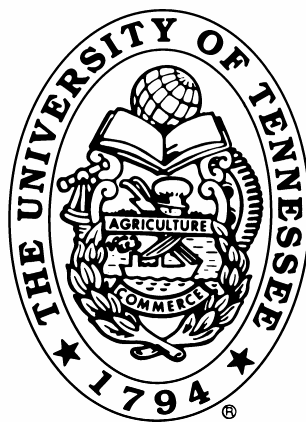


# **THE UNIVERSITY OF TENNESSEE**

## **TITLE VI IMPLEMENTATION PLAN**



**2001-2002**

**Revised: September 28, 2001**

**THE UNIVERSITY OF TENNESSEE  
TITLE VI IMPLEMENTATION PLAN  
2001-2002**

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## **OVERVIEW OF THE UNIVERSITY OF TENNESSEE'S COMPLIANCE PROGRAM**

### *Overview of The University of Tennessee*

The University of Tennessee is a state institution of higher education and is composed of The University of Tennessee (including the main campus at Knoxville, the Health Science Center in Memphis, the Institute of Agriculture, the Institute for Public Service, and the Space Institute at Tullahoma), The University of Tennessee at Martin, and The University of Tennessee at Chattanooga.

The University's primary missions are instruction, research, and public service with an emphasis on quality, information technology, financial stewardship and an aggressive recommitment to the economic, social and cultural development of the State of Tennessee. Instructional offerings include undergraduate, graduate, professional and postgraduate work. Major research areas include agriculture, biotechnology, energy, and health sciences. In the public service area, the University supplies academic expertise to assist businesses, governments, agricultural producers, and rural and urban families. The University spans the State of Tennessee with a network of instructional, research, and service units located in every county.

The University of Tennessee is a recipient of federal financial assistance, and in accordance with the provisions of 42 U.S.C. § 2000d-4a, all instructional, research, and public service programs and activities of The University of Tennessee are subject to the prohibition of Title VI against discrimination on the basis of race, color, or national origin.

This Title VI Implementation Plan attempts to follow the Tennessee State Agencies Implementation Guidelines. For the most part, The University of Tennessee is a recipient of federal financial assistance and not an agency through which federal funds flow to sub-recipients. The University generally receives minimal funds from a federal agency for distribution to other governmental entities or private entities. Therefore, the University's primary duty under Title VI

is to ensure that its own instructional, research, and public service programs and activities are offered without discrimination on the basis of race, color, or national origin. A secondary duty is to assure Title VI compliance by those sub-recipients of federal funds distributed through The University of Tennessee.

The University's compliance with Title VI is subject to the continuing jurisdiction and monitoring of the United States District Court for the Middle District of Tennessee in *Geier, et al. v. Sundquist*, a case filed in 1978 under Title VI to achieve the dismantling of Tennessee's former *de jure* segregated system of higher education. The United States Justice Department, which has primary responsibility for enforcement in the *Geier* suit, is a party of the litigation and, consequently, a participant in reviewing the University's compliance with Title VI. The centerpiece of the University's compliance activities is the *Geier* Consent Decree entered in January, 2001, that replaced the Stipulation of Settlement originally entered in 1984. Under the Consent Decree, the University implements various plans and programs aimed at achieving increased black enrollment in undergraduate, graduate, and professional programs and for employment of black faculty, administrators, and professionals.

#### ***Program Coverage/Budgets/Amounts of Federal and State Dollars***

The University of Tennessee is a recipient of federal financial assistance, and all instructional, research, and public service programs and activities of The University of Tennessee are subject to the prohibition of Title VI against discrimination on the basis of race, color, or national origin. The University receives minimal federal financial assistance to be redistributed to sub-recipients. However, the University inventoried the kinds of federal financial assistance it receives and determined that there are some sub-recipients who receive federal funds through The University of Tennessee. Therefore, an enforcement program for sub-recipients has been

developed. A description of this enforcement program is provided as Appendix A. Included in the program described in Appendix A are the Title VI Survey of Sub-Recipients of Federal Funds, the Assurance of Title VI Compliance form, and a Subcontract Checklist.

When the University contracts with an outside entity to provide instruction, research, or service programs for the University, the contract includes a provision against discrimination on the basis of race, color, or national origin (and all other classes protected by federal or state anti-discrimination laws) regardless of whether the contract directly involves federal financial assistance. Additionally, contracts with sub-recipients of federal funds contain a provision requiring compliance with Title VI.

Provided as Appendix B is a chart showing fiscal year 1999-2000 unrestricted and restricted revenues including federal and state dollars allocated to The University of Tennessee. There is also a schedule of federal agency dollars expended by the University and the amount distributed to sub-recipients. Also provided is a detailed list of sub-recipients by campus and the amount received by each.

Sub-recipients of sponsored projects funded from all external agencies, including the Federal government, are primarily determined by the University's project directors, and the sub-recipients' expertise and qualifications are often included in the University's proposals to the external agencies. Their selection may be based upon various criteria, e.g., project requirements, prior collaboration, expertise, reputation in the field, etc. In addition to sub-recipients receiving monies from Federal and other sources, goods and non-scientific services are procured by the University from other vendors in accordance with the University's established policies and procedures.

For each Federal award exceeding \$500,000, the Federal government may, at the election of the government's representative, require that the University prepare a Small and Disadvantaged Business Utilization Plan, the purpose of which is to establish a goal for subcontracting a portion of the award to small and disadvantaged business concerns. Under such a Plan, subcontracting is not limited to scientific expertise; rather, it includes the purchase of items such as miscellaneous supplies, travel, equipment, etc. As indicated above, such purchases must follow established University policies and procedures.

***Organization/Civil Rights Coordinator***

The University of Tennessee is organized to effect compliance and implement civil rights enforcement by providing coordination of effort through the University Administration and placing responsibility for implementation at the campus level. The University of Tennessee's Title VI Coordinator, Theotis Robinson, Jr., is responsible for the development and implementation of the University's Title VI Plan and subsequent updates. He reports to the University President as the Vice President for Equity and Diversity and provides overall direction and leadership to the University's Title VI compliance activities. Mr. Robinson's office is located at 827 Andy Holt Tower, Knoxville, Tennessee 37996, (865) 974-2241. As Title VI Coordinator, Mr. Robinson serves as liaison with federal and state personnel on Title VI issues and concerns and is responsible for the University's overall Title VI program. The coordinator also works with the Title VI Advisory Committee to plan Title VI activities and to identify needed professional development and training in Title VI compliance activities. Mr. Robinson coordinates the annual meetings of the Advisory Committee and the Title VI efforts and activities throughout the University system.

In addition, each University campus and institute has a Title VI Coordinator who coordinates Title VI activities for that unit and monitors compliance with Title VI in accordance with federal and state laws. A list of Title VI coordinators, including addresses and telephone numbers, and a list of Title VI Coordinator responsibilities are provided as Appendix C. All six Title VI Coordinators are African-American.

### ***Civil Rights Policy or Guidelines***

The ultimate responsibility for implementing the Title VI program at each campus or institute rests with the president along with each chancellor and vice president. University policy in support of Title VI is found in Personnel Policy 220, Equal Employment Opportunity and Affirmative Action (see Appendix D). Also, the processes for policy dissemination are found in the campus and institute affirmative action plans and handbooks for students and staff. Guidelines for compliance with Title VI are found in existing University policies, guidelines, and reporting mechanisms as found throughout the appendices of this document and specifically in Appendix D.

Other relevant policies included in Appendix D are:

- Personnel Policy 143, Recruiting
- Personnel Policy 280, Sexual Harassment.
- Personnel Policy 640, Grievances

In addition, The University files an annual progress report with the Court Monitor of steps taken to implement the *Geier* Consent Decree.

The University's policy against discrimination in its educational programs and activities is disseminated widely through inclusion of a nondiscrimination notice in University publications, contracts, catalogues, student handbooks, advertisements, and recruiting brochures.

For those situations where the University distributes federal funds to sub-recipients, the University has developed a Title VI enforcement program. This program includes a survey for sub-recipients, a mechanism to monitor responses, and a method to prevent future contracting with any sub-recipient who does not comply with Title VI requirements (see Appendix A).

### ***Definitions***

*Assurances:* A written statement or contractual agreement signed by an authorized University official in which the University agrees to administer federally assisted programs in accordance with civil rights laws and regulations.

*Beneficiaries:* Those persons to whom the University provides instructional, research, or public service assistance, service, or benefits.

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

*Contractor:* A person or entity to perform services for the University at a specified price.

*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.

*Noncompliance:* Failure or refusal to comply with Title VI of the Civil Rights Act of 1964, other applicable civil rights laws, and implementing regulations.

*Sub-recipient:* Any entity (or individual) with which the University contracts to perform services funded in whole or in part by federal funds.

### ***Staff and Budgetary Resources/Civil Rights Training***

In regard to the University's compliance with Title VI, the Title VI Coordinator for each campus and institute is responsible for coordinating compliance and training with respect to Title VI and civil rights statutes in general. The University includes a reference to Title VI requirements at each supervisory or other training session that covers nondiscrimination issues. The Title VI Coordinators meet annually with the University-wide Title VI Coordinator for training, guidance, discussion of relevant issues, and assistance in administering the University's Title VI programs. An overview of Title VI requirements was provided to Title VI Coordinators at their November 9, 1999, meeting by Ms. Kimberly Bandy, Title VI Director with the Tennessee Human Rights Commission. In particular, Ms. Bandy reviewed the Federal and State Agencies role in Title VI. During this session, relative to subgrantees of the University, the discussion included the intent of federal funds, contract assurance, the amount of federal funds and type, definition of beneficiaries (students), and the compliance measures in place (data collection, compliance reviews, etc.). Ms. Bandy also discussed the importance of understanding the legal requirements of Title VI. The discussion concluded with a list of suggested action steps.

Throughout the year, several University Title VI coordinators met with Ms. Bandy at the Title VI Coordinator meetings in Nashville. Information received at those meetings was shared with other UT Title VI staff members across the State.

### ***Discriminatory Practices***

Examples of prohibited discriminatory practices specific to the University include:

1. Denial of admission on the basis of race, color, or national origin.

2. Assignment of on-campus housing or use of other facilities on the basis of race, color, or national origin.
3. Denial of academic or student support services on the basis of race, color, or national origin.
4. Denial of scholarships or other financial aid on the basis of race, color, or national origin (with the exception of court approved race-based scholarships under *Geier v. Sundquist*).
5. Discrimination in the recruitment, selection and employment of faculty and staff.
6. Discrimination in the provision of working conditions/environment.
7. Denial of any services, or other benefits for which individuals are otherwise qualified on the basis of race, color, or national origin.

***Federal Assistance/Guidance***

The U.S. Congress has delegated to the Department of Justice the responsibility for the enforcement of Title VI. The Department of Justice has further delegated enforcement responsibilities to other federal agencies. Annual state audits of uses of federal funds are conducted at The University of Tennessee. If inappropriate uses of federal assistance are found, the discontinuation of federal funding could result. The University has received no assistance or dollars from federal agencies for developing Title VI guidelines or training in Title VI compliance.

## **APPROACH TO MAJOR CIVIL RIGHTS FUNCTIONS**

### ***Statement of Assurances***

University contracts for educational programs or services contain a provision against discrimination on the basis of race, color, and national origin, as contained in Contract Standard Terms and Conditions, a copy of which is included in Appendix E. Moreover, the University requires a statement of assurance, Assurance of Title VI Compliance, from all sub-recipients of federal funds which acknowledges compliance with Title VI. A sample of this statement is provided in Appendix A. A Subcontract Checklist which documents compliance by each Knoxville sub-recipient is maintained by the University. A copy of this form is provided in Appendix A.

### ***Public Notification***

The University of Tennessee notifies the general public of the University's commitment to Title VI through the inclusion of a statement of policy in regard to nondiscrimination practices in all University brochures and publications made available to the public. A sample of this statement is provided as Appendix F. Through student and employee recruitment activities, eligible persons who have been historically deprived of equal opportunity are encouraged to participate fully in the University's educational programs.

Posters emphasizing the University's commitment to compliance with Title VI are distributed and placed throughout the University. A copy of this poster is provided as Appendix G. Additionally, a Title VI brochure has been developed and is included in Appendix H. The brochure was translated into Spanish during fiscal year 2000-2001. Individual campuses also have developed brochures outlining the University's obligations and commitments to non-discrimination in the employment and education context. During the year, posters containing the

non-discrimination policy statement in Spanish were also provided to Title VI Coordinators for posting at all UT units.

The University of Tennessee Institute of Agriculture notifies the general public about Title VI through the use of the policy statement on non-discrimination practices. This includes making the Title VI poster and brochure available to the public. Title VI brochures are available to units as needed.

The Institute for Public Service informs its customers of their rights under Title VI in a number of ways. All publications of the Institute include the University's nondiscrimination notice. All publications that include a registration panel also ask for voluntary disclosure of Title VI information for tracking purposes. Within the Institute for Public Service, Title VI brochures and posters are available and displayed with other training materials in the agencies that conduct open enrollment training. Finally, all home pages of the Institute's web sites display the Title VI notification.

The University of Tennessee at Chattanooga notifies the public of the University's commitment to Title VI through the distribution of the Title VI brochures; during the process of bidding for products and services for campus use; and with a statement on publications indicating that the university is an EEO/AA/Title VI/Title IX/Section 504/ADA/ADEA employer. Brochures are distributed to departments and individuals receiving grants by the Grants and Research Office. The brochures are also distributed to clients through the Offices of Business Services, Operations, and Business and Financial Affairs. Each academic and administrative department also receives copies of the brochure.

At The University of Tennessee Health Science Center the Director of Purchasing attends the Mid-South Minority Business Council monthly meetings. Title VI brochures are sent to

local minority businesses identified in the campus directory of Mid-South Minority Business council members.

The University of Tennessee, Knoxville has placed a notice on its official web site to notify the public that the University's Title VI Implementation Plan is available for review in two area libraries: Knox County Public Library-Main Branch Reference Department and The University of Tennessee Hodges Library – Reserve Section. A copy of the Title VI brochure is included in every copy of Volume I of the Affirmative Action Plan. The brochure is also distributed upon request to groups and individuals. Title VI information is contained in the Office of Equity and Diversity (E & D) brochure *Federal Discrimination Laws: A Brief Summary*. This brochure is widely distributed at educational workshops/training conducted on issues of affirmative action, equal employment opportunity, or diversity.

The University of Tennessee at Martin continues to require all contracted agencies to comply with Title VI. All contracts with agencies include a provision against discrimination on the basis of race, color, or national origin. All publications and job announcements contain the University's anti-discrimination clause, which is as follows: The University of Tennessee at Martin is an EEO/AA/Title VI/Title IX/Section 504/ADA/ADEA employer. If it is a job announcement, the ad will contain this statement, too. The University seeks to diversify its work force. Therefore, all qualified applicants, regardless of race, color, national origin, religion, gender, age, disability, or veteran status, are strongly encouraged to apply. Also, Title VI brochures and sexual harassment brochures are given to all candidates who interview for positions at The University of Tennessee at Martin. Moreover, Title VI posters have been placed in plain view in all buildings throughout the University.

The University of Tennessee Space Institute displays the University's Title VI brochure on a table outside the Department of Human Resources and on the counter at the UTSI receptionist desk near the lobby. Most of UTSI's contract work is done through the Knoxville Facilities Planning Office; but, for the contract work that comes through UTSI, the contractor(s) are given a copy of the brochure. The Title VI brochure is distributed at new student orientation and at new employee orientation and is mailed to all faculty, staff, and students once a year as a reminder. The Title VI poster is posted in several conspicuous places on the campus.

### ***Compliance Reviews***

In regard to entities that are sub-recipients of federal funds through The University of Tennessee, the procedures for both pre-award compliance and post-award compliance are delineated in The University of Tennessee Title VI Enforcement Plan. The University requests each sub-recipient to complete and return a Title VI survey which is retained and reviewed by the University Controller. The receipt of surveys is monitored. Any questions which arise during the review of the surveys are forwarded to the Title VI Advisory Committee for review and disposition.

The majority of sub-recipients of federal funds through The University of Tennessee are also direct recipients of federal funds, and therefore generally have preexisting Title VI compliance obligations. Because of this, the assurance statement and self-survey methods have been adopted to ensure compliance of the University's sub-recipients.

Pre-Award Compliance Each organization that receives a subcontract from The University of Tennessee containing federal funds must sign an Assurance Statement that the agency will comply with the requirements of Title VI in regard to the provision of educational programs and

services. The organization, by signing the contract, agrees to the following provision included in the terms of the contract:

*The subcontractor shall comply with the requirements of Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, Title II of the Americans with Disabilities Act of 1990, and if applicable, sponsor regulations, the provisions of which, and all future amendments of such statutes and regulations, are incorporated by reference as a part of this agreement.*

By signing the contract, the sub-recipient agrees to the Title VI assurance statement and has met the pre-award criteria. No additional procedures or tests are applied.

Post-Award Compliance In conjunction with A-133 sub-recipient monitoring, the University will annually survey all sub-recipients for compliance with Title VI regulations. The survey method was selected as an effective and expedient tool to gauge compliance given the nature of the sub-recipients. The survey form is contained in Appendix A. The University of Tennessee will collect the surveys, which will be retained and reviewed for Title VI compliance by the University Controller. If any of the survey responses indicate deficiencies, additional documentation of compliance will be requested from sub-recipients. Failure to answer a Yes@ or No@ for any part of the survey will require follow-up action by the University. Any sub-recipient who indicates noncompliance with Title VI will be given written notice that the University will suspend, terminate, or reject future contracts with that entity, if the entity fails to correct the deficiency within a reasonable period of time. Questions concerning compliance deficiencies or the action which should be taken by the University will be forwarded to the Title VI Advisory Committee for review and disposition. In addition, the University annually and on a

random basis accesses and reviews public documentation on the Internet concerning anti-discrimination policies of sub-recipients.

### ***Complaints of Discrimination***

In accordance with the requirements of Title VI, each campus and institute of the University has a discrimination complaint procedure that directs that Title VI complaints be taken to the Title VI Coordinator for the appropriate campus or institute. An example of a campus discrimination complaint procedure is provided as Appendix I. The University's student handbooks, faculty handbooks, personnel manuals and affirmative action plans notify students and employees of the procedure for filing a complaint of discrimination on the basis of race, color, or national origin. The complaint procedure is also documented in the Title VI brochure (Appendix H).

During the time period from July 1, 1999, through June 30, 2000, the University investigated five complaints which were deemed to fall under Title VI. Three of the complaints were resolved by working with the departments. Upon investigation, no discrimination was found in the other two complaints. A form was developed for the purpose of collecting this data and is included as Appendix J.

### ***Data Collection and Analysis***

Extensive data collection and analyses concerning the University's compliance with Title VI are included in the Appendices. Included in Appendix K are data for UTC, UTK and UTM as follows: enrollment and goals statistics by race; actual enrollment from 1996 through 1998; recruitment and freshmen enrollment; retention rate for African-American freshmen (2 pages); and graduation rates by race. Included in Appendix L is a list of degrees awarded by race and by campus. This information is used by the campuses to monitor the progress in recruitment and

retention of minority students. To ensure that the University is reaching out to all students in the state, UT Knoxville has placed recruiting offices in Memphis and Nashville to concentrate specifically on minority students.

Appendix M provides UT Knoxville's summary report of orders awarded to minority-, women-, and small-owned businesses for the fiscal year.

Extensive data regarding employment statistics and racial composition of the University's workforce are compiled annually through the Integrated Postsecondary Education Data System (IPEDS) report which is used for biennial reporting to the Department of Labor. A summary of this report as of the last official reporting period, October 1999, is included in Appendix N. Copies of the individual campus IPEDS reports are available through each University Title VI Coordinator. Also, employment utilization reports are provided for each campus and institute in Appendix N.

### ***Title VI Activities By Units***

The University of Tennessee System, in accordance with the *Geier* Consent Decree, has established several committees to address the elimination of the vestiges of a segregated dual system in higher education on its campuses. Those committees and their purpose follow.

The Statewide Faculty and Administrative Hiring and Retention Committee has three (3) charges and accordingly is composed of three (3) subcommittees. Those charges to the committee are: (1) to review "national best practices" at comparable institutions of higher education and to review current practices and programs within the University system for changes and modifications designed to more effectively recruit and retain African-American faculty and administrators; (2) to review current procedures for granting tenure and promotion to determine if any disparities based on race exist and to review salary levels to determine if any disparities

based on race exist; (3) to examine post-doctoral and visiting African-American Scholars programs for possible implementation at the University as methods for increasing the numbers of African-American faculty and graduate students.

The committee, chaired by the President of the University with the Vice President for Equity and Diversity as vice-chair, has 21 members, nine of whom are African-American. Two members of the Board of Trustees serve on the committee, one of whom is African-American.

The second committee structure of note is the Student Recruitment, Retention, and Persistency Committees which has been formed on the campuses in Chattanooga, Knoxville, and Martin. These committees are reviewing current programs on each campus for effectiveness and national best practices. Each committee will make recommendations for modifications of existing programs and possible new programs to the Court Monitor for the *Geier* Consent Decree.

An initiative is underway and a consultant retained to survey the Knoxville campus climate for African-American students.

The University of Tennessee at Chattanooga completed and distributed a guide for bidding procedures on projects at the UTC campus to minority contractors and organizations such as the Chattanooga Black Chamber of Commerce, Urban League and the NAACP. Meetings have been held with minority contractors to review the building projects proposed for the campus and those already under construction. An employment agency was retained to identify and hire minority workers for the University Place housing development. This procedure will continue as the second phase of the housing projects begins in the next few months. Meetings have been held between the Black Contractors Association and Vice Chancellor Richard Brown.

At UT Knoxville, as part of the President's Initiative on Race, staff members of the Office of Equity and Diversity (E&D) (formerly the Diversity Resources and Educational Services Office) served as part of the collaborative group (members of local colleges, universities, and social services agencies) that planned activities on race issues held at various locations in the community. E & D also provided financial support for speakers, printing, awards, etc. Financial support was provided for speakers in 2000 at the Black Staff Association Conference. Further, the director of E & D serves as a member of the advisory board for the Black Graduates Opportunities Program and as a member of the advisory board for the African-American Scholars Program. Members of the AA Scholars board also serve as mentors to the AA scholars.

On September 26, 2000, University affirmative action officers met. The Title VI Coordinator for the University also addressed a meeting of area Title VI officers on November 2, 2000.

The E & D Advisory Board met on December 3, 1999, where Title VI was discussed. The Title VI contact for Business Services serves as a member of that Advisory Board.

At The University of Tennessee at Martin, the campus climate was monitored to determine the degree of student (African-American) satisfaction with the educational programs/activities. There continued to be general satisfaction among all students. In fact, the number of complaints reported to the Equity and Diversity Officer/Title VI Coordinator for the reporting period was zero.

A Title VI Workshop was held August 1999 for the Department of Family and Consumer Sciences, especially for the following programs: Healthy Start Program, Parent Education and Children Health Program, Infant Stimulation Program, Tennessee Early Intervention System, and

the Child Care Resources Center. All conference participants were given a copy of the Title VI law. Moreover a copy of the law has been placed in their folders as required by the Tennessee Department of Mental Health and Mental Retardation in Nashville. In addition, all clients served by these programs were given a copy of the Title VI brochure.

An article about the Title VI law was published in the Ebony Appeal, the African-American student's newspaper. Finally, the Equity and Diversity Officer/Title VI Coordinator continues to meet and interview all candidates for faculty, administrative, and staff positions for the following reasons: 1) to discuss the University's success in the area of race relations; 2) to discuss fair treatment of African-American students enrolled in the University of Tennessee at Martin—fair treatment in the University in general and in the classroom in particular; 3) to discuss sexual harassment at the University of Tennessee at Martin and The University of Tennessee System policy.

The University of Tennessee Health Science Center Office of Purchasing is participating in this year's E Match Maker Forum sponsored by the Mid-South Minority business Council (MMBC) in conjunction with the Business Expo. The office submitted a list of products and services that the Health Science Center campus frequently purchases. Minority, women, and disadvantaged firms that participated in this program submitted a business profile that will be matched electronically to the lists of products and services submitted by buying organizations such as UT. Our contact information will be given to those firms with profiles matching our requirements. The buyers in Purchasing Services will schedule meetings with those companies that make contact indicating an interest in doing business with the Health Science Center.

The Director of Purchasing reviews monthly reports detailing the amount of regular purchase orders issued to minority and women owned businesses. Periodic reports are provided

to the Title VI Coordinator. The Title VI Coordinator is a member of the Federal Contractors Liaison Association.

The statewide system implemented SAP R/3 software in April covering Purchasing, Accounts Payable, Controlling, and Funds Management. This system, known as IRIS, will facilitate better tracking of purchases for various vendor classes (i.e., minority, women, disadvantaged) compared to the previous IMS system. Additionally, the IRIS system will provide buyers with additional information to assist with solicitation of bids from various classes of vendors. For example, a buyer with a requirement to purchase paper products could query the system to produce a list of all minority and women owned firms selling paper that were registered bidders for the Memphis campus.

Purchasing Services has a copy of the most recent copy of the MMBC Directory. This reference book provides a list of all Uniform Certification Agency (UCA) certified vendors for various product and service classes. Buyers in Purchasing Services use this book secure sources for sending bids.

The Director of Purchasing attended the annual meeting of the Memphis Urban League. Purchasing Services is working with the MMBC to secure access to their membership database over the Internet. In the near future we will publicize this database to the Health Science Center community in an effort to give departments alternative sources to consider for purchasing goods and services below the \$2,000 bid limit.

The Institute of Agriculture continues to demonstrate a positive commitment to complying with Title VI. Evidence of these efforts can be found in Appendix O. A *Civil Rights Compliance Review* is conducted annually by the Extension Service where all 95 counties are required to provide information pertaining to Title VI. The data is currently stored in a Lotus

Notes database and a program to report the data is under development. However, a copy of the 1998 report is included in Appendix O.

The Institute for Public Service (IPS) is committed to providing equal opportunity in all its programs. The customer groups of the Institute are defined as state and local government officials and industry representatives for small and medium sized manufacturing firms. Facilities, programs, and services sponsored by the Institute are available to all these customers regardless of race, color, national origin, age, sex, or disability. A staff and program data report is included in Appendix P to provide documentation of staff composition, the open enrollment training activities conducted by the Institute, and the participation rate. For fiscal year 2000-2001, IPS agencies offered training programs for 22,268 participants. The minority participation rate in these programs was 20%. In addition to traditional training programs, the Institute has one program specifically targeted to minority customers.

In 1996 The University of Tennessee Center for Industrial Services, an agency within IPS, established the Contractor Resource Center (CRC) to administer the supportive services program for the Tennessee Department of Transportation's (TDOT) Small Business Development Office. The CRC association with TDOT is through a formal grant arrangement to assist small businesses certified by TDOT as being owned and operated by woman and/or minority individuals. The supportive services program works to encourage and promote the development, and eventual self-sufficiency of these small businesses. This task is accomplished by CRC conducting a wide range of technical and business management assistance, training, and one-on-one consultations. Therefore, the small business owners are afforded the following opportunities:

- To increase their technical proficiency in bidding, estimating, and performance of contracts;

- To increase their confidence in general business operations;
- To increase their ability in developing support networks among themselves;
- To increase awareness of their presence and abilities within the highway construction industry and public; and
- To generally enhance their growth and development.

The Space Institute Title VI Coordinator serves as advisor to the UTSI Chapter of the National Society of Black Engineers. This is an avenue for promoting the recruiting and retention of minority students in addition to providing a channel for identifying minority applicants for employment.

***Minority Representation***

The policy-making body for The University of Tennessee is its governing board, the Board of Trustees. The composition of the Board is mandated by the Tennessee Legislature in Tennessee Code Annotated ' 49-9-202. Nineteen of the twenty-four members are appointed by the Governor. The statute provides that in making appointments, the Governor Ashall strive to ensure...that at least one (1) person...is a member of a racial minority.@ Ensuring minority participation on policy-making planning boards and advisory commissions is vital to providing equal access to all programs. At present, one appointed member of the Board of Trustees, Ms. Rhynette Hurd, is African-American. A list of The University of Tennessee Board of Trustees members is provided in Appendix Q.

Advisory and planning committees at all levels of University administration typically include minority representation. For example, the Institute for Public Service has twelve standing committees that advise various program staff on priorities and delivery methods that best represent the customer group. At UT Knoxville, the Black Recruitment and Advisory Committee (BRAC) meets to address the issue of retaining and recruiting people of color. Joint

meetings are held with BRAC representatives from the Institute of Agriculture. The composition of major University committees by campus are provided in Appendix Q.

### ***Documentation of Minority Input in the Development of the Plan***

The University is committed to the inclusion of minority input in the implementation of this Title VI Plan. To do so, the University established a Title VI Advisory Committee to review and critique the Title VI Implementation Plan and to develop future plans. This Advisory Committee includes the University's Title VI Coordinators and representatives from Purchasing, Human Resources, Academic Affairs, and the General Counsel's Office. In addition, community input on the Title VI plan is obtained by each Title VI coordinator. At UT Chattanooga, the Plan was sent to the Urban League and the Black Chamber for comment. At the University of Tennessee at Martin, the Title VI Coordinator sought input from the local chapter of the NAACP, a group that has an ongoing, collaborative relationship with the campus. The UT Space Institute Title VI Coordinator solicited input from the Director of Community Relations at Motlow State Community College.

### ***Compliance Reporting***

The University maintains and reports the compliance records as required by its federal funding agencies. Sub-recipients are required to report their compliance with Title VI in accordance with The University of Tennessee Title VI Enforcement Plan (Appendix A).

### ***Coordination with Other Agencies***

The University of Tennessee Administration develops general guidelines for the enforcement of Title VI across all of the campus and institutes in the UT system through the development of the Title VI plan. The University coordinates its compliance with Title VI under the *Geier* Consent Decree with the Tennessee Board of Regents and the Tennessee Higher Education Commission by developing student objectives and the steps taken by each campus to accomplish stated objectives. Federal student assistance programs are monitored by the federal agency controlling the funds. Students maintain direct contact with these federal agencies.

### ***Effecting Compliance***

A description of the Enforcement Program for Sub-recipients which is used by the University to effect compliance with Title VI is provided as Appendix A. In addition, language, encouraging participation of minority-owned businesses in state-funded capital improvement projects has been added to the bid documents for such projects.

In every case where a sub-recipient indicates noncompliance with Title VI, the agency in question is asked for voluntary compliance. If that does not occur, as stated in the University's Enforcement Program (Appendix A), steps will be taken to terminate the assistance provided.

## GOALS AND OBJECTIVES

### *Goals*

The University of Tennessee=s goal is to ensure that its instructional, research, and public service programs and activities do not discriminate against participants on the basis of race, color, or national origin. It is the goal of the University to fully comply with both the letter and the spirit of the *Geier* Consent Decree. Further, it is the goal of the University, through its rigorous implementation of policies and programs designed to expand the ethnic and gender composition of the student body, faculty, administrators, and staff, to be more representative of the diversity found within the population base of the state.

### *Major Objectives*

The University has determined that the following strategies and plans for achieving the above goals will enhance compliance with certain aspects of Title VI.

An enforcement program for sub-recipients of federal funds was designed and implemented during 1995-96, including a questionnaire on Title VI compliance and a process to review that questionnaire for compliance. During 1996-97, both the enforcement program and the survey forms were reviewed and revised to ensure compliance and clarify the information solicited. During 1997-98, a follow-up procedure for sub-recipient surveys was implemented. During the coming year, a review of the effectiveness of those measures in conjunction with the Office of the Title VI Coordinator for the State is a major objective of the Title VI coordinator for the University.

Non-discrimination posters unique to The University of Tennessee were developed and are placed throughout the University to reflect the University=s commitment to and compliance with Title VI. Persons to contact regarding any complaints of Title VI noncompliance are

identified on the posters. These posters (Appendix G) have been recently updated and will continue to be updated as needed.

Title VI brochures were developed and are distributed throughout the University to promote knowledge of Title VI and appropriate methods for redressing concerns. A copy of the brochure, both in English and Spanish, is included in Appendix H. The brochure was updated during fiscal year 1999 and will be kept current as needed.

University General Bid Conditions have been updated to include the most recent EEO/AA statement which includes reference to Title VI. Bid conditions for capital projects have been revised to include a statement encouraging bidders to actively seek participation by minority-owned businesses. Additionally, contractors and subcontractors are required by bid conditions to maintain policies of nondiscrimination.

Every campus and institute develops annual plans to promote the increase of minorities in employment, academic programs, and public service activities. These plans, which are included in Appendix R, are based on target goals established based on relevant market or population statistics which are also reviewed on an annual basis.

The Title VI Advisory Committee is composed of University Title VI Coordinators and representatives from other University offices. This committee continues to meet annually and as needed and is charged with review and further development of the University's Title VI Implementation Plan. Input from this group is important to the University's ongoing Title VI efforts.

## APPENDICES

- A. The University of Tennessee Title VI Enforcement Plan for Sub-recipients of Federal Funds
- B. Federal and State Allocations of Funds and Sub-recipients
- C. The University of Tennessee Title VI Coordinators and Coordinator Responsibilities
- D. University of Tennessee Personnel Policies Relevant to Title VI
- E. University of Tennessee Contract Standard Terms and Conditions
- F. Example of a Campus Nondiscrimination Statement
- G. Title VI Poster
- H. Title VI Brochure
- I. Example of a Campus Discrimination Complaint Procedure
- J. University of Tennessee Summary of Title VI Complaints Form
- K. Enrollment, Retention and Graduation Rates
- L. Degrees Awarded by Race and by Campus
- M. UT Knoxville's Summary Report of Orders Awarded to Minority-, Women-, and Small-Owned Businesses
- N. The University of Tennessee Faculty and Staff Data
- O. Agricultural Extension Service Reports, Information, and Data
- P. Institute for Public Service Staff and Program Data Report
- Q. Racial Composition of Major University Committees
- R. Campus and Institute Plans to Increase Minorities