STATE OF TENNESSEE
COMPTROLLER OF THE TREASURY

TENNESSEE HUMAN RIGHTS COMMISSION

Performance Audit Report

September 2016

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September 2, 2016

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Speaker of the House of Representatives
The Honorable Mike Bell, Chair
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and
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and
Annazette Houston, Chair
Tennessee Human Rights Commission
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Ladies and Gentlemen:

We have conducted a performance audit of selected programs and activities of the Tennessee Human Rights Commission for the period June 1, 2014, through March 31, 2016. This audit was conducted pursuant to the requirements of the Tennessee Governmental Review Law, Section 4-29-111, *Tennessee Code Annotated*.

Our audit disclosed certain findings that are detailed in the Objectives, Methodologies, and Conclusions section of this report. Management of the commission has responded to the audit findings; we have included the responses following each finding. We will follow up the audit to examine the application of the procedures instituted because of the audit findings.

This report is intended to aid the Joint Government Operations Committee in its review to determine whether the commission should be continued, restructured, or terminated.

Sincerely,

Deborah V. Loveless

Deborah V. Loveless, CPA
Director

DVL/vjs
16/204

State of Tennessee

Audit Highlights

Comptroller of the Treasury Division of State Audit

Performance Audit
Tennessee Human Rights Commission
September 2016

AUDIT SCOPE

We have audited the Tennessee Human Rights Commission for the period June 1, 2014, through March 31, 2016. Our audit scope included a review of internal control and compliance with laws, regulations, and provisions of contracts in the areas of employment and housing complaint handling and investigations; information systems; and the Title VI Compliance Program. Management of the Tennessee Human Rights Commission is responsible for establishing and maintaining effective internal control and for complying with applicable laws, regulations, and provisions of contracts and grant agreements.

For our sample design, we used nonstatistical audit sampling, which was the most appropriate and cost-effective method for concluding on our audit objectives. Based on our professional judgment, review of authoritative sampling guidance, and careful consideration of underlying statistical concepts, we believe that nonstatistical sampling provides sufficient appropriate audit evidence to support the conclusions in our report. We present more detailed information about our methodologies in the individual report sections.

We conducted our audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

CONCLUSIONS

AUDIT FINDINGS

The Tennessee Human Rights Commission did not always meet either timing milestones required by state law or internal procedures when investigating employment complaints
Our testwork revealed that management did not always comply with statutorily required time limits or its own standard operating procedures for processing complaints (page 13).

When investigating housing complaints, the Tennessee Human Rights Commission did not always meet either timing milestones required by state law or its memorandum of understanding with the U.S. Department of Housing and Urban Development
Our testwork revealed that management did not always comply with statutorily required time limits for processing housing complaints (page 17).

The Tennessee Human Rights Commission did not provide adequate internal controls in two specific areas
The commission did not design and monitor internal controls in two specific areas. Ineffective implementation of internal controls increases the likelihood of errors, data loss, and inappropriate activity (page 22).

OBSERVATIONS

The following topics did not warrant findings but are included in this report because of their effects on the operations of the Tennessee Human Rights Commission and the public: the Tennessee Human Rights Commission did not have written standard operating procedures regarding reconsideration requests for housing complaints (page 21); and the Tennessee Human Rights Commission's Title VI Compliance Program staff did not complete the number of compliance reviews set out in the commission's *Title VI Compliance Program Manual* (page 24).

Performance Audit
Tennessee Human Rights Commission

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Performance Audit
Tennessee Human Rights Commission

INTRODUCTION

AUDIT AUTHORITY

This performance audit of the Tennessee Human Rights Commission was conducted pursuant to the Tennessee Governmental Entity Review Law, *Tennessee Code Annotated*, Title 4, Chapter 29. Under Section 4-29-238, the commission is scheduled to terminate June 30, 2017. The Comptroller of the Treasury is authorized under Section 4-29-111 to conduct a limited program review audit of the agency and to report to the Joint Government Operations Committee of the General Assembly. This audit is intended to aid the committee in determining whether the commission should be continued, restructured, or terminated.

BACKGROUND

History

Created through an executive order in 1963, then codified by Section 4-21-201, *Tennessee Code Annotated*, the Tennessee Human Rights Commission is an independent state agency that is responsible for encouraging, promoting, and advising the public of their human rights. In 1978, pursuant to Section 4-21-202, the commission was transformed from an advisory agency into an enforcement agency, thereby protecting Tennesseans against discrimination in housing, employment, and public accommodation on the basis of race, color, creed, national origin, religion, sex, disability, familial status (housing only), and age (forty and over). The commission also ensures the state's compliance with Title VI of the federal Civil Rights Act of 1964, which prohibits state agencies receiving federal financial assistance from discriminating based on race, color, and national origin.

Commission Composition

The commission is composed of nine members who serve staggered six-year terms:

- two members appointed by the Speaker of the Senate;
- two members appointed by the Speaker of the House of Representatives; and
- five members appointed by the Governor.

Three members must reside in each grand division.

Mission and Organizational Structure

The Tennessee Human Rights Commission's mission is to safeguard individuals from discrimination through enforcement and education. To meet its mission, the commission is organized into the following divisions.

The Customer Service Division and the Employment Intake Division are responsible for providing the public with answers to questions regarding discrimination. The Customer Service Division serves as the commission's initial point of contact by providing the public with information on how to file a complaint, mailing complaint forms to interested parties, and making referrals to other agencies if necessary. The Employment Intake Division receives complaint forms concerning discrimination involving employment and public accommodations. Staff in this division determine jurisdiction, provide clarification on the statutes, and offer the parties resolution through mediation as an alternative to undergoing a full investigation or litigation.

Using mediation and investigation, the Employment Division is responsible for investigating or resolving employment and public accommodation complaints that involve discrimination on the basis of race, color, creed, national origin, religion, sex, disability, and age (40 and over). The commission has a work-share agreement with the United States Equal Employment Opportunity Commission (EEOC) to process cases of employment discrimination involving businesses with 15 or more employees. The commission's relationship with the EEOC is described in detail on page 3.

The Housing Division is responsible for resolving housing complaints through conciliation[1] and investigation of discrimination involving the sale, rental, advertisement, and financing of housing and commercial property on the basis of race, color, creed, national origin, religion, sex, disability, and familial status. The commission has a memorandum of understanding with United States Department of Housing and Urban Development (HUD) to process housing discrimination cases against housing providers who own four or more properties, and individuals and entities who engage in residential real-estate transactions. For more information concerning the commission's relationship with HUD, see page 4.

The Legal Division serves as the commission's in-house counsel and

- provides guidance and training to commissioners and staff;
- conducts internal policy reviews;
- monitors legislation and court cases that impact the commission's duties and responsibilities;
- drafts rules to comply with legislative changes;
- ensures compliance with conciliation agreements; and
- conducts educational presentations for stakeholders.

[1] Conciliations in housing are performed at any time by housing investigators to help the parties reach a resolution.

The division also works with the commission's other divisions during the investigative process to ensure that the investigators' recommendations are legally sufficient, and then pursues cases where the commission has found reasonable cause that discrimination has occurred.

The Title VI Compliance Program Division is responsible for verifying that state governmental entities receiving federal financial assistance comply with the requirements of Title VI of the Civil Rights Act of 1964 (Title VI), which prohibits discrimination on the basis of race, color, and national origin in federally funded programs and activities. The commission serves as the central coordinating agency for executive-branch departments and agencies and provides technical assistance, consultation, and resources to encourage and assist departments and agencies with compliance.

The Education and Outreach Division is responsible for communicating and educating the public about the commission's duties, responsibilities, and programs. The division is charged with developing and implementing strategies that aid the commission's goal to safeguard individuals from discrimination through enforcement and education.

The commission's Edison business unit code is 31604. An organization chart of the Tennessee Human Rights Commission is on page 5.

Federal Partnerships

The commission contracts with the EEOC and HUD to assist with investigations of discrimination complaints under these entities' jurisdictions. Federal jurisdiction complaints are dual-filed: once the complainant files a charge with one of the agencies, the case is considered filed with both agencies. The commission, EEOC, and HUD have compatible laws and regulations. Both EEOC and HUD provide the commission with guidance regarding case investigations and submissions. The commission's staff investigate these complaints based on state and federal law, and EEOC and HUD can accept or reject the commission's determination.

United States Equal Employment Opportunity Commission (EEOC)

Under federal law, the EEOC is responsible for enforcing employment discrimination laws against employers with 15 or more employees. Under state statute, a person can file a complaint against an employer with eight or more employees. Any complaint against an employer with 8 to 14 employees falls under the commission's jurisdiction only.

The EEOC provides the commission with guidelines to investigate and resolve complaints. Additionally, pursuant to an annually renewed, work-sharing agreement between the EEOC and the commission, the EEOC pays the commission $700 for each resolved complaint (called a contract credit) and provides additional funds annually for travel expenses. The EEOC also pays the commission $50 for each complaint the commission receives but subsequently determines that the complaint falls under EEOC's jurisdiction. The EEOC reviews the commission's submitted cases before granting the commission contract credit.

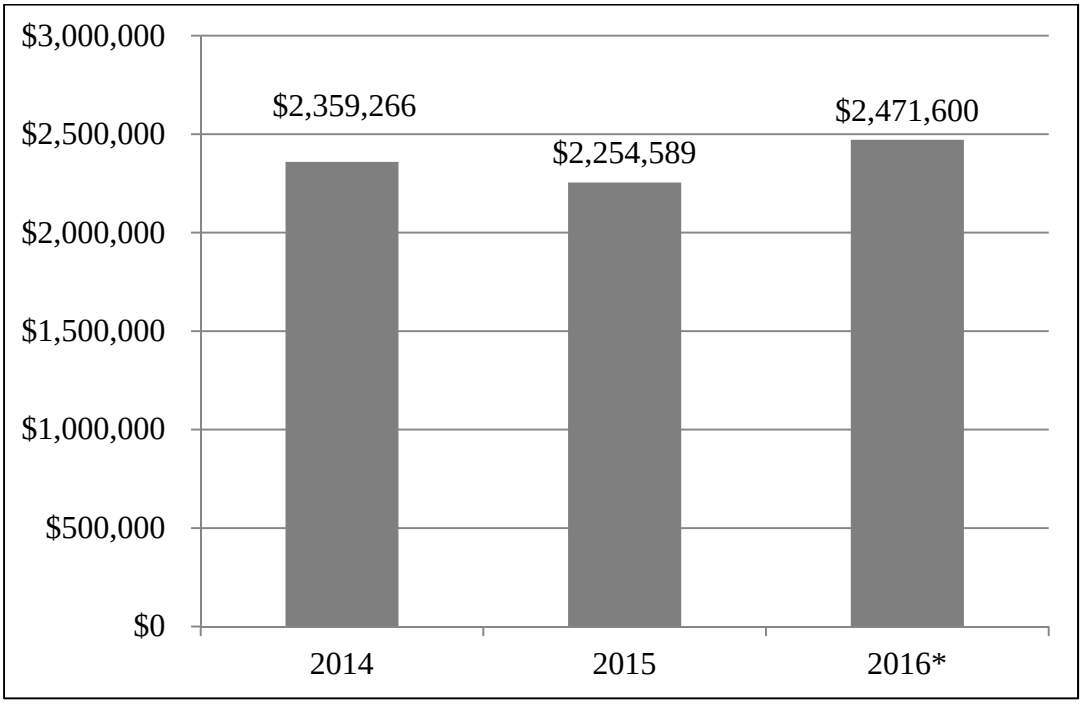
Department of Housing and Urban Development (HUD)

HUD is responsible for enforcing federal fair housing laws. Under the commission's cooperative agreement with HUD, HUD pays the commission for each housing discrimination complaint investigated and closed, as well as additional dollars for training and administrative costs. (In fiscal year 2015, HUD began paying the commission $2,800 per case for a no cause, $1,400 for an administratively closed case, and $3,100 for a conciliation agreement with approved public interest terms. The majority of the complaints are closed at $2,800; previously, HUD paid a varying amount based on the outcomes of cases and the time periods needed to resolve them.) HUD also provides guidelines for resolving complaints and reviews cases submitted by the commission to ensure the cases complied with HUD guidelines.

Revenues and Expenditures

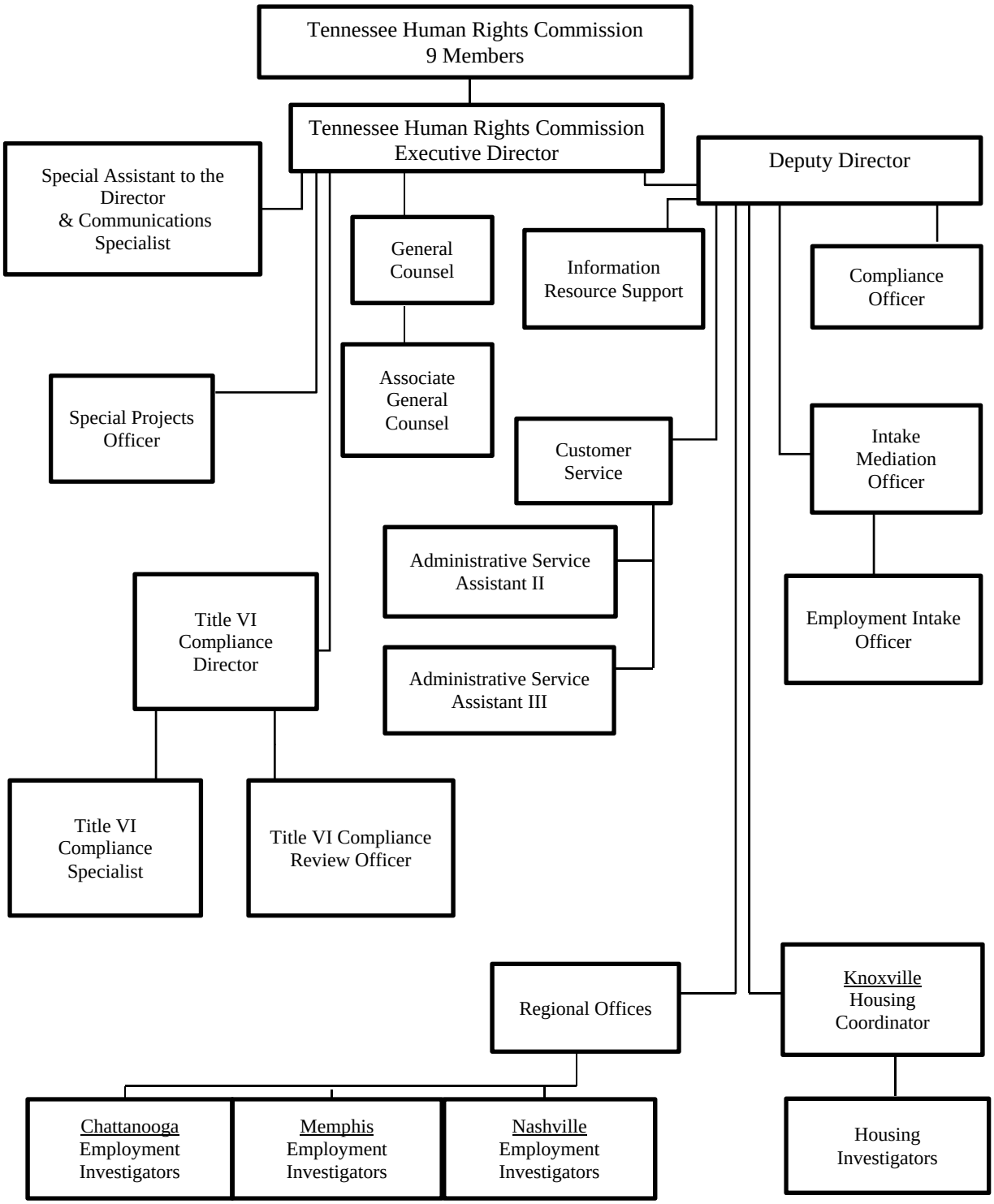
Agreements with the EEOC and HUD were expected to fund 31% of the commission's $2,471,600 budget for the fiscal year ending June 30, 2016; the remaining 69% was to be funded with state appropriations. See Table 1 below for the commission's annual expenditures for each fiscal year of our audit period.

Table 1
Tennessee Human Rights Commission
Expenditures by State Fiscal Year



* *Budgeted* expenditures; actual expenditures for fiscal year 2016 were not available as of the end of our audit fieldwork on August 5, 2016.

Tennessee Human Rights Commission
Organizational Chart
June 2016[2]



[2] Provided by commission management

AUDIT SCOPE

We have audited the Tennessee Human Rights Commission for the period June 1, 2014, through March 31, 2016. Our audit scope included a review of internal control and compliance with laws, regulations, and provisions of contracts in the areas of employment and housing complaint handling and investigations, information systems, and the Title VI Compliance Program. Management of the Tennessee Human Rights Commission is responsible for establishing and maintaining effective internal control and for complying with applicable laws, regulations, and provisions of contracts and grant agreements.

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We conducted our audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

PRIOR AUDIT FINDINGS

Section 8-4-109, *Tennessee Code Annotated*, requires that each state department, agency, or institution report to the Comptroller of the Treasury the action taken to implement the recommendations in the prior audit report. For the prior audit report dated April 2011, the Tennessee Human Rights Commission filed its report with the Department of Audit on October 13, 2011. A follow-up of all prior audit findings was conducted as part of the current audit.

RESOLVED AUDIT FINDINGS

The current audit disclosed that the Tennessee Human Rights Commission corrected the previous audit findings concerning:

- submission of cases to the EEOC before all administrative remedies were exhausted;

- improper instructions to employment complainants;
- lack of operating procedures and inconsistent treatment of reconsideration requests;
- failure to maintain a key internal control developed in response to an investigation of falsified case information; and
- housing complaint case investigations that were not completed timely.

OBJECTIVES, METHODOLOGIES, AND CONCLUSIONS

EMPLOYMENT AND HOUSING COMPLAINT HANDLING AND INVESTIGATIONS

Complaint Handling Process Description

As described in Sections 4-21-302 through 311, *Tennessee Code Annotated*, persons who believe they were victims of discrimination may bring charges against other persons or entities, or a commission member may bring charges on their behalves, by providing written, sworn complaints stating that discriminatory actions occurred. The complainants must sufficiently describe the alleged discriminatory acts and provide facts so that commission staff can identify the persons charged (the respondents). Pursuant to state statute, complainants must file charges within 180 days of the alleged discriminatory acts.

According to the commission's standard operating procedures,

- Employment Intake staff review complaints received to determine if the commission has jurisdiction and, within five days of receiving the complaints, staff enter them into the Integrated Mission System (IMS);[3]
- housing investigators have a weekly rotation for the intake function; once the complaint is accepted, investigators enter the complaint into the HUD Enforcement Management System (HEMS);
- intake in both divisions send complainants acceptance letters informing them that their discrimination complaints have been accepted for investigation;
- intake in both divisions send notification letters to the respondents within 10 days of receiving the complaints and inform the respondents of when the respondents must submit their position statements; and
- investigators send acknowledgement letters to the parties explaining that he or she has been assigned to investigate the case, including the investigator's contact information.

[3] If a case is assessed as non-jurisdictional, the commission sends a letter informing the party of the decision and why it is non-jurisdictional. If the case can be transferred to HUD or EEOC under the agreements with these entities, staff send a transfer letter to the complainant and the federal entity informing them of the transfer.

The respondent has 20 days to respond to the complaint unless he or she submits a reasonable written request for additional time. If the Intake Division staff grant additional time, the respondent has an additional seven days to provide the response, also called a position statement. Further requests for time beyond the additional seven days must be approved by the Deputy Director. According to Section 2 of the *Tennessee Human Rights Commission Employment and Housing Divisions' Standard Operating Procedures*,

> The goal to move [employment] cases from [the] Intake Division to being assigned to investigation is 40 days. However, this goal will be affected when parties have requested extensions to submitting documentation or mediation is attempted.

Once these steps are completed, the Deputy Director assigns the employment case to an employment investigator. According to the commission's standard operating procedures, the investigator has 10 working days to draft an investigative plan outlining the discrimination type (basis); issues; relevant evidence to be requested; relevant witnesses to be interviewed; and, in general, how the investigation should proceed.

The Housing Coordinator assigns a housing case to a housing investigator. According to the U.S. Department of Housing and Urban Development (HUD), the housing investigators are to conduct a thorough investigation while meeting HUD's efficiency goal of closing 50% of fair housing complaints within 100 days or less, excluding recommended cause and systemic complaints.

The investigator has 30 days to begin the investigation, which includes reviewing the complaint and the respondent's position statement; interviewing the complainant, the respondent, and any witnesses; and making a recommendation to the legal division regarding whether, based on the evidence gathered, a reasonable cause exists to indicate that discrimination occurred. A staff attorney then reviews the case for legal sufficiency and determines whether the investigator's recommendation should be upheld, overturned, or warrants further investigation. Staff send the parties determination letters indicating if the cases will move forward.

Cases With Reasonable Cause

The Executive Director reviews and makes recommendations on all cases indicating that reasonable cause exists. The commission staff make a concerted effort to set the case for conciliation[4] within 90 days to discuss the conciliation/formal mediation process with the complainant and respondent. After 90 days, or if mediation fails, the staff attorney obtains a docket number and prepares a "Notice of Filing" for a formal hearing with an administrative law judge.

[4] Conciliations post-cause are performed by trained agency mediators to help the parties reach a settlement in a case prior to taking the case to an administrative hearing.

Cases Without Reasonable Cause and Reconsideration Request Process

If commission staff notifies the complainant that the case's evidence shows no reasonable cause, state statute allows the complainant to submit a case reconsideration request to the commission within 30 days of the date received. The complainant's reconsideration request must be based on newly obtained evidence, improperly considered evidence, or new witness information. Once the commission receives such a request, the Deputy Director or Housing Coordinator sends a reconsideration acknowledgement letter to the complainant and the respondent within three days of receipt of the request. The Compliance Officer or General Counsel assigns the reconsideration request to an attorney that did not originally review the case. The attorney reviews the request to determine if the complainant is alleging the existence of newly obtained evidence, new witness evidence, or improperly considered evidence as a basis for the reconsideration. If the attorney determines that additional investigation should be conducted, the file is forwarded to the Deputy Director or Housing Coordinator for reassignment to an investigator. Pursuant to Section 4-21-302, *Tennessee Code Annotated*, the commission shall make new redeterminations within 30 days of receiving the requests. However, the commission's *Employment and Housing Divisions' Standard Operating Procedures* states that "reconsiderations should be completed within 30 days unless more investigation is required." If the attorney determines the complainant did not provide new evidence, the attorney reviews the case to determine if the initial investigation was properly conducted. If the attorney determines the complainant provided new evidence or there is a legal basis requiring further investigation, it is assigned to an investigator that did not originally investigate the case. Once the additional investigation is complete, the investigator sends the case back to the attorney for review. This attorney makes a recommendation to the Executive Director, who then reviews and approves the reconsideration and issues a new determination letter to the parties.

<u>Case Closure Types</u>

Investigators may close employment and housing cases for the following reasons:

- Administrative Closure – the commission closed the case due to successful mediation, the complainant's failure to cooperate, the complainant's withdrawal of the charges, lack of jurisdiction, or inability to locate the complainant.
- Settlement Agreement – the complainant and the respondent reached an agreement facilitated or non-facilitated by an investigator prior to the commission's investigation or determination of cause.
- Cause Finding – the commission determined after investigation that there was reasonable cause that the respondent engaged in a discriminatory act.
- No-Cause Finding – the commission determined after investigation that there was no reasonable cause that the respondent engaged in a discriminatory act.
- Conciliated-Post Cause – the complainant and the respondent reached an agreement after the commission completed an investigation and determined cause.
- Hearing – if a post-cause conciliation agreement cannot be reached, a hearing is scheduled before an administrative law judge (ALJ). Once the ALJ issues an order,

the commissioners can approve, amend, or dismiss the complaint. Either party can appeal the decision to Circuit or Chancery Court if dissatisfied.

Fiscal Year 2015 Case Summaries

The number of employment and housing complaints received and resolved by the Tennessee Human Rights Commission during fiscal year 2015 is exhibited in Table 2 and Table 3. The unaudited information was obtained from the commission's 2014-2015 annual report.

Table 2
Summary of Employment Cases Closed During FY 2015
(This information is unaudited.)

Case Closure Type	**Number of Cases**
Settlements	20
No Cause	186
Administrative Closure*	70
Total	**276**

* This type includes 25 cases resolved through mediation with monetary benefits to complainants totaling $209,977.

Total Monetary Benefits to Complainants in FY 2015 $271,002

Table 3
Summary of Housing Cases Closed During FY 2015
(This information is unaudited.)

Case Closure Type	**Number of Cases**
Cause	2
No Cause	42
Administrative Closures	21
Successful Conciliations	37
Total HUD Cases Closed	**102**
Commission Only Cases	10
Total Housing Cases Closed	**112**

Total Monetary Benefits to Complainants in FY 2015 $63,228

Employment Investigations

The Employment Division is responsible for investigating or resolving complaints of discrimination in the areas of employment and public accommodation on the basis of race, color,

creed, national origin, religion, sex, disability, and age (40 and over). Eight full-time employment investigators resolve complaints through mediation[5] and investigation.

Through the commission's agreement with the United States Equal Employment Opportunity Commission (EEOC), both entities partner to coordinate their investigations and avoid duplication of efforts.

Housing Investigations

The Housing Division is responsible for resolving complaints of housing discrimination on the basis of race, color, creed, national origin, religion, sex, disability, and familial status. The division covers discrimination in the sale, rental, advertisement, and financing of housing and commercial property. Five full-time investigators located in Knoxville resolve complaints through conciliation and investigation.

Through an agreed-upon partnership with the United States Department of Housing and Urban Development (HUD), the commission processes complaints of housing discrimination against housing providers who own four or more properties, and individuals or entities who engage in residential real-estate transactions. This partnership allows the agencies to coordinate their investigations and avoid duplicating their efforts.

Objectives – Employment and Housing Investigations

The objectives of our review of the processes over employment and housing investigations were to determine whether

- the divisions had policies and procedures in place to ensure employment and housing discrimination investigations were completed in a timely manner, and were conducted appropriately and in accordance with state law and/or commission procedures;
- the commission appropriately transferred or denied non-jurisdictional employment and housing cases;
- the commission established an effective procedure for complainants who requested reconsideration of their cases within 30 days of their determination letters and made new determinations within 30 days for those requests; and
- for employment investigations, the commission submitted employment discrimination cases to the EEOC for credit once the cases were properly resolved.

Methodology - Employment Investigations

To meet our objectives for employment investigations, we interviewed the Deputy Director, the General Counsel, the Employment Intake Officer, and an Employment Investigator

[5] The mediation process is used to facilitate an atmosphere for both parties to discuss their perspectives on the conflict and work toward a possible resolution of the dispute. Mediation is provided at no cost to either party and is done in a secure and controlled environment. It is an alternative to undergoing a full investigation or litigation.

and reviewed the *Tennessee Human Rights Commission Employment and Housing Divisions' Standard Operating Procedures* to obtain an understanding of the Employment Division's procedures for handling employment discrimination complaints, including non-jurisdictional cases, reconsideration requests, and EEOC credits.

From a population of 845 employment complaint cases processed by the commission from July 1, 2014, through March 18, 2016, we tested a nonstatistical, random sample of 25 employment complaint cases to determine whether the commission had policies and procedures in place to ensure employment discrimination investigations were completed within the required timeframes and were conducted appropriately and in accordance with state law.

We reviewed the employment discrimination reconsideration request log for the period June 1, 2014, through March 18, 2016, and tested all 16 requests for reconsideration to determine if the commission only accepted requests submitted within 30 days of the original determination and made new determinations on the applicable requests. We also obtained a list of 276 employment discrimination cases from the Integrated Mission System (IMS) that were submitted to the EEOC for case credit during the period July 1, 2014, through March 18, 2016, to determine whether the commission only submitted cases for credit after all administrative remedies available to the charging party were exhausted.

Methodology - Housing Investigations

To meet our objectives, we interviewed the Deputy Director, the Housing Coordinator, and the General Counsel to obtain an understanding of the Housing Division's procedures for handling housing discrimination complaints, including non-jurisdictional cases, reconsideration requests, and HUD credits. We also reviewed the fiscal year 2015 Fair Housing Assistance Program funding guidance and HUD's most recent performance assessment of the commission.

To determine if housing investigations were conducted in compliance with Section 4-21-302, *Tennessee Code Annotated,* we interviewed the Deputy Director and Housing Coordinator and reviewed Section 4-21-302, *Tennessee Code Annotated;* the Housing Division's standard operating procedures; the memorandum of understanding and the addendum between the commission and HUD; a blank and completed housing complaint form; an acceptance letter; a notification letter; a final investigative report; a notice of administrative closing; a conciliation agreement; a pre-determination letter; and a report of all housing cases closed from June 1, 2014, to March 31, 2016. From a population of 170 housing investigative cases closed from June 1, 2014, through March 31, 2016, we performed testwork on a nonstatistical, random sample of 61 cases to determine if staff complied with the requirements outlined in Section 4-21-302, *Tennessee Code Annotated*. We also reviewed any reconsideration requests included in our sample to determine if staff made new determinations on reconsiderations within the required time limits.

Conclusions – Employment and Housing Investigations

Based on our interviews, reviews, and testwork performed, we determined that

- although management ensured employment and housing discrimination investigations were completed within the applicable timeframes and were in accordance with state law, they did not always send acceptance and notification letters as required or complete investigative tasks within the appropriate time requirements (see Findings 1 and 2);
- the commission only accepted jurisdictional cases and properly denied or transferred non-jurisdictional cases;
- the commission only accepted reconsideration requests that were submitted within 30 days of the date of the determination letter; however, they did not make new determinations in response to reconsideration requests within 30 days of the requests' receipt (see Findings 1 and 2) and did not have written procedures describing the reconsideration request process for the Housing Division (see Observation 1); and
- for employment investigations, the commission submitted employment discrimination cases to the EEOC for credit once all administrative remedies available to the charging party were exhausted, except for one case that management submitted to the EEOC two days before the end of the 30-day reconsideration period.[6]

Finding 1 - The Tennessee Human Rights Commission did not always meet either timing milestones required by state law or internal procedures when investigating employment complaints

Condition and Criteria

Initial Complaint Cases

From a population of 845 employment complaint cases processed by the Tennessee Human Rights Commission from July 1, 2014, through March 18, 2016, we tested a nonstatistical, random sample of 25 complaint cases and found the following overlapping issues:

- For 5 cases (20%), the Intake Division did not assign the case to an investigator within the commission's 40-day goal. Staff assigned the cases to investigators between 1 to 19 days after the 40-day mark, an average of six days late.
- For 19 cases (76%), the investigator did not send an acknowledgement letter to the respondent, and in one case, the investigator did not send an acknowledgement letter to the complainant.
- For 8 cases (32%), the investigator did not complete an investigation plan within 10 days of receiving the case. The investigators completed the plans from 3 to 53 days after the 10-day mark, an average of 22 days late.

[6] This case was submitted to the EEOC in 2015; commission management identified this error and updated their processes to prevent this error from reoccurring in 2016.

According to Sections 2 and 4 of the *Tennessee Human Rights Commission Employment and Housing Divisions' Standard Operating Procedures*,

- the goal to move cases from [the] Intake Division to being assigned to investigation is 40 days, but this goal will be affected when a party requests an extension to submitting documentation or if mediation is attempted;
- the investigator, upon receipt of the newly assigned case, must forward an Acknowledgement Letter to the complainant and respondent explaining that he/she has been assigned to investigate the case; and
- within 10 days of the receipt of a case, the investigator should draft an investigation plan outlining the basis(es), issue(s) . . . and submit the plan along with the case file to the Regional Coordinator for review.

We also found that for one case, one investigator did not enter the accurate date on the complainant's acknowledgement letter into IMS. According to Section II of the United States Equal Employment Opportunity Commission's (EEOC) Contracting Principles for State and Local Fair Employment Practices Agencies (FEPA), "FEPA must make timely and accurate entries of the data into the IMS so that EEOC may generate management and information reports."

Requests for Reconsideration

Based on our testwork on a total of 16 requests for reconsideration submitted during our audit period, management was required to make new determinations for 13 requests. The commission did not issue new determination letters for 10 reconsideration requests (77%) within 30 days of receipt. Management made these determinations from 2 to 404 days late, with an average of 98 days late due to further investigations, translation issues, and staff attorneys on family medical leave. According to Section 4-21-302, *Tennessee Code Annotated*, "The commission . . . shall make a new determination within thirty (30) days [of receiving a request for reconsideration] whether there is reasonable cause to believe that the respondent has engaged in a discriminatory practice."

Risk Assessment

The risk that employment investigations would not be conducted within the prescribed time limits was not addressed in the commission's 2015 risk assessment, nor was the risk that investigative documents would not be retained.

Cause

According to the Deputy Director, a lack of resources primarily contributed to the commission not always meeting the timing milestones when investigating employment complaints; the commission experienced staff turnover causing the remaining staff to manage the workload.

Effect

When the commission does not complete these milestones within the timeframes established by state law or its own standard operating procedures, it increases the risk that a complainant's due process rights will be delayed. Additionally, failing to accurately record investigation information for cases under the EEOC's jurisdiction increases the risk that the commission could lose federal funding if it does not comply with the EEOC's guidelines.

Recommendation

The Executive Director should ensure that employees comply with existing employment investigation procedures and should provide appropriate management oversight to ensure employees follow these procedures.

Management should review employment complaints to ensure that all necessary documents have been entered into the employment information system and retained in the complaint's physical file.

Management's Comment

We concur in part. The issues noted do not negatively affect a Complainant's due process rights or jeopardize the Commission's federal funding with EEOC. Based on our review of the data with regard to complaint assignment goal, only one (1) of the five (5) complaints identified failed to be assigned within the 40 days goal. Of the other four (4), two (2) were delayed due to mediation discussions and Respondents requesting extensions; one (1) was because Respondent failed to submit the requested information by the agreed upon date, and one (1) was because the notification to Respondent was returned in the mail and had to be resent with a new deadline date. The Commission's procedure recognizes that delays will occur when mediation discussions transpire, and Respondents request additional time to provide their responses as these four complaints display. Under T.C.A. Section 4-21-308(d), the Commission has the ability to utilize the Attorney General's office to pursue a response in circuit or chancery court. However, the Commission tries to work with Respondents first before pursuing this option. Employment Intake staff has the authority to give the Respondents a week extension, but additional extensions must be for extenuating circumstances and require management approval. When Respondents fail to provide the necessary information as agreed upon, the process is delayed. Overall, complaint processing in the Employment Intake Division has lessened over the years. In the fiscal year 2013-14, the average time a complaint spent in the intake phase was 55 days. Last fiscal year, our average intake process was 45 days.

We do not concur with regard to the practice of sending acknowledgement/contact letters. Based on our review for the Respondent's Acknowledgement/Contact Letter, eighteen (18) of the nineteen (19) complaint files included the Respondent's Acknowledgement/Contact letter and request for additional information. In one instance, the letter was misfiled. Only (1) complaint failed to include the Respondent's Acknowledgement/Contact letter. This complaint was administratively closed and no further contact was necessary. The investigators were following a practice of combining the Acknowledgement/Contact letter with a Request for

Information for complaint processing efficiency, and these letters were included in the file. After the 2011 Audit, the Commission contacted other agencies and discussed ways to improve complaint processing. In combining these letters, the Investigators were following best practices for complaint processing while still maintaining the intent of both letters. Because this practice has been adopted by our employment investigators, the Commission will formalize this practice in its internal procedures. Also, for the Complainant's Acknowledgement/Contact Letter, in one (1) complaint, the investigator failed to send the letter. It is documented the investigator was already in contact with Complainant by telephone.

We concur in part with regard to investigation plans. Based on our review, investigative plans for two (2) out of eight (8) complaints were completed in a timely manner and in accordance with our guidelines; one of those included failed settlement discussion. In this instance the investigator completed the investigative plan within 10 days of when settlement failed. The Commission will continue to monitor and implement procedures and training, as necessary, to improve the investigative process, including the timely completion of investigation plans.

We concur in part with regard to employment reconsiderations. Based on our review only two (2) of the ten (10) employment reconsiderations identified, were outside of the 30 day timeframe. These two complaints were two (2) days and ten (10) days outside of the 30 day timeframe. Eight (8) of the ten (10) complaints had additional circumstances. One (1) complaint required additional time for translation. Three (3) complaints were sent back for further investigation, and four (4) complaints were received when the assigned personnel was on extended leave. All complaints accepted for reconsideration are considered open with THRC or EEOC until the reconsideration is complete. Therefore, the parties retain their due process rights to appeal the decision or file in court. The Commission understands the state law requirements, and we will continue to strive to balance state law with our responsibility to accurately and thoroughly investigate allegations of discrimination.

Since the Audit of 2011, the Commission has implemented best practices, such as combining the Acknowledgment/Contact letter with a request for information as a way to increase the efficiency of case processing, while still maintaining the intent of both letters. Given this, every level of management, up to and including the Executive Director will review our policies and procedures to ensure that all best practices for investigative procedures are updated and provide the necessary oversight to ensure employees are following the policy and procedures. We will also monitor to ensure that all the complaints are accurately documented in the information system and maintained in the physical file. This will be documented in the Commission's annual risk assessment and will be monitored.

Finding 2 – When investigating housing complaints, the Tennessee Human Rights Commission did not always meet either timing milestones required by state law or its memorandum of understanding with the U.S. Department of Housing and Urban Development

Condition

Initial Complaint Cases

For the period June 1, 2014, to March 31, 2016, the Tennessee Human Rights Commission's Housing Division closed 170 housing discrimination complaints. From this population, we tested a nonstatistical, random sample of 61 complaints. For one of the complaints, we were unable to locate the acceptance letter and the notification letter in the complaint file. For the remaining 60 complaint files, we noted the following issues:[7]

- Housing investigators did not send 18 acceptance letters (30%) within 10 days of accepting complaint. The letters were sent between 1 and 65 days late, an average of 17 days late.
- For 24 notification letters to inform respondents of the complaints (40%), housing investigators did not send the letters within 10 days of accepting the complaint. The letters were sent between 1 and 65 days late, an average of 15 days late.
- For 3 investigations (5%), housing investigators did not begin the investigations within 30 days of accepting the complaint. The investigations began between 2 and 15 days late, an average of 10 days late.

Requests for Reconsideration

For the one housing reconsideration request received among the sample of 61 cases, management mailed the new determination letter to the complainant 57 days late.

Risk Assessment

Management did not address the risk of staff not conducting housing investigations within the required time limits in its 2015 risk assessment, nor did it include the risk that investigative documents would not be retained.

Criteria

According to Section 4-21-302, *Tennessee Code Annotated*,

- within ten (10) days after receipt of the complaint, the commission shall serve on the complainant a notice acknowledging the filing of the complaint . . .;

[7] Multiple issues were noted on some of the cases included in our testwork.

- commission staff . . . shall within ten (10) days [of accepting a complaint for investigation] furnish the respondent with a copy of the complaint and a notice advising the respondent of the respondent's procedural rights under [Title 4, Chapter 21, *Tennessee Code Annotated*] . . .;
- commission staff . . . shall commence an investigation of the complaint within thirty (30) days after the filing of the complaint . . .; and
- the commission . . . shall make a new determination within thirty (30) days [of receiving a reconsideration request] whether there is reasonable cause to believe that the respondent has engaged in a discriminatory practice.

Also, according to Part V, Section B of the memorandum of understanding between the commission and the U.S. Department of Housing and Urban Development (HUD),

> [HUD], after the referral of the complaint, [the commission] shall take no further action with respect to such complaint unless . . . [the commission] . . . fails to carryforward such proceeding within reasonable promptness.

Cause

The Deputy Director stated that the commission has had eight investigators leave the agency since fiscal year 2014, which has led to an increased workload for the remaining investigators, resulting in delays in investigating housing complaints.

The Deputy Director stated that when the commission received the reconsideration request, staff sent the acknowledgement letter to the complainant, but this employee then failed to notify the next employee responsible for the next level of review that the reconsideration request was ready.

For one of the late acceptance letters and one of the late notification letters, which pertained to the same case, the investigator sent the letters late because they had been on leave for five days.

The Housing Coordinator stated that inadequate management oversight may have contributed to the loss of the documents and that the documents could also have been misplaced when the commission changed information systems that store housing complaint information. The Housing Coordinator stated that the transfer of complaint information between information systems occurred after these cases were completed.

Effect

When the commission does not timely complete these milestones set forth in *Tennessee Code Annotated*, it increases the risk that a complainant's housing rights will be delayed or denied. Additionally, the risk that HUD will refuse to pay for processing a case increases when investigations are not completed within the required timeframe.

When staff members do not retain documents, management cannot be sure that proper procedures were followed. It also increases the risk that HUD will refuse to pay the commission due to an inability to determine if an investigation was properly conducted.

Recommendation

The Executive Director should ensure that employees comply with existing housing investigation procedures and that there is appropriate management oversight to ensure employees follow such procedures and conduct investigations in a timely manner.

Management should review housing complaints to ensure that all necessary documents have been uploaded to the housing information system and have been retained in the complaint's physical file.

Management should evaluate the effectiveness of the control activities that are associated with these risks and should update the commission's annual risk assessment to document these control activities.

Management's Comment

We concur in part. The issues noted do not negatively affect a Complainant's housing rights or jeopardize the Commission's federal funding with HUD. Unlike in the Employment Division, the Intake function in the Housing Division is performed by the Housing Investigators on a weekly rotation. Because the investigators are simultaneously working intake while also aiming to investigate complaints within 100 days, they use best practices by combining procedural steps for efficiency. The Investigator also understands that s/he could be assigned the complaint after doing intake on it, so any information gathered at intake can increase the efficiency and thoroughness of the investigation. With regard to the housing investigation acceptance letters to the Complainants, based on our review, one (1) of the identified acceptance letters for Complainant was timely sent and in accordance with our guidelines, leaving a total of seventeen (17) instances. In nine (9) of the seventeen (17) instances, the investigators were actively investigating the complaints by gathering information from the Complainant and Respondent, including sending Refrain Letters to the Respondents requesting they stop the eviction process until the investigation is complete. The two (2) letters of 62 and 65 days late were anomalies. The first instance, the investigator was in communication with the Complainant but at the time the Complainant was under a threat of eviction and vacated the apartment with no known address. The letters were sent once the Complainant provided the new address. In the second instance, the complaint was assigned to an investigator who unexpectedly separated from the agency and the complaint had to be reassigned to another investigator which caused the delay. If you eliminate these letters it would reduce the average from seventeen (17) to eleven (11) days late.

With regard to the housing notification letters to Respondents, the investigators in twelve (12) of the twenty-four (24) instances were actively investigating the affected complaints. While the letters were not timely sent, both parties were verbally notified of the complaint while our investigators were gathering information from the parties, including sending Refrain Letters to

the Respondents requesting they stop the eviction process until the investigation is complete. Similarly, the notification letters for Respondent had the same noted 65 days late letter, and eliminating this instance would decrease the average to eleven (11) days late.

The Housing Division's primary focus is to conduct thorough investigations while meeting HUD's efficiency goal of closing 50% of fair housing complaints within 100 days or less, excluding recommended cause and systemic complaints. For the past five (5) years, staff's ability to utilize best practices for thoroughly yet efficiently investigating complaints greatly contributed to the Commission meeting or exceeding HUD's 50% efficiency goal:

- In the fiscal year 2010-11, of the 138 complaints closed by the Commission, 69 (50%) were closed in 100 days or less;
- In the fiscal year 2011-12, of the 97 complaints closed by the Commission, 68 (70%) were closed in 100 days or less;
- In the fiscal year 2012-13, of the 98 complaints closed by the Commission, 50 (51%) were closed in 100 days or less;
- In the fiscal year 2013-14, of the 95 complaints closed by the Commission, 59 (62%) were closed in 100 days or less;
- In the fiscal year 2014-15, of the 100 complaints closed by the Commission, 55 (55%) were closed in 100 days or less.

We concur that in three (3) investigations we did not begin the investigation in a timely manner. The Commission will review the policy and procedures and look for ways to improve the process during our ongoing staff meeting, ongoing training and annual training.

We concur with regard to the request for housing reconsideration. The Commission received the request and mailed the acknowledgement letter to the Complainant; however, we failed to notify the next level of review of the request. This was an occurrence that has never happened before or since. Our records show that once the proper notification was made the reconsideration was completed within the 30 day requirement. The Commission has revised the housing reconsideration policy to ensure it is consistent with state law and included it in the internal procedures.

Since the Audit of 2011, the Commission has implemented best practices to improve the efficiency of our processes, such as investigator's weekly rotation for intake to increase the efficiency of case processing by allowing the investigators to immediately gather relevant investigative information during intake. Given this, every level of management, up to and including the Executive Director will review our policies and procedures to ensure that all best practices for investigative procedures are updated and provide the necessary oversight to ensure employees are following the policy and procedures. We will also monitor to ensure that all the complaints are accurately documented in the information system and maintained in the physical file. This will be documented in the Commission's annual risk assessment and will be monitored.

Observation 1 – The Tennessee Human Rights Commission did not have written standard operating procedures regarding reconsideration requests for housing complaints

During our work related to the housing investigations, we noted that the commission's standard operating procedures for housing investigations did not include the reconsideration request process, even though Section 4-21-302(e), *Tennessee Code Annotated*, states that complainants have a right to a reconsideration request. We did determine, however, that the original complaint's determination letter, which is provided to complainants at the conclusion of an investigation, informs the complainants of their right to request that the commission reconsider its initial determination.

According to the Government Accountability Office's *Standards for Internal Control in the Federal Government*, Principle 10.03, "Management clearly documents internal control . . . in a manner that allows the documentation to be readily available for examination. The documentation may appear in management directives, administrative policies, or operating manuals, in either paper or electronic form."

Also, Section 4-21-302(e), *Tennessee Code Annotated*, states "The complainant, within thirty (30) days after receiving the order dismissing the complaint, may file with the commission an application for reconsideration of the order."

The Deputy Director stated that it is quite rare for the commission to receive a housing reconsideration request, but that they are handled by the Housing Coordinator when one is received. She also stated that the standard operating procedures are currently under revision, and reconsideration requests will be included in the updated procedures.

Management's Comment

We concur. The Commission has written standard operating procedures for reconsideration requests regarding employment complaints, and the procedure for housing reconsiderations is very similar. The procedure for handling housing reconsiderations has been completed and distributed to all relevant staff.

INFORMATION SYSTEMS

The Tennessee Human Rights Commission uses the following three information systems in the course of its operations:

- Integrated Mission System – This federal database is maintained by the United States Equal Employment Opportunity Commission and is used for tracking employment complaints. Commission employees use the system to enter and maintain allegations of employment discrimination, and the commission's Information Resource Support Officer is responsible for maintaining users' access.

- Enforcement Management System – This federal database is maintained by the U.S. Department of Housing and Urban Development (HUD) and is used for tracking housing complaints. The commission began using the system in November 2015, and employees use the system to record Fair Housing Act investigations. The commission must submit a request to HUD in order to change users' access.
- Edison – The commission uses Edison, the state's accounting system, for fiscal and human resources functions. The commission coordinates with the Department of Finance and Administration for the fiscal functions and with the Department of Human Resources for the human resources function, including gaining access to the system.

Our objective in reviewing information systems was to determine whether commission management had ensured key system controls were in place. To achieve our objective, we examined management's system controls to ensure the commission developed procedures recommended by industry best practices.

Based on the procedures performed, we determined that system controls were not effective and did not follow industry best practices (see Finding 3).

Finding 3 – The Tennessee Human Rights Commission did not provide adequate internal controls in two specific areas

The Tennessee Human Rights Commission did not design and monitor internal controls in two specific areas. Ineffective implementation of internal controls increases the risk of errors, data loss, and inability to continue operations. The details of this finding are confidential pursuant to Section 10-7-504(i), *Tennessee Code Annotated*. We provided the commission with detailed information regarding the specific conditions we identified, as well as the related criterion, cause, and our specific recommendations for improvement.

Recommendation

The Executive Director should ensure that this condition is remedied by the prompt development and consistent implementation of internal controls in these areas. The Executive Director should implement effective controls to ensure compliance with applicable requirements; assign staff to be responsible for ongoing monitoring of the risks and mitigating controls; and take action if deficiencies occur.

Management's Comment

We concur in part. The details of this finding are confidential pursuant to Section 10-7-504(i), *Tennessee Code Annotated*. Management, up to and including the Executive Director, will implement effective internal controls to ensure compliance with applicable requirements; assign staff to be responsible for ongoing monitoring of the risks and mitigating controls; and take action if deficiencies occur.

TITLE VI COMPLIANCE PROGRAM

Pursuant to state statute, the Tennessee Human Rights Commission is responsible for verifying that all state governmental entities that receive federal financial assistance comply with the requirements of Title VI of the Civil Rights Act of 1964 (Title VI). By not complying, the agency risks losing its federal financial assistance. By October 1 of each year, state agencies receiving federal funds must submit Title VI implementation plans to the Tennessee Human Rights Commission, describing how they will meet Title VI's requirements.

The commission's Title VI Compliance Program staff also perform onsite Title VI compliance reviews at a select number of state agencies each year to "systematically audit, review, evaluate, and report on Title VI compliance efforts and outcomes for each executive branch department and agency," as required by Section 4-21-203c(7), *Tennessee Code Annotated*. The primary purpose of the Title VI compliance review is to ensure that the methods described in the agency's implementation plan were actually implemented. In order to perform their reviews, commission staff interview key staff to gain an understanding of the agency's Title VI policies and review the agency's Title VI data, Title VI complaint policies and procedures, and Title VI complaints.

The Title VI Compliance Program staff produces and publishes an annual *Title VI Compliance Program* report that covers the status of Title VI compliance in the State of Tennessee. The report describes the implementation plan review process, the results of compliance reviews completed, and any other relevant Title VI issues.

State law also requires the commission to "provide ongoing training, education and technical assistance to employees of each state department." Each July, the Title VI Compliance Program has an annual training program for agency Title VI coordinators, department heads, and any other staff; the training provides a Title VI overview and specific Title VI topics, such as investigative procedures, issues in Title VI, and Title VI's involvement in subrecipient monitoring. Sixty-one people attended the July 23, 2014, Title VI training, and 60 people attended the July 29, 2015, training.

The objectives of our review of the commission's Title VI Compliance Program processes were to determine whether

- the commission verified that state governmental entities who received federal financial assistance complied with the requirements of Title VI of the Civil Rights Act of 1964; and
- the commission provided Title VI training, education, and technical assistance to state governmental entities as required by Section 4-21-203(d), *Tennessee Code Annotated*.

To gain an understanding of the Title VI Compliance Program verification process, we interviewed the Title VI Compliance Director and reviewed the *Title VI Compliance Program Manual*; Title VI of the Civil Rights Act of 1964; a list of agencies required to report federal financial assistance; Title VI implementation plans of state agencies; the implementation plan receipt log summary of findings, and review findings tool; and Title VI compliance review

documentation, including a final report issued to agencies. From a population of 41 implementation plans submitted in October 2015, we performed testwork to determine if a random, nonstatistical sample of 25 state agencies had submitted implementation plans to the Tennessee Human Rights Commission, and we examined the implementation plan review findings tool for each of these agencies. From a population of five compliance reviews completed in 2015, we performed testwork to determine if a random, nonstatistical sample of two compliance reviews were adequately documented by reviewing the compliance review documentation and reviewing the agency's implementation plan.

To gain an understanding of the Title VI Compliance Program's training, education, and technical assistance provided to state agencies, we interviewed the Title VI Compliance Director and reviewed Section 4-21-203(d), *Tennessee Code Annotated;* the 2014 and 2015 annual Title VI training sign-in sheet; and training agendas, presentations, evaluation results..

Based on our interviews, reviews, and testwork, we determined that

- the commission verified that state governmental entities that received federal financial assistance complied with the requirements of Title VI of the Civil Rights Act of 1964; however, we found that the commission did not complete the required number of Title VI compliance reviews (see Observation 2); and
- the commission provided Title VI training, education, and technical assistance to state governmental entities as required by Section 4-21-203(d), *Tennessee Code Annotated*.

Observation 2 – The Tennessee Human Rights Commission's Title VI Compliance Program staff did not complete the number of compliance reviews set out in the commission's *Title VI Compliance Program Manual*

For fiscal year 2015, the Tennessee Human Rights Commission's Title VI Compliance Program staff performed five compliance reviews; however, according to Section 4.1 of the *Title VI Compliance Program Manual*, "[s]taff must assess each department's level of compliance with Title VI requirement statewide by conducting 10 reviews per fiscal year."

The current Title VI Compliance Director stated that the previous Title VI Compliance Director established the 10 compliance reviews per year requirement, but the Title VI Compliance Program staff have never completed 10 compliance reviews in one year. According to the director, he is currently in the process of changing the *Title VI Compliance Program Manual* to require eight compliance reviews per year. He also stated that he is working on streamlining the review process so that the compliance reviews can be completed more efficiently.

Management's Comment

We concur. The Commission's Title VI operating procedures currently state that in ten (10) compliance reviews should be conducted per year. These procedures were adopted in March 2011, prior to the implementation of the compliance review program in January 2012. Since that

time, the Title VI division has conducted eleven (11) compliance reviews and has a better knowledge of the resources required for each review. We are currently updating our Title VI standard operating procedures to reflect this knowledge. The new procedures will not have a required number of compliance reviews per year but will include a process to develop a Compliance Review Plan every July that identifies an annual goal for compliance reviews for the upcoming fiscal year. The goal will be based on the estimated resources needed to review the identified agency and will consider various factors such as the number of federal programs administered, the size of the agency, and the number of sub-recipients. The Title VI Compliance Director's reference to eight (8) compliance reviews referred to a goal established internally by he and the Executive Director. Specifically, the Compliance Review Plan developed in July 2016 identifies eight (8) agencies to be reviewed for the 2016-2017 fiscal year.

APPENDIX

Title VI and Other Information

Title VI of the Civil Rights Act of 1964 states, "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." As stated in Section 4-21-203, *Tennessee Code Annotated*, the Tennessee Human Rights Commission is responsible for verifying that all state governmental entities comply with the requirements of Title VI. The commission prepares the *Title VI Compliance Program* report annually and makes the report available on its website. This report provides a summary of the services and accomplishments of the Title VI Compliance Program. It also provides details of agencies' federal dollars received, Title VI and other human rights related complaints received, whether agencies filed their Title VI implementation plan timely, and any findings reported.

For fiscal year 2015, commission management stated that the commission received $553,500 in federal funds as a result of agreements with the U.S. Equal Employment Opportunity Commission and the U.S. Department of Housing and Urban Development, and did not receive any Title VI complaints. The commission also filed its Title VI implementation plan by October 1 as required by state law.

The ethnicity and gender of the Tennessee Human Rights Commission members, as well as the staff ethnicity and gender by position, is exhibited on the following page.

Tennessee Human Rights Commission
Commission Ethnicity and Gender
June 2016

Region	**Gender**		**Ethnicity**	
	Male	Female	Black	White
East	0	3	2	1
Middle	3	0	2	1
West	2	1	1	2
Total	**5**	**4**	**5**	**4**

Tennessee Human Rights Commission
Staff Gender and Ethnicity by Position
June 2016

Title	**Gender**			**Ethnicity**				
	Male	**Female**	**Total**	**Asian**	**Black**	**Hispanic**	**White**	**Total**
Director	0	1	1	0	1	0	0	1
Deputy Director	0	1	1	0	1	0	0	1
Title VI Compliance Director	1	0	1	0	0	0	1	1
Administrative Services Assistant 2	0	2	2	0	2	0	0	2
Administrative Services Assistant 3	1	1	2	0	0	1	1	2
Administrative Services Assistant 4	0	1	1	0	0	0	1	1
Administrative Services Assistant 5	0	1	1	0	1	0	0	1
Attorney 2	0	1	1	0	0	0	1	1
General Counsel 1	0	1	1	1	0	0	0	1
Human Rights Representative Coordinator	0	3	3	0	2	0	1	3
Human Rights Representative	2	5	7	0	2	0	5	7
Information Resource Support Specialist 2	1	0	1	0	1	0	0	1
Information Resource Support Specialist 4	1	0	1	0	1	0	0	1
Legal Assistant	0	2	2	0	1	0	1	2
Total	**6**	**19**	**25**	**1**	**12**	**1**	**11**	**25**