
KNOX COUNTY NONDISCRIMINATION POLICY



KNOX COUNTY HUMAN RESOURCES
400 Main St., Suite 345, Knoxville, TN 37902

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Application of Policy

This policy applies to the executive branch of Knox County under the Knox County Mayor, and to the departments headed by any other elected officials who adopt this policy.

Knox County Nondiscrimination Policy Statement

Knox County complies with Federal and state civil rights laws and is committed to providing its programs and services without discrimination to members of the public, clients, consumers, program beneficiaries, and employees, in accordance with, but not limited to:

- *Title VI of the Civil Rights Act of 1964*, which prohibits discrimination based on **race, color, or national origin** (including **language**).
- *Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act*, which prohibits discrimination based on **disability**.
- *Title IX of the Education Amendments Act of 1972* prohibits discrimination based on **sex** in education programs or activities.
- *Age Discrimination Act of 1975* prohibits discrimination based on **age**.
- *U.S. Department of Homeland Security regulation 6 C.F.R. Part 19* prohibits discrimination based on **religion** in social service programs.

It is against the law to retaliate against anyone who takes action to oppose discrimination, files a grievance, or participates in the investigation of a grievance in accordance with the above authorities. **Any individual alleging such harassment or intimidation may file a complaint.**

Organization Responsibilities

No elected official, administrator, director, or employee of Knox County shall discriminate against any person in employment or provision of services, or retaliate against any person engaging in protected activity.

The duties and responsibilities of compliance have been assigned to an administrative official designated as the Nondiscrimination Policy Coordinator (hereinafter referred to as the Coordinator).

Glenn Jacobs
Knox County Mayor

Date

Nondiscrimination Policy Coordinator Responsibilities

The Coordinator is responsible for monitoring and ensuring Knox County's compliance with the aforementioned laws and regulations. The responsibilities are as follows:

1. Ensure that all new employees receive and acknowledge the nondiscrimination policy.
2. Make available annual compliance training.
3. Ensure that procedures are in place for informing all service recipients of their rights under the policy, how to file a discrimination or retaliation complaint, and how to request a reasonable modification under the ADA.
4. Ensure that nondiscrimination notices (in English and other languages) are displayed and distributed throughout the agency.
5. Coordinate, facilitate, and monitor the complaint process for Knox County.
6. Submit required documents for agency compliance in a timely manner as requested.
7. All other duties as necessary to ensure agency compliance with federal and state laws and regulations.

Assistant Coordinator Designations

In addition, Knox County departments and agencies may designate others to assist in compliance. These assistant coordinators will ensure compliance, program monitoring, reporting, and education within their respective departments/programs. The assistant coordinators will be determined as needed by the Nondiscrimination Policy Coordinator or the head of the Knox County department or agency. Any complaints submitted to these additional coordinators will be sent directly to the Nondiscrimination Policy Coordinator. The list of additional coordinators will be maintained and reviewed annually by the Nondiscrimination Policy Coordinator for compliance reporting.

Sub-Recipient Monitoring

Department or agency heads are responsible for creating and maintaining a subrecipient monitoring plan. The monitoring plan will outline annual risk assessments for sub-recipients, procedures for scheduling compliance reviews, and procedures for conducting reviews. Each department or agency head will send a copy of the plan to the Nondiscrimination Policy Coordinator. The department or agency head will review the monitoring plan annually to ensure its effectiveness and to make any necessary updates for compliance reporting.

Discriminatory Practices

Knox County and its sub-recipients of federal or state funds will NOT:

- Deny an individual any service, opportunity, or other benefit for which such individual is otherwise qualified;
- Provide an 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;
- Subject an individual to segregated or disparate treatment in any manner related to such individuals; receipt of services or benefits;
- Restrict an individual in any way in the enjoyment of services, facilities or any other advantage, privilege, or other benefit provided to others;
- Adopt or use methods of administration which would limit participation by any group of recipients or subject any individual to discrimination;
- Address an individual in a manner that denotes inferiority because of race, color, national origin, age, sex, disability, religion, or any other characteristic protected by law;
- Permit discriminatory activity in a facility built in whole or in part with federal funds;
- Fail to advise the population eligible to be served or benefited by any federally funded programs that such programs exist;
- Deny any individual the opportunity to participate in the operations of a planning or advisory body that is an integral part of a federally funded program;
- Fail to provide services or information in a language other than English where significant numbers of potential or actual beneficiaries are of limited English-speaking ability;
- Subject an individual to discriminatory employment practices under any federally funded program whose objective is to provide employment;
- Locate a facility that would, in any way, limit or impede access to a federally funded service or benefit;
- Intimidate or Retaliate against anyone who takes action to oppose discrimination, files a grievance, or participates in the investigation of a grievance.

Discrimination Complaint Procedures

Acceptance of Complaint

Any individual alleging discrimination or retaliation due to an entity of Knox County who is noncompliant with the regulations outlined here has the right to file a complaint within 180 days of the alleged discriminatory or retaliatory act. The complaint shall be in writing and submitted through one of the following methods:

- The online complaint portal, found at www.knoxcounty.org/hr (fastest method)
- Mailed to *ATTN: Human Resources, 400 Main St, Suite 360, Knoxville, TN 37902*
- Delivered in person during regular business hours at the same address above.

The Coordinator will have primary responsibility for the receipt, acknowledgment, acceptance, determining jurisdiction, investigation of complaints, reporting findings, recommending/implementing resolutions, and maintaining a complaint log. Complaints will be treated as confidential to the extent reasonably practicable.

The Complaint Process:

1. All formal complaints shall be submitted in writing by using the online portal or by completing the [Complaint Form](#) within 180 days of the alleged discriminatory event or practice.
2. The Coordinator will notify the complainant of receipt of the complaint
3. The Coordinator will then conduct a preliminary review of the allegations contained in the complaint within 45 business days.
 - a. During the preliminary review, the Coordinator will determine whether a potential violation has occurred, who has jurisdiction to investigate the complaint, and whether s/he has the necessary resources to conduct the investigation.
4. If the Coordinator determines an investigation is unwarranted, the coordinator will notify the complainant in writing, electronic or physical mail, and log the complaint on the secure internal tracking sheet.
5. If the Coordinator determines a full investigation is warranted, the Coordinator will notify the complainant and all other interested parties in writing, electronic or physical mail, and log the complaint on the internal tracking sheet. Such investigation will be completed within a reasonable time period, not to exceed 60 days.
 - a. Complainants will be expected to cooperate as interested parties during the investigation.
 - b. The investigation will include interviews with persons who may have knowledge concerning the allegation(s), including review of pertinent documents, records, policies, practices, procedures and other information necessary to render a fair and impartial determination.

6. When appropriate, the Coordinator will work with other county, state or federal agencies to ensure accuracy or gather information.
7. If the determination supports cause to believe discrimination has occurred, the Coordinator will summarize the investigation to the agency/department(s) named as the alleged discriminating official (ADO). The Coordinator will request a written response to the summary.
8. Once the ADO response is received, the Coordinator will add the response to the investigative report and make appropriate recommendations for resolving the complaint. The Coordinator will issue a letter to the complainant and the ADO, outlining the determination and an offer of mediation. If mediation fails, the Coordinator will effectively direct a fair and equitable resolution of the matter. This will be done in consultation with the Knox County Law Director's Office.
9. The resolution will be provided to the complainant and the ADO, by electronic mail or certified letter (return receipt requested) indicating the terms and conditions of the resolution and how to file an appeal.
10. During the investigation, if the Coordinator determines that the complaint should be referred to the appropriate state or federal agency (because of the agency's expertise in reviewing this specific type of complaint), a notice by electronic or physical mail will be issued notifying the complainant that the complaint will be referred. It is not necessary for the Coordinator to disclose the identity of the complainant so long as the information is sufficient to determine the identity of the recipient and indicates the possibility of violation of federal or state civil rights laws.
11. At the complainant's discretion, the complaint can be filed externally with the federal or state agency or department, the state recipient, or the agency providing the service.
12. Knox County will retain all complaints received for at least three (3) years.

Additional Complaint Filing Paths

Any person seeking resolution of a complaint with Knox County may follow the process described above. However, anyone wishing to file a complaint may also go directly to, including but not limited to, these state or federal agencies:

- Tennessee Human Rights Commission: <https://www.tn.gov/humanrights>
- DHS Office for Civil Rights and Civil Liberties: <http://www.dhs.gov/crcl>
- DOJ ADA Civil Rights Division: <https://www.ada.gov/file-a-complaint>
- DOJ Civil Rights Division: <https://civilrights.justice.gov>

Knox County Language Access Plan

Languages of LEP Populations¹:	Spanish (3.7%), Other Indo-European (2.1%), Asian (1.4%), Other Languages (1.3%).
Common languages and points of contact:	Reception areas, phone calls, public meetings, public services: Spanish, Other.
Resources available:	Language service contracts, possible bilingual staff

Knox County Government does not discriminate against anyone with Limited English Proficiency (LEP) who participates in our programs and services. We have taken steps to ensure that all individuals can communicate and have meaningful access, either through written or oral language services, with all staff members regarding our programs and services. These steps are as follows:

1. Knox County contracts with outside agencies for language and document translation services. These agencies were selected and approved through the established procurement procedures in the Knox County Charter and state law. Instruction guides are provided to each department on how to connect with a translator or start the process of translating a document using these outside agencies. Some departments may also hire bilingual staff if approved by their position budget. Knox County departments or agencies may establish further procedures to address their specific needs to ensure an individual with LEP can communicate effectively. A copy of these procedures will be sent to the Nondiscrimination Policy Coordinator.
2. Team members of Knox County will have access to “I Speak” cards for in-person communication with a person with LEP. Notices of this policy will also be displayed in common areas informing individuals with LEP of free translation services. Once the language is determined, the team member will contact a contracted interpreter agency using the provided instruction guide or, if applicable, following established department protocols, a bi-lingual team member. If a team member receives a phone call from an individual with LEP, they will place the caller on hold and proceed to contact one of our third-party services or request a bi-lingual team member, following established department protocols. Individuals with LEP who wish to attend public meetings or events should contact the respective department hosting the meeting or event no later than 72 hours before the scheduled event. This will allow time for the department or agency to schedule a qualified interpreter.

¹ [https://data.census.gov/vizwidget?g=050XX00US47093&infoSection=Language Spoken at Home](https://data.census.gov/vizwidget?g=050XX00US47093&infoSection=Language%20Spoken%20at%20Home)

3. Smartphone translation apps or web-based translation sites are recommended only as a last resort and only if repeated attempts with our third-party agencies or bilingual staff are unsuccessful. These tools should be used minimally and only for obtaining basic information until contact with our third-party agencies or bilingual staff can be made to ensure effective communication.

Americans with Disabilities Act Notice

In accordance with the requirements of Title II of the Americans with Disabilities Act (ADA) of 1990, Knox County will not discriminate against qualified individuals with disabilities in its provision of services, facilities, programs, or activities.

Knox County will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its facilities, programs, services, and activities.

The ADA does not require Knox County to take any action that would fundamentally alter the nature of its programs or services or impose an undue financial or administrative burden.

Anyone who requires auxiliary aid or service for effective communication or a modification of policies or procedures to participate in a Knox County program, service, or activity of Knox County should contact the ADA Coordinator as soon as possible but no later than 72 hours before the scheduled event. More information on how to request an accommodation or file a grievance can be found on the Knox County website, www.knoxcounty.org/hr.

Dissemination and Training

This policy will be made available online at the Knox County website. Nondiscrimination policy notices and I Speak posters will be posted in common areas at various entity locations, available online, or can be requested at any time from entity locations. These notices will also be displayed in other languages to ensure LEP persons know of their rights and how to file a discrimination complaint or request a reasonable modification. Department and agency heads are encouraged to use other means of notification, such as social media, public notices or phone menu messages, for their respective areas to inform LEP persons of their rights and free language services.

Applicable, annual federal and state civil rights law training will be available online to all Knox County departments, agencies, and sub-recipients. Training videos can be found at www.knoxcounty.org/hr

Furthermore, departments and agencies may create additional training for sub-recipients and employees, focused on their specific needs in the delivery of programs and services.

A portion of this policy will be made part of the employment handbook. All new hires will receive nondiscrimination training during orientation, and all team members will receive nondiscrimination training annually thereafter. Each department or agency may train staff more frequently, if desired, on department-specific nondiscrimination policy protocols.

Contact information for filing complaints or if you need assistance with filing a complaint, please contact:

Knox County Human Resources
Attn: Nondiscrimination Policy Coordinator
400 Main Street, Suite 360
Knoxville, TN 37902
Phone: 865-215-2321
Email: human.resources@knoxcounty.org
Website for additional information: www.knoxcounty.org/hr