federal financial assistance provided to Putnam County is conditioned on providing assurances that Putnam County services to be benefited by the funds will operate without discrimination. Such an assurance is a contractual obligation through which Putnam County promises to comply with Title VI regulations and promises that it will take immediate and continuing steps to effectuate this compliance. Such assurances will also be a part of all contracts extending federal financial assistance through Putnam County to Putnam County's sub-recipients. In its purchases and awarding of contracts which use federal and State funds, the County may consider the ownership, percentage of direct involvement, and participation of persons of the class protected by the 1964 Civil Rights Act, Title VI, and other applicable titles in the proposed awardee/contractor business, and may use said factor(s) in addition to the lowest and best criteria established.

B. Procedures: The Title VI Compliance Committee shall consist of the County Executive serving as its chair and as the County's Title VI County Coordinator, each of the respective Administrators, and the County Attorney as an ex-officio member. The ultimate responsibility for complying with the provisions of Title VI of the Civil Rights Act of 1964 is vested in the County Executive, who is accountable for the administration of Putnam County and its Departments. The County Executive ("County Executive") has the responsibility of ensuring that Putnam County Departments ("the Departments") comply with this Plan. The Putnam County Attorney will serve as an ex-officio member of the Committee and an advisor to the County Executive and the Departments in such compliance efforts.

1. The responsibility for coordinating Title VI compliance within Putnam County is assigned to and divided among the respective Departments. Each County Official or Department Administrator will serve as the Title VI Departmental Coordinator ("Departmental Coordinator"). This Department Coordinator will be responsible for administering the compliance procedure and Title VI complaint process as outlined in this Plan for the respective Department.

a. Departmental Reporting.

1. Each Departmental Coordinator will:

- (a) Collect, analyze and report the statistical data (race, color and national origin) of participants in and beneficiaries of federal

financially-assisted services provided through each respective Department; such statistical data should be cross-tabulated by race and ethnic origin on such variables as (1) the number of program participants, (2) the size of the population to whom the program is directed, and where appropriate, (3) the number of applicants. The analysis will be used to:

(1) determine how effectively programs are reaching eligible groups; (2) assist in the selection of locations for compliance reviews; (3) identify areas for additional outreach efforts; and provide status reports to measure progress of program delivery.

- (b) Prepare a Title VI Self-Survey; and
- (c) Prepare an annual compliance report based upon the Department's compliance efforts. The reports will be delivered to the County Executive no later than April 1st of each year. Completion of a report will be initiated solely by the respective County Departments and shall be completed by April 30th of each year.

**b. Sub-recipient Reporting.**

1. The Departmental Coordinator will be responsible for ensuring that County sub-recipients are in compliance with Title VI of the Civil Rights Act of 1964.
2. Prior to considering any entity as a potential sub-recipient through a contract with the County Departmental.
  - (a) These compliance determinations should be made in writing and based on written information provided by the potential sub-recipient.
  - (b) On-site compliance review maybe conducted if the potential sub-recipient provides inadequate information. On-site compliance reviews may be unannounced.
  - (c) If there are weaknesses in the potential sub-recipients' program(s), action should be deferred pending prompt remedial action on the part of the potential sub-recipient.
3. Sub-recipients are expected to collect, analyze and report the statistical data (race, color and national origin) of participants in and beneficiaries of federal financially-assisted services provided through each such sub-recipient to the respective Departmental Coordinator.

Departmental Coordinators will require sub-recipients to provide them with Self-Surveys and annual compliance reports. Departmental Coordinators will conduct post-award on-site reviews, if necessary.

4. Any sub-recipient found guilty of violating the provisions of Title VI will be given a written notice of such violation and an opportunity to comply. Failure to eliminate further discrimination within thirty (30) days of receipt of notice will be considered a violation of the terms of the contract and a basis for contract suspension, termination, or rejection. Federal funds will be terminated or withheld as a punitive sanction for non-compliance.
5. The County Executive will conduct annual reviews of the compliance reports submitted by the Departments and the sub-recipients to ensure that the Departments and the sub-recipients have received orientation and/or sufficient information to function in their responsibility; have received all materials required for administering the Title VI program, i.e., procedural manuals, posters, and pamphlets; and have on file a current Self-Survey indicating the status of their Title VI compliance.
  - a. The County Executive will review each Self-Survey submitted by the Departments and the sub-recipients; if problems in compliance exist, they will be discussed with the respective Department. If serious problems in compliance are noted, the Department manager will have (15) fifteen days to respond, and an exception report will be filed with the Office of the County Attorney within fifteen days of the receipt of the exception report. Procedures for correction of non-compliance issues will be stipulated to the Department or sub-recipient.
  - b. The County Executive will compile a comprehensive annual Title VI Compliance Report based upon the annual compliance reports submitted by the Departments and the sub-recipients no later than July 1st of each year. Copies of this report will be provided to the Board of County Commissioners. A copy will also be maintained on permanent file by the County Executive and the County Clerk and will be available for audit where appropriate.
6. If a County employee is found guilty of any discriminatory practice based on Title VI provisions, the County Executive will inform the Department Administrator who will then decide on the appropriate progressive discipline of that employee, which will be in accordance with established County disciplinary procedures. In addition, the

Department Administrator may recommend special Title VI re-training for the employee in lieu of or in combination with disciplinary action for a first offense.

- C. Compliance Monitoring Meeting: For the purpose of monitoring compliance activities, the County Executive will review the prior year's activities. This report will focus primarily on complaints filed during the year. Any significant problems of general compliance will also be addressed.
- D. Public Awareness and Notification: Pamphlets and posters designed to inform County employees, clients, and prospective clients of their obligations and rights under Title VI and of the availability of services will be distributed

periodically to all Departments. The Departments are responsible for making these pamphlets available to each participant, client and sub-recipient and for displaying the Title VI posters in a prominent location. Pamphlets and posters will be in both English and Spanish language.

- E. Civil Rights Training: County employees and sub-recipients will also receive training regarding the obligations and rights involved in the Title VI program. In-service training programs for all employees will be conducted and County Officials shall continually apprise staff of their responsibility to render a high quality of services to all clients regardless of their race, color, or national origin.
- F. Compliance in Procurement Procedures: The County will require an assurance of compliance with the Civil Rights Act of 1964 from every sub-recipient or contractor before entering into any contract which involves the purpose of care, services, or other benefits on behalf of persons served by County programs.
- G. Minority Participation on Planning and Advisory Bodies:
  - 1. Where members of the board or committee are appointed by Putnam County and where minorities comprise as much as 5% of the catchment area or the surrounding community, the County will take all steps legally permissible to ensure minority representation on the board or committee.
- H. Complaint Procedures: A complaint alleging discrimination against Putnam County may be filed with the County Executive.
  - 1. The County Executive has the primary responsibility for receiving, acknowledging, and investigating complaints and for reporting the findings. Complaints must be filed in writing, preferably on the Complaint of Discrimination Form immediately sent to the County Executive. The form can be filled out by the complainant or by his/her representative. The County Executive should retain the original complaint, but the respective County Official should receive a copy of any complaints filed.
  - 2. Unless a complaint is being filed externally, all complaints should first be filed with the County Executive. The County Executive will immediately notify the respective County Official. The County Executive's investigative efforts regarding any complaints will be conducted in cooperation with the respective County Official whose Department is the subject of the complaint. The County Executive, in cooperation with the respective County Official and the County Attorney has broad latitude to review a complaint and make a finding. 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. The County Executive will conduct and complete such fact-finding within thirty (30) consecutive calendar days after receipt of the

complaint. In the event that the investigation may not be completed within this thirty (30) day time frame, the County Executive and the complainant may mutually agree, in writing, to allow for additional time to determine the facts. Once the investigation is completed, the County Executive will prepare a written report of findings. If the report includes a finding of violation of Title VI the County Executive should include the respective County Official's proposed corrective action in the report.

3. The County Executive will maintain a Title VI complaint log to show identifying information, type, and status of each complaint filed. When any investigation is concluded, the County Executive will keep a copy of the report on permanent file. At this point, a complainant who wishes to pursue the complaint may choose to appeal the charges externally, if she/he has not done so already.
4. To allow time to file sequentially with the County and then externally with an appropriate outside agency or court, as the complainant chooses, the complaint within the County system shall be filed no later than thirty (30) calendar days after the alleged discrimination occurred. If the complainant is unsatisfied with the findings or the proposed remedial action, the complainant may still file externally within any applicable statutes of limitations.
5. If a complaint is filed within the County and is filed externally during the same time, the external complaint supersedes the internal complaint filing; accordingly the County's complaint procedures will be suspended pending outcome of the external complaint.