

FINANCE AND ADMINISTRATION CABINET

Office of the Secretary
Office of Public Information
Office of General Counsel
Office of the Controller
Office of Equal Employment Opportunity and Contract Compliance
Office of Administrative Services
Commonwealth Office of Technology
Department for Facilities and Support Services
Kentucky Higher Education Assistance Authority
Department of Revenue



Commonwealth of Kentucky
FINANCE AND ADMINISTRATION CABINET
OFFICE OF EEO AND CONTRACT COMPLIANCE

STEVEN L. BESHEAR
Governor

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<http://finance.ky.gov/>

LORI H. FLANERY
Secretary

YVETTE M. SMITH
Executive Director

June 29, 2012

Ms. Lorrie Hawkins
Auditor of Public Accounts
Division of Financial Audit
209 St. Clair Street
Frankfort, KY 40601

Dear Ms. Hawkins:

In accordance with statutory requirements pertaining to Title VI of the Civil Rights Act of 1964, the Finance and Administration Cabinet (Cabinet) submits this Annual Update. The Cabinet, its attached agencies and their sub-recipients, and all parties involved shall comply with the provision of Title VI and KRS 344.015 and have been duly notified about their compliance responsibilities. The Cabinet requires agencies to submit narrative updates, compliance status reports and self-surveys annually. These documents are maintained in the Cabinet's Office of EEO and Contract Compliance.

If you have any questions about the enclosed Update, Plan Update form, or Compliance Status Report, please contact me at 502-564-2874 or Yvette.Smith@ky.gov.

Sincerely,

A handwritten signature in blue ink that reads "Yvette M. Smith".

Yvette M. Smith
Executive Director

Enclosures (3)

1. Title VI Plan Update
2. Plan Update Form
3. Compliance Status Report

Auditor of Public Accounts - 2012 Title VI
Commonwealth of Kentucky
Auditor of Public Accounts
Title VI of the Federal Civil Rights Act
Implementation
“Initial Plan and “Plan Update” Form”

Initial Plan

Plan Update

AGENCY: Finance and Administration Cabinet

DATE: June 29, 2012

Pursuant to KRS 344.015 and Section 2 of 45 KAR 1:080, state agencies receiving federal funds shall prepare and submit an annual Title VI plan update to the Auditor of Public Accounts and the Kentucky Commission on Human Rights by July 1, 1995 and by July 1 each year thereafter. Please complete the following information when submitting annual plan updates.

Check the corresponding sections of the plan that the agency is:

- (1) Required to update; and/or
- (2) Amending.

Please include the updated wording under the applicable sections listed below in your Plan Update.

The following sections are required to be updated annually: (6), (7), (9), (10), (12) and (13). Please attach a Plan Update detailing updates or changes from the prior year Plan – do not submit your entire plan once it is on file with the Auditor’s Office.

(1) Glossary/Definitions

(2) Overview

(3) Scope Of Title VI Applicability To Programs And Activities

(4) Responsible Official

(5) Statement Of Assurance

(6) Identify Programs Or Activities Subject To Title VI

(7) Complaint Procedures

(8) Compliance/Noncompliance Reporting

(9) Agency Training Plan

(10) Evaluation Procedures Of Title VI Plan

(11) Public Notice And Outreach

(12) Recordkeeping And Reporting

(13) Minority Representation On Planning Board Or Advisory Body

NOTE: This form **DOES NOT** substitute for the actual **update** that may need to be completed.

Title VI Compliance Status Report
 Finance and Administration Cabinet
 (July 1, 2011 - June 30, 2012)

	<u>Yes</u>	<u>No</u>
1. Services from this facility are provided to clients without regard to race, color, or national origin.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. An employee has been appointed to serve as Title VI Coordinator for this agency.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Minorities are represented on the advisory board if at least 5% of the population in the geographic service area are minority persons.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. A written procedure exists for hearing and reviewing Title VI complaints.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Records are maintained regarding all alleged cases of discrimination.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Title VI posters (where possible) are prominently displayed and used to emphasize the Title VI program and complaint opportunities.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. New employees are clearly informed about their responsibilities to clients under Title VI.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Contracts between this agency and another party include the formal Title VI "Statement of Compliance" clause.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Other parties which contract with this agency are clearly informed by this agency about their own responsibilities to clients under Title VI standards.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. All physical facilities and physical areas are made available to every client without regard to race, color, or national origin.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

NOTE: This form DOES NOT substitute for the **actual update** that may need to be completed.

Addendum: Title VI Compliance Status Report

Finance and Administration Cabinet

July 1, 2011 – June 30, 2012

Question 3:

KHEAA and KHESLC are governed by a 15-member Board of Directors (currently there are only 13 members on the Board), pursuant to KRS 164.746 and KRS 164A.050; ten (10) are appointed by the Governor and 5 serve by virtue of the office or position they hold within state government or an organization (ex officio). Currently, there are no racial/ethnic minorities serving on the board. KHEAA/KHESLC will refer potential interested candidates—including racial/ethnic minority candidates—to the Governor's Office of Boards and Commissions.

All other boards and advisory boards have minority representation.

IV. Responsible Official

The overall responsibility for complying with the provisions of Title VI is vested in the Secretary of Finance, Lori H. Flanery, who is responsible for administration of all programs and activities under the direction and management of the Finance and Administration Cabinet.

The responsibility for coordinating compliance with Title VI and this Implementation Plan are assigned to the Title VI Coordinator. Duties associated with this responsibility include, but are not limited to, the following:

- oversee implementation, compliance and monitoring;
- respond to complaints in the manner prescribed by the Implementation Plan;
- develop Title VI policy and procedure; and
- coordinate submission of annual updates.

Title VI Compliance Officers are responsible for coordinating compliance within agencies attached to the Finance and Administration Cabinet. Their responsibilities include collecting pertinent data, handling complaints, and coordinating annual compliance reviews.

Inquiries related to compliance activities should be directed to the Finance and Administration Cabinet's Title VI Coordinator:

Yvette M. Smith
Executive Director
Finance and Administration Cabinet
Office of Equal Employment Opportunity and Contract Compliance
702 Capitol Avenue
Capitol Annex, Room 395
Frankfort, KY 40601
Yvette.Smith@ky.gov
Telephone: 502-564-2874
Facsimile: 502-564-1055

Inquiries related to compliance activities by the Kentucky Housing Corporation should be directed to the agency's Title VI Compliance Officer:

Toni Smith
Fair Housing Trainer and Outreach Coordinator
Kentucky Housing Corporation
1231 Louisville Road
Frankfort, KY 40601-6191
tsmith@kyhousing.org
Telephone: 502-564-7630, extension 440

Inquiries related to compliance activities by the Kentucky Higher Education Assistance Authority (KHEAA) should be directed to the agency's Title VI Compliance Officer:

Melissa F. Justice, Esq.
Senior Associate Counsel
Kentucky Higher Education Assistance Authority
100 Airport Road
Frankfort, KY 40601
mjustice@kheaa.com
Telephone: 502-696-7309

Inquiries related to compliance activities by the Kentucky Higher Education Student Loan Corporation (KHESLC) should be directed to the agency's Title VI Compliance Officer:

Linda Sewell
Vice President, Human Resources
Kentucky Higher Education Student Loan Corporation
10180 Linn Station Road
Louisville, KY 40223
lsewell@kheslc.com
Telephone: 502-329-7155

VI. Programs or Activities Subject to Title VI

This section includes a description of each program or activity under the Finance and Administration Cabinet, its administratively attached agencies and sub-recipients. In addition, this section includes a description of Limited English Proficiency activities.

Commonwealth Office of Technology

The following two (2) programs received funds during the 2011-2012 fiscal year:

1. ***American Recovery and Reinvestment Act – State Broadband Data and Development.***
The Commonwealth is working with grant funds under the State Broadband Data and Development Grant Program from the U.S. Department of Commerce, National Telecommunications and Information Administration (NTIA). The grant is being used to create a state broadband map for Kentucky in accordance with NTIA program standards and compatibility with the existing Commonwealth Map. The Commonwealth is collecting comprehensive and verifiable broadband data that will be accessible and clearly presented to NTIA, the public, and state and local governments. In addition, a workable and sustainable framework for repeated updating of data will be implemented. A plan for collaboration with state level agencies, local authorities, and other constituencies, as well as a proposal for planning projects designed to identify and address broadband challenges in the state will be put into place. The Commonwealth is working with a mapping consultant to collect and verify broadband availability information from providers of broadband services. This information will be represented graphically for the benefit of other government agencies and the general public. This project will serve to identify barriers to the adoption of broadband service and information technology services among all citizens, facilitate the creation of local planning teams including state and local leaders to develop regional ideas for broadband deployment and adoption by citizens and businesses and prioritization of project ideas to encourage use of broadband capabilities statewide, particularly focusing on adoption strategies that target vulnerable populations including individuals with limited English proficiency.
2. ***2009 NSDI CAP Grant, Kentucky's Geospatial Strategic Plan.*** Please note that the NSDI CAP Grant, Kentucky's Geospatial Strategic Plan Project, ended December 31, 2010. The Federal Geographic Data Committee (FGDC) is an interagency committee that promotes the coordinated development, use, sharing, and dissemination of geospatial data on a national basis. This nationwide data publishing effort is known as the National Spatial Data Infrastructure (NSDI) [Source: <http://www.fgdc.gov/>]. The NSDI Cooperative Agreements Program (CAP) is an annual program to assist the geospatial data community through funding and other resources in implementing the components of the NSDI. This program is open to State, local and Tribal governments, academia, commercial, and non-profit organizations. The program provides small seed grants to initiate sustainable ongoing NSDI implementations. The program emphasizes

partnerships, collaboration and the leveraging of geospatial resources in achieving its goals (Source: <http://www.fgdc.gov/grants>). As part of the Fifty States Initiative, the NSDI CAP awards support the development and implementation of statewide strategies and business plans that will facilitate the coordination of programs, policies, technologies, and resources that enable the coordination, collection, documentation, discovery, distribution, exchange and maintenance of geospatial information in support of the NSDI.

Department of Revenue

The following two (2) programs received funds during the 2011-2012 fiscal year:

1. ***IRS SPEC Partnership Tax Software.*** Under an Internal Revenue Service Stakeholder Partnerships Education and Communication (IRS SPEC) partnership agreement, the IRS supplies tax software for the electronic filing of individual income tax returns. The Department of Revenue utilizes the software to provide free electronic filing to the taxpaying public. The free filing assistance is provided to taxpayers at the Department of Revenue's taxpayer service centers located in Ashland, Bowling Green, Corbin, Florence, Frankfort, Hopkinsville, Louisville, Owensboro, Paducah and Pikeville.
2. ***Volunteer Income Tax Assistance.*** In December 2007, Congress appropriated funds to the Internal Revenue Service (IRS) to establish and administer a matching grant program for community volunteer income tax assistance. This funding allowed the Stakeholder Partnerships, Education and Communication (SPEC) organization of IRS to provide grants to partner organizations to achieve the following program objectives:
 - Enable the Volunteer Income Tax Assistance (VITA) Program to extend services to underserved populations in hardest-to-reach areas, both urban and non-urban;
 - Increase the capacity to file returns electronically;
 - Heighten quality control;
 - Enhance training of volunteers; and
 - Improve significantly the accuracy rate of returns prepared at VITA sites.

The VITA Program uses trained volunteers to prepare basic tax returns for low income taxpayers in both urban and non-urban locations including persons with disabilities, non-English speaking persons, elderly taxpayers, and Native Americans. For tax year 2009, individuals and families with an adjusted gross income of \$49,000 or lower were eligible for assistance through VITA. Because the VITA grant is in support of the VITA Program, grant recipients are required to follow existing guidance governing VITA site operations and to file all eligible returns electronically.'

Department of Revenue Field Operations staff—located at the ten (10) taxpayer service centers across the Commonwealth—are the “volunteers” for this program. (Source: <http://www.grants.gov/search/search.do?oppId=47474&flag2006=false&mode=VIEW>)

Kentucky Housing Corporation

The majority of the programs under the Kentucky Housing Corporation (KHC) involve some type of application process either by an individual or local government, nonprofit, public agency or limited partnership. The following fifteen (15) programs received funds during the 2011-2012 fiscal year:

1. ***Housing Counseling Assistance Program for Foreclosure (Kentucky Homeownership Protection Center)***. The Kentucky Homeownership Protection Center was created to address the foreclosure crisis in Kentucky. This program, which is funded by the U.S. Department of Housing and Urban Development (HUD), provides a centralized location for information on public services to assist Kentuckians in keeping their homes. Homeowners can find information on the foreclosure process, utility assistance and home repair assistance to make choices and avoid losing their homes. The Kentucky Homeownership Protection Center is a joint effort of the Department of Financial Institutions, Kentucky Housing Corporation and other agencies across the state.
2. ***Homeless Prevention and Rapid Re-housing Program (KY Hearth)***. Kentucky’s Housing and Emergency Assistance Reaching the Homeless Program helps prevent individuals and families from becoming homeless; and, quickly re-houses and stabilizes individuals and families that are homeless. With the exception of similar programs in Lexington, Fayette County, Louisville, Jefferson County and Covington, KHC administers the program throughout the Commonwealth. KY Hearth is a HUD-funded program. Applications and services are provided on a first-come basis until all slots are filled. To qualify for services, an applicant’s income must be below 50% of the poverty level and the applicant must be homeless or be on the verge of homelessness. Homeowners may receive utility assistance, as well as services to stay in their homes. Guidelines are set through HUD regulations and KHC’s Compliance Department monitors the progress of sub-recipients. Sub-recipients are statewide local non-profit service agencies and Local Government agencies.
3. ***Weatherization Assistance Program***. The Weatherization Assistance Program, which is funded by the U.S. Department of Energy, provides services and benefits to low income households. The goal of the program is to improve the quality of life for young children and vulnerable adults by making their homes more energy efficient. Services include repair and replacement of heating systems, testing for gas leaks and carbon monoxide, installing insulation and energy education. KHC sub-contracts with Community Action Agencies across the state to provide the services. The Community Action Agencies maintain databases for tracking program progress. Eligible participants must be at and/or scaled on a 200% poverty level. Households with individuals who are elderly or who

have disabilities, children, high energy users and those with a high energy burden are given first priority to participate in the program.

4. ***HOME Investment Partnership Program (HOME)***. The HOME Investment Partnership Act is authorized under Title II of the Cranston-Gonzalez National Affordable Housing Act (NAHA), Public Law 101-625. HOME is a formula based allocation program intended to support a wide variety of local affordable housing programs. HUD funds may be utilized for acquisition, new construction, reconstruction and moderate and substantial rehabilitation activities that promote affordable rental and ownership activities. HOME funds can also be used for tenant-based rental assistance. Eligible applicants include units of local government, public agencies, foundations, nonprofits, community housing development organizations and private developers. Applicants for funding are taken on an ongoing basis by the Center for Housing Construction and Finance. Potential beneficiaries include very low-and low income individuals.
5. ***Emergency Shelter Grant Program (ESG)***. The Emergency Shelter Grant Program is authorized under Title IV of the Stewart B. McKinley Homeless Assistance Act. Under the ESG Program, KHC may make grants to units of local governments and nonprofit organizations for the rehabilitation or conversion of buildings for use as emergency shelters for the homeless and for certain operating and social service expenses of the shelter. Potential beneficiaries include those individuals who meet the HUD definition of homeless as follows: an individual who lacks a fixed, regular and adequate nighttime residence and who has a primary nighttime residence that is a supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters and transitional housing for the mentally ill); an institution that provides a temporary residence for individuals intended to be institutionalized; or a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings. ESG is a HUD-funded program.
6. ***Supportive Housing Program***. The Supportive Housing Program began as a demonstration program consisting of three parts: Transitional Housing, Permanent Housing for Homeless Handicapped and Supplemental Assistance for Facilities to Assist the Homeless (SAFAH). The Housing and Community Development Act of 1992 consolidated the three parts into the Supportive Housing Program. The purpose of the program, which is funded by HUD, is to promote the development of housing with supportive services, including innovative approaches to assist the transition from homelessness to help homeless persons live independently. KHC is currently administering the SAFAH and Permanent Housing for Homeless Handicapped programs through the Specialized Housing Department. Potential program beneficiaries include homeless persons with disabilities seeking permanent housing.
7. ***Shelter Plus Care Program***. The Shelter Plus Care Program provides rental housing assistance in connection with supportive services, which are funded from other sources, to homeless persons with disabilities, including their families. These disabilities primarily include serious mental illness, chronic drug or alcohol abuse, acquired immunodeficiency syndrome (AIDS) and related diseases. KHC is currently

administering thirty-four (34) tenant-based rental assistance units through the Housing Choice Voucher Program in cooperation with the Kentucky River Area Development District in the following counties: Breathitt, Knott, Lee, Leslie, Letcher, Owsley, Perry and Wolfe. In addition, KHC serves as pass-through agency for funds that are administered by LifeSkills, Inc. Potential program beneficiaries include very low-income homeless persons with disabilities. The program is funded by the U.S. Department of Housing and Urban Development.

8. ***Housing Choice Voucher Program.*** The Housing Choice Voucher Program provides a rent subsidy to ensure that eligible tenants pay no more than thirty (30) percent of their monthly adjusted gross income for decent, safe and sanitary housing. To administer this program, KHC enters into contractual relationships with HUD, private owners and eligible beneficiaries. KHC provides housing assistance payments to the owner of the unit under lease by the eligible beneficiary. KHC maintains an open waiting list for rental assistance in counties where KHC has jurisdiction. The Housing Choice Voucher Program is administered by the Rental Assistance Programs Department. Potential program beneficiaries include very low-income singles, families, the elderly and persons with disabilities. The program is funded by HUD.
9. ***Rental Administration Program.*** KHC serves as contract administrator on behalf of HUD for the Rental Assistance Program. Rental Assistance funds flow from HUD through KHC to owners to help families pay for rent and utilities. Eligible tenants pay no more than thirty (30) percent of their monthly adjusted gross income for the Section 8 units. Individual apartment complexes maintain independent waiting lists. Potential program beneficiaries include very low-income singles, families, the elderly and persons with disabilities.
10. ***Section 8 Family Self-Sufficiency (FSS) Program.*** The purpose of the FSS Program is to promote the development of local strategies to coordinate the use of the Housing Choice Voucher Program with public and private resources and to enable families eligible to receive rental assistance under these programs to achieve economic independence and self-sufficiency. The objective of the FSS Program is to reduce the dependency of low-income families on Welfare Assistance and Section 8 rental assistance. Under the FSS Program, low-income families are provided opportunities for education, job training, counseling and other forms of social service assistance, while living in assisted housing. This opportunity enables beneficiaries to obtain the education, employment, and business and social skills necessary to achieve self-sufficiency. The Planning and Program Development Department administers the FSS Program. Program beneficiaries include very low-income singles, families, the elderly and persons with disabilities. The FSS Program is funded by the U.S. Department of Housing and Urban Development.
11. ***Homeownership Counseling Program.*** The Homeownership Counseling Program offers a homeownership counseling curriculum and materials to counselors throughout the state. HUD provides funding for the program. KHC contracts with agencies and counselors to provide services to KHC-eligible prospective homebuyers that have been declined

financing by KHC or a KHC-approved lender due to credit problems. In addition, graduates of the "Yes You Can... Own A Home" program that have credit issues or need additional counseling are eligible to participate in the program.

12. ***Housing Opportunities for Persons With AIDS (HOPWA)***. The HOPWA Program was authorized by the AIDS Housing Opportunity Act (AHOA) and amended by the Housing and Community Development Act of 1992. This HUD-funded program is designed to provide states and localities with resources and incentives for devising long-term comprehensive strategies for meeting the housing needs of persons with AIDS or related diseases and their families. Eligible recipients are low-income persons—eighty (80) percent or below of area median income—who are diagnosed with HIV/AIDS and their family members.
13. ***Kentucky Appalachian Housing Program***. The Appalachian Regional Commission (ARC) is comprised of thirteen (13) Appalachian states. Governors from each state make up the Appalachian Board which sets priorities and reviews appropriations. The Appalachian Regional Commission awards grants and contracts from funds appropriated to the Commission annually by Congress. ARC funds can be used for transportation, water and sewer, health, education and housing initiatives. KHC administers the housing portion of activity in Kentucky under the Kentucky Appalachian Housing Program. Housing funds may be used for site improvements only and cannot exceed ten (10) percent of the total project cost or appraised value of the property after rehabilitation. Funds are available to units of local government, nonprofit agencies, public agencies or limited partnerships.
14. ***Disaster Housing Assistance Program/Disaster Voucher Payment (DHAP)***. KHC begin working with local office of the Federal Emergency Management Agency (FEMA) to respond to the needs of the evacuees of Hurricane Katrina and Hurricane Rita around September/October 2005. KHC served approximately 96 families under the DHAP Program. FEMA eventually contracted with Corporate Lodging to administer the assistance payments. The program became DVP (Disaster Voucher Payment) later and currently KHC has been able to place a number of the eligible families under the Housing Choice Program. The program is funded by the U.S. Department of Homeland Security.
15. ***Safe Havens Program (previously reported as the Safe Start Transitional Housing Program)***. The Safe Havens Program is one of the programs that KHC has developed as part of the strategy to meet its goal under Kentucky's Ten-Year Plan to End Chronic Homelessness. All grants will be used for supportive services; none will pay KHC's administrative or other expenses. A portion of the funding for this program is derived from HOME funds. HOME is a HUD-funded program. Incomes of those will not exceed 120% of area median income. Supportive services will be made available to program participants throughout the term of participation and for three (3) months following completion. Preference will be given to those individuals in rural areas who are most difficult to serve due to poverty, social and cultural challenges and geographic isolation. KHC administers the statewide program and requests for assistance are submitted to KHC from supportive services. KHC staff will issue an emergency housing

voucher within 24 hours of request; provide a housing quality standard inspection of a selected housing unit for the client within 48 hours; issue a permanent housing voucher as soon as one is available; contact supportive service agencies and promote the availability of Individual Development Accounts (IDA) and the Family Self Sufficiency program. (Note: The Safe Start Transitional Housing Program was renamed Safe Havens in 2009.)

Kentucky Higher Education Assistance Authority

During the reporting period, the Kentucky Higher Education Assistance Authority (KHEAA) received federal funding for one program and closed another program. Information regarding the programs follows:

1. ***Federal Family Educational Loan Program.*** The Federal Family Educational Loan Program (FFELP) closed July 1, 2010.
2. ***College Access Challenge Grant Program.*** The College Access Challenge Grant Program (CACG) funds outreach activities to emphasize the importance of pursuing higher education for all citizens of the Commonwealth. Funds are provided by the U.S. Department of Education. Potential beneficiaries of this outreach grant program include elementary, middle and high school students, parents, adult learners, non-traditional students, as well as school counselors who can assist KHEAA in promoting higher education opportunities.

KHEAA is required to utilize grant funds to perform a variety of outreach activities to promote higher education opportunities. Outreach activities include, but are not limited to the following:

- a. Participating in career fairs and financial aid/financial literacy workshops;
- b. Disseminating KHEAA information, materials, media packets, and publications, including;
 - i. Producing a series of age-appropriate publications designed to provide students, parents and college access mentors with the timely information needed at each grade level.
 - ii. Providing a monthly financial literacy tip to Kentucky print media. The tips, which are geared toward students, have addressed such topics as credit cards, insurance, budgeting and identity theft. The series was begun in response to requests from Kentucky counselors for materials helping students become more financially aware;
- c. Assisting students and families in completion of the Free Application for Federal Student Aid (FAFSA); and,

- d. Participating in radio, television and newspaper interviews.

In addition, KHEAA's mobile classroom (the College Info Road Show) visited middle schools, high schools, adult education centers, public libraries and other sites, providing college access and financial aid planning services directly to students and families in their own communities.

Kentucky Higher Education Student Loan Corporation

During the reporting period, the Kentucky Higher Education Student Loan Corporation (KHESLC) did not receive federal funds. Additional information follows:

1. ***Federal Family Educational Loan Program.*** The Federal Family Educational Loan Program (FFELP) closed July 1, 2010; and, program updates are no longer required. However, the Kentucky Higher Education Student Loan Corporation (KHESLC) continues to service its active FFELP portfolio.

Other Attached Agencies

The following agencies, which are administratively attached to the Finance and Administration Cabinet, did not receive federal funding during the reporting period:

- Commonwealth Credit Union
- Kentucky Executive Branch Ethics Commission
- Kentucky Teachers' Retirement System
- Kentucky River Authority
- Kentucky Employees Retirement Systems
- State Property and Buildings Commission
- State Investment Commission
- Kentucky Local Correctional Facilities Construction Authority
- Kentucky Turnpike Authority
- Historic Properties Advisory Commission
- Kentucky Tobacco Settlement Trust Corporation

***Efforts to Provide Meaningful Access to Services,
Programs and Benefits to Individuals with Limited English Proficiency (LEP)***

According to Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency (LEP)" and the requirements of Title VI, the Cabinet must provide meaningful and equitable access to individuals with LEP. As such, the Cabinet must ensure individuals with LEP can effectively participate in and benefit from all programs and activities.

During fiscal year 2012, the Cabinet, completed its Language Access Plan for Individuals with Limited English Proficiency. In addition, the Cabinet, its administratively attached agencies and their sub-recipients accomplished the following: continued to display equal opportunity, affirmative action and fair housing posters in English and Spanish; identified staff with proficiency in sign language and in languages other than English; provided Title VI training as part of new employee orientation; included Title VI responsibilities in employee handbooks; and, discussed LEP during Title VI training.

Specific activities are as follows:

Department of Revenue

- Taxpayer service centers are located in ten (10) cities. Two locations have an individual with sign language (English) proficiency. One location has an individual with a conversational level of proficiency in Albanian. Two locations have individuals with a conversational level of proficiency in Spanish. One location has individuals with a conversational level of proficiency in German and Chinese.
- The department lists a number of employees in the main office building on its intranet site who serve as interpreters at a conversational level of proficiency. Languages included on this list are: Mandarin and Cantonese Chinese, French, German, Hindi, Nepali, Russian, Hebrew, Serbo-Croatian (Bosnian), and Spanish.
- The department also allows interested employees to utilize a software product called Rosetta Stone that increases their conversational level of proficiency in Spanish. Upon completion, the employee should demonstrate conversational levels of proficiency.
- Employees received LEP/Language Assistance toolkits which included the language ID card, instructions for using Language Services Associates, and signs—restroom locations, wheelchair accessibility, no smoking, etc.—in Spanish and English.

Commonwealth Office of Technology

- One of the goals of the Federal BTOP-SBDD program is to raise awareness, availability and adoption of high-speed internet access among populations that currently are unserved or do not utilize broadband. Special focus will be geared on those identified as vulnerable populations (i.e. children, seniors, impoverished, language barriers, etc). Once we can identify these populations around the Commonwealth, outreach will be targeted to their specific needs. At this time, an overall project plan is currently being developed and will include ways to meet those with language barriers. The project is expected to be executed by the end of year 2014.

Kentucky Housing Corporation

- KHC displays Fair Housing posters in all KHC offices in English and Spanish. In addition, the posters are sent to funding recipients.
- Direct assistance to LEP clients is provided by KHC onsite staff with interpretation skills and, when needed, by outside interpretation services.
- KHC completed the LEP plan for the Corporation and included a copy of the plan in its Title VI submission to the Finance and Administration Cabinet. In May 2012, KHC began to implement the Corporation's plan.

Kentucky Higher Education Assistance Authority and the Kentucky Higher Education Student Loan Corporation

The vast majority of clients with whom KHEAA and KHESLC have contact are English-proficient individuals. Contact with LEP individuals is most prevalent with KHESLC's Customer Service and Debt Recovery staff.

- KHEAA and KHESLC continue their efforts to recruit staff fluent in Spanish. KHESLC has Spanish-speaking employees who can assist with actual and potential LEP clients as needed. [Note: The KHEAA website has a link to access Spanish versions of financial aid materials (including the FAFSA).]
- KHEAA outreach publications are available in Spanish translations. However, limited fiscal resources have been a barrier to purchasing software to enable all of KHEAA's publications to be available in Spanish and other languages.
- KHEAA staff has also conducted workshops at various locations across the Commonwealth. The content was simultaneously translated into other languages through interpreters provided by the entity that requested KHEAA's participation.
- Long term goals have been set to provide translated versions of agency publications as

well as additional interpretive services.

Language Access Plan (LAP) for Individuals with Limited English Proficiency (LEP)

The Finance and Administration Cabinet will make reasonable efforts to provide meaningful access to its services, programs and benefits for persons with Limited English Proficiency (LEP). LEP persons do not speak English as their primary language and have limited ability to read, write, speak, or understand English. Access includes written and oral language assistance.

Purpose: The Cabinet's Language Assistance Plan outlines current practices for ensuring federally-assisted programs and activities are readily accessible to individuals with LEP.

Authority: Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency; Section 601 of Title VI of the Civil Rights Act of 1964; and, *Lau v. Nichols*, 414 U.S. 563 (1974).

Coverage: As a recipient of federal funds, the Cabinet cannot, based on national origin or limited English proficiency, deny services, financial aid or benefits; provide different services, financial aid or benefits or provide them differently from those provided to others; or segregate or treat individuals separately in any way in their receipt of any services, financial aid or benefits.

Needs Assessment: The Cabinet shall periodically survey agencies to assess their language assistance efforts and to determine whether language assistance protocols are effective. The surveys shall be based on the four-factor analysis established by the U.S. Department of Justice (see below).

1. The number or proportion of LEP persons served or encountered in the eligible service populations;
2. The frequency with which LEP persons come in contact with the services, programs, or activities;
3. The nature and importance of the services, programs, or activities provided; and
4. The resources available to the agency.

According to the U.S. Census, 2010 American Community Survey, 4.8% of Kentucky's 'population 5 years and over' speaks a language other than English (*) and the most prevalent language spoken is Spanish or Spanish Creole. These figures, along with the frequency of contact data provided by Cabinet agencies, identified Spanish-speaking LEP persons as the most likely to be served by the Cabinet, its administratively attached agencies and sub-recipients.

(*) 74.8% of this population is 18 years and over; roughly 42% of this population speaks English "less than very well."

Responsibilities

To ensure individuals with LEP have meaningful access to services, programs and benefits, Cabinet agencies and personnel shall:

- Post multilingual signs in lobbies, waiting and intake areas, as appropriate, to explain that, if needed, interpretation and translation services are provided at no cost to the individual.
- Identify individuals who need written or oral language assistance.
- Use 'I Speak' cards to invite individuals with LEP to identify their primary language.
- Provide interpretation or translation services, as appropriate.
- Ensure no unreasonable delays in service occur when providing language assistance.
- Ensure that Cabinet employees receive training in the areas of diversity/cultural competency and appropriate use of interpreters and translators.
- Monitor compliance to ensure proper procedures are followed.

Effective Date: July 1, 2012

VII. Complaint Procedures

The following are complaint procedures for the Finance and Administration Cabinet, as a whole, and the Kentucky Housing Corporation, Kentucky Higher Education Assistance Authority, and Kentucky Higher Education Student Loan Corporation, as administratively attached agencies (please note these procedures have been reviewed and approved by the Finance and Administration Cabinet):

Finance and Administration Cabinet

A recipient or applicant of federal financial assistance may, upon adverse action by the Finance and Administration Cabinet, submit a written complaint to the Finance and Administration Cabinet. The Cabinet shall respond to the complaint according to 11 KAR 4:030 (1). Anyone believing that the Cabinet, through its administration of federal financial assistance, has discriminated against a beneficiary on the basis of race, color or national origin may file a complaint. Complaints must be filed with the Title VI Coordinator in the Finance and Administration Cabinet, Office of Equal Employment Opportunity and Contract Compliance within 180 days of the alleged discrimination. Complaints may be filed orally or in writing.

Oral complaints will be documented by the Title VI Coordinator using the Complaint under the Civil Rights Act of 1964 form. Except where a violation of Title VI is verified by the Title VI Coordinator or by an external agency with the appropriate authority, the Title VI Coordinator will not initiate an investigation until the complainant acknowledges the complaint by signing the complaint form.

Written complaints—preferably using the Complaint under the Civil Rights Act of 1964 form—may be completed by the complainant or an authorized representative. If the complainant prefers not to use the form, a written statement of the circumstances surrounding the complaint may be submitted.

Upon receipt of the complaint, the Title VI Coordinator shall determine whether the complaint merits an investigation. If the Title VI Coordinator determines that the complaint does not warrant an investigation, the Title VI Coordinator shall notify the complainant in writing. The written notification shall include information about the complainant's right to file the complaint externally with the Kentucky Commission on Human Rights and/or the Director, External Civil Rights Unit, United States Department of Treasury, as appropriate. If the Title VI Coordinator determines that the complaint warrants an investigation, the investigation shall commence within thirty (30) calendar days after receipt of the complaint.

Within thirty (30) days after receipt of a complaint related to services and/or benefits provided by an Internal Revenue Service (IRS) financial assistance program, the program head shall notify the IRS External Civil Rights Unit. The notification will provide information about any complaint investigation that is or will be conducted by the Finance and Administration Cabinet.

The identity of the complainant shall be kept confidential except to the extent necessary to:

- conduct the investigation or any related administrative or judicial proceeding
- resolve the noncompliance
- report compliance and enforcement efforts

The results of any investigation shall be reported to the program head and to the Secretary of Finance using the Report of Investigation form. This form summarizes the report of investigative findings. Should the investigation reveal a Title VI violation, the report shall reflect appropriate corrective action. The report shall be forwarded to the complainant within ten (10) working days after being submitted to the program head and to the Secretary of Finance.

The Title VI Coordinator may terminate the investigation if the complainant fails to cooperate with the investigation or if the complainant fails to submit requested material documentation or evidence within a reasonable timeframe. The Title VI Coordinator will send written notification to the complainant upon terminating the investigation.

Withdrawal of Complaints: If the complainant decides to withdraw the complaint, the complainant shall submit the Withdrawal of Complaint form to the Title VI Coordinator.

Coordination of External Complaints: Pursuant to KRS 344.200, a complaint must be filed with the Kentucky Commission on Human Rights within 180 days of the alleged discrimination. As appropriate, a complaint may also be filed with the Director, External Civil Rights Unit, United States Department of Treasury. A complaint may first be filed with the Finance and Administration Cabinet and subsequently, upon finalization of the Finance and Administration Cabinet's action, with external agencies. Complaints may also be filed concurrently with an external agency—Kentucky Commission on Human Rights and/or United States Department of Treasury, External Civil Rights Unit, as appropriate.

Kentucky Housing Corporation

All programs subject to Title VI compliance have individual grievance procedures for complaints that allow program beneficiaries an opportunity for an informal review. If a program beneficiary exhausts the sub-recipient's grievance procedure and receives an adverse determination of his or her complaint, the program beneficiary may directly submit an appeal to KHC. This appeal must be postmarked within ten (10) working days of the final decision by the sub-recipient to be valid. The appeal must be submitted to the Title VI Compliance Officer, Kentucky Housing Corporation, 1231 Louisville Road, Frankfort, Kentucky 40601.

If a program beneficiary needs assistance in filing a written complaint or must make an oral complaint, he or she may contact the Title VI Compliance Officer at (502) 564-7630, extension 440, or TTY/V (800) 648-6056/6057. To comply with the Americans with Disabilities Act, contact KHC for assistance if special accommodations are necessary. The Title VI Compliance Officer will utilize a standard complaint form. Upon receipt of the complaint, the Title VI Compliance Officer must acknowledge the complaint within fifteen (15) working days. The

Title VI Compliance Officer will process the complaint within thirty (30) working days of receipt.

The program beneficiary may withdraw the complaint, in writing, at any time during the process. The complaint will be reviewed, and a report of the finding(s) will be forwarded to the sub-recipient, chief program officer and the KHC department responsible for administering the program. The complaint and all relevant documentation will be forwarded to the Kentucky Commission on Human Rights or other recognized enforcement authorities. The Title VI Compliance Officer shall follow up on enforcement proceedings and report to the chief program officer when appropriate.

Kentucky Higher Education Assistance Authority and Kentucky Higher Education Student Loan Corporation

Complaints in relation to alleged discrimination under Title VI of the Civil Rights Act of 1964 may be filed with the KHEAA or KHESLC Title VI Compliance Officer or other employee designated by the Compliance Officer using the Complaint under the Civil Rights Act of 1964 form. Upon receipt of a written complaint, the Title VI Compliance Officer will review the complaint and will file, within seven (7) days, a concise statement with the Executive Director regarding the nature of the complaint and the steps to be taken to investigate or resolve the complaint.

If an individual refuses to submit a written complaint, the Title VI Compliance Officer will record the information received orally from the individual and will provide a copy to the individual with a request that the complainant confirm the information.

A complaint may be filed by anyone who believes that KHEAA or KHESLC has discriminated against a participant, beneficiary, or a class of beneficiaries on the basis of race, color, or national origin.

KHEAA or KHESLC will act on a complaint by any individual, provided that no final action will be taken by KHEAA or KHESLC unless the ultimate beneficiary or participant acknowledges the substance of the complaint in writing. If the Title VI Compliance Officer determines independently that a violation of Title VI has occurred, then final action may be taken by KHEAA or KHESLC without verification by the beneficiary or participant. A complaint must be filed within 180 days of the action which prompted the filing of the complaint.

Upon receipt of a complaint from an individual or at the time the Title VI Compliance Officer becomes independently aware of actions which may constitute a violation of Title VI, the Title VI Compliance Officer will take necessary action within thirty (30) days to investigate and recommend specific actions to resolve the complaint. The Title VI Compliance Officer will file a report with the Executive Director within that period.

The complainant will be notified in writing of the results of the investigation and any actions taken.

KHEAA or KHESLC will make a reasonable attempt to maintain the confidentiality of the complaint and the name of the complainant.

The Executive Director will implement corrective actions within thirty (30) days of receipt and acceptance of a final report by the Compliance Officer.

Coordination of External Complaints: Pursuant to KRS 344.200 and 34 C.F.R. § 100.7, a complaint must be filed with an external agency—either the Kentucky Commission on Human Rights or with the Regional Office for Civil Rights of the USDE—within 180 days of the incident of alleged discrimination. A complaint may first be filed with KHEAA or KHESLC and subsequently, upon finalization of the KHEAA or KHESLC action, with one of these external agencies, or complaints may be filed concurrently with any of the agencies.

If, at any time during the course of receiving or investigating a complaint, the Title VI Compliance Officer becomes aware that the complainant has also filed the same or a related complaint with the Kentucky Commission on Human Rights or with the Regional Office for Civil Rights of the USDE, the Title VI Compliance Officer may continue or suspend the internal investigation, upon notice to the complainant. At any time after the Report of Investigation has been submitted to the Executive Director, all further action, including complaint resolution and remedial action, may be suspended by the Executive Director pending the outcome of the external complaint.

The Title VI Compliance Officer, upon notification of a complaint by any party, or upon becoming aware of any violation through compliance efforts, will attempt to secure voluntary compliance with Title VI. In the event that efforts to secure voluntary compliance are not successful within a reasonable period of time, the Title VI Compliance Officer will notify the Executive Director in writing of the recommended corrective action.

The Executive Director will act within thirty (30) days of receipt of a recommendation by the Title VI Compliance Officer to implement a corrective action.

The Executive Director or Title VI Compliance Officer will notify the complainant in writing of the resolution of a complaint. A statement of corrective action will include specific statements of actions to be taken or prohibited actions and will include a timetable for implementation.

Employees who refuse to voluntarily comply with Title VI or to take corrective actions required by KHEAA or KHESLC will face disciplinary action.

If the complainant is not satisfied with a finding of non-discrimination or proposed remedial action, the complainant may file an appeal with the Title VI Compliance Officer within thirty (30) days from the date the Report of Investigation is completed.

Withdrawal of Complaints: Any withdrawal of a complaint must be in writing and signed by the individual filing the withdrawal. Withdrawal of a complaint is at the discretion of the Executive Director. The Executive Director will determine whether the withdrawal of the complaint is in the best interest of the Title VI compliance and whether the investigative report will be

completed.

IX. Agency Training Plan

The following are agency training plans for the Finance and Administration Cabinet, as a whole, and the Kentucky Housing Corporation, Kentucky Higher Education Assistance Authority, and Kentucky Higher Education Student Loan Corporation, as administratively attached agencies:

Finance and Administration Cabinet

In-service training programs for employees will continually apprise appropriate staff of their responsibility to render high quality services to all clients regardless of their race, color or national origin. The Finance and Administration Cabinet will provide written notice to all current employees concerning the Cabinet's commitment to assuring compliance with Title VI and include a Title VI module in its new employee orientation program. Should additional training become available, the Title VI Coordinator will attend and disseminate the benefit of the training to pertinent Finance and Administration Cabinet staff, Title VI Compliance Officers and program heads. Sub-recipients and beneficiaries (if any) shall be provided with explanatory materials and technical assistance as necessary to ensure their knowledge of, and compliance with, Title VI requirements.

The Cabinet's Title VI Coordinator, agency Title VI Compliance Officers and other employees with Title VI responsibilities will attend training co-sponsored by the Auditor of Public Accounts and the Kentucky Commission on Human Rights. In the past, this training focused on Title VI implementation and covered initial plans, plan updates and limited English proficiency.

Kentucky Housing Corporation

According to its policy, KHC recruits, hires, trains and promotes persons in all job classifications without regard to race, color, religion, gender, national origin, disability or age. Staff development and training will include regular sessions addressing discrimination. The Title VI Compliance Officer will develop techniques and methods for communicating policies to staff, sub-recipients, vendors and present and potential beneficiaries. New KHC staff will receive Title VI information during employee orientation. The Title VI Compliance Officer will train KHC management on how to eliminate discrimination practices. Management will address Title VI during regular staff meetings. Further, KHC staff will be provided with specific examples of prohibited discriminatory practices affecting housing delivery.

Kentucky Higher Education Assistance Authority and the Kentucky Higher Education Student Loan Corporation

It is the policy of KHEAA or KHESLC to recruit, hire, train and promote persons in all job classifications without regard to race, color, religion, sex, national origin, disability or age.

Should additional training become available, the Title VI Compliance Officer will attend and disseminate the information to pertinent staff members. Staff development and training will include regular sessions addressing discrimination. New staff will receive Title VI information during employee orientation.

KHEAA and KHESLC have no sub-recipients that receive federal financial assistance; therefore, no training plans have been developed for sub-recipients.

KHEAA's and KHESLC's direct contact with the ultimate program beneficiaries is extremely limited. As such, KHEAA and KHESLC rely heavily on printed materials to inform beneficiaries of nondiscrimination policies. Audio tapes are also available for individuals with visual impairments.

X. Evaluation Procedures

The following are evaluation procedures for the Finance and Administration Cabinet, as a whole, and the Kentucky Housing Corporation, Kentucky Higher Education Assistance Authority, and Kentucky Higher Education Student Loan Corporation, as administratively attached agencies:

Finance and Administration Cabinet

The Finance and Administration Cabinet will measure its goals through the following activities. Where appropriate, the timeframe for achieving the goal is indicated.

- Annually utilize a self-survey and program review to determine compliance status.
- Initiate corrective action within thirty (30) calendar days of identifying noncompliance.
- Provide information to all current employees and incorporate Title VI information in new employee orientation training. [ongoing]
- Provide cultural diversity training to employees. [ongoing]
- Actively recruit minorities and persons with disabilities for employment. [ongoing]
- Work with administratively attached agencies and Governor's Office/Boards and Commissions regarding minority representation requirements for advisory boards.
- Annually review all informational program publications pertaining to the Finance and Administration Cabinet's Title VI Implementation Plan.
- Annually review Limited English Proficiency (LEP) activities and status. [ongoing]
- Maintain Title VI Implementation Plans and Plan Updates on file. [ongoing]
- Issue, update and disseminate Title VI policy and procedure. [ongoing]

Kentucky Housing Corporation

KHC is committed to fully implementing all requirements under Title VI. Goals for fiscal year 2012-2013 are as follows:

- Utilize the position of Title VI Compliance Officer to handle the day-to-day Title VI administration and enforcement. [ongoing]
- Actively recruit minorities and persons with disabilities for KHC employment. [ongoing]

- Require that all sub-recipients and agents adopt a Title VI implementation plan. [ongoing]
- Streamline minority data collection. [ongoing]
- Initiate the sub-recipient compliance review process. [ongoing]
- Train KHC employees on Title VI requirements. [ongoing]
- Ensure all new sub-recipients are in compliance with Title VI. [ongoing]

Kentucky Higher Education Assistance Authority and Kentucky Higher Education Student Loan Corporation

KHEAA and KHESLC are committed to fully implementing all requirements under Title VI. A compliance review process will be followed to identify areas of noncompliance on an annual basis.

KHEAA and KHESLC shall promptly investigate and respond to all complaints, and will commence corrective action to rectify any identified area of noncompliance within the timeframe and in accordance with the procedures outlined in this plan.

Goals for fiscal year 2012-2013 are as follows:

- The Title VI Compliance Officer or designee will handle day-to-day Title VI administrative duties.
- Actively recruit minorities and persons with disabilities for employment. [ongoing]
- Train employees on Title VI requirements. [ongoing]

XII. Recordkeeping and Reporting

The following information is the recordkeeping and reporting for the Finance and Administration Cabinet, as a whole, and the Kentucky Housing Corporation, Kentucky Higher Education Assistance Authority, and Kentucky Higher Education Student Loan Corporation, as administratively attached agencies:

Finance and Administration Cabinet

Copies of all complaints, surveys, reports, and Title VI Implementation Plan updates will be kept on file by the Title VI Coordinator. These records will be retained for a period of not less than six (6) years and may be retained at an off-site record facility. Revisions to the Title VI Implementation Plan will be forwarded to the Auditor of Public Accounts and the Kentucky Commission on Human Rights.

Complaint forms will be available from the Title VI Coordinator. Agencies attached to the Finance and Administration Cabinet and program heads with programs and activities subject to Title VI compliance will complete and submit an annual self-survey, compliance status report and narrative update to the Title VI Coordinator before July 1 of each year. Any Title VI Implementation Plan updates required by KRS 344.015 will also be forwarded to the Title VI Coordinator.

Kentucky Housing Corporation

Documents will be maintained and/or destroyed according to the KHC's Records Retention and Disposition Schedule which is reviewed and updated annually. Records may be retained in original form or approved for archival optical imaging. The Title VI Compliance Officer will maintain all complaint forms, ensure that the forms are available for use and maintain a log of all Title VI complaints.

The Title VI Compliance Officer will maintain all sub-recipient plans and updates in the agency's electronic imaging system or through a permanent filing system. This information will be made available to the Title VI Coordinator upon request.

KHC will annually assess corporate performance under Title VI. At a minimum, KHC will complete the following:

- identify potential beneficiaries and applicants
- analyze applicable census data
- analyze participation data

- assess compliance review evaluations
- complete an annual report with findings and steps to correct any deficiencies

Kentucky Higher Education Assistance Authority

Paper copies of all complaint documents, data reports, annual surveys, and annual updates to KHEAA's Title VI implementation plan will be kept on file by the Title VI Compliance Officer for at least one (1) year. These items will be scanned with imaging equipment and retained for at least five (5) years. Imaged documents are maintained on KHEAA's servers and can be easily accessed by appropriate staff. These records are subject to the Open Records Law and public inspection.

Applicants for CAP grants and several other state student financial aid programs must complete the Free Application for Federal Student Aid. The United States Department of Education does not permit the collection of data regarding race, color, or national origin on the FAFSA. Therefore KHEAA is unable to collect this information from the application. If the information is available through another agency, the program coordinator will attempt to obtain the information in accordance with 34 CFR Chapter 1, Section 100.6. A report on the effort or the findings will be prepared by the program coordinator and submitted to the Title VI Compliance Officer. This report will be retained in accordance with the procedures described above.

The Title VI Compliance Officer will maintain all records of complaints received and processed during each fiscal year. These documents will be retained in accordance with the procedures described above.

The annual update of the Title VI implementation plan required by KRS 344.015 will be prepared and submitted to the Title VI Coordinator by the Title VI Compliance Officer. A copy of the update will be retained in accordance with the procedures described above.

Complaint forms are available in the Title VI Compliance Officer's office.

Kentucky Higher Education Student Loan Corporation

The Title VI Compliance Officer will keep records of all complaints and their resolution for a sufficient period of time to assure information is available for review by auditing agencies. The Title VI Compliance Officer will submit an annual Title VI compliance report, including any updates of changes to this plan to the Title VI Coordinator. The report will discuss specific complaints and summarize Title VI compliance and enforcement data. Yearly reports will be retained indefinitely. Compliance plans for sub-recipients (if any) will be retained and evaluated periodically by the Title VI Compliance Officer, but may be destroyed once an entity is no longer a sub-recipient.

Changes in the Title VI implementation plan will be provided to employees as changes occur.

The Title VI Compliance Officer will periodically evaluate the compliance plans for sub-recipients and make the information available to the Title VI Coordinator.

Participation Data

Finance and Administration Cabinet, Commonwealth Office of Technology. Users include state and local government agencies and the public. Protected status information is not tracked.

Finance and Administration Cabinet, Department of Revenue. Participation is open to all taxpayers without regard to race, color, or national origin. The department does not track protected status information.

Kentucky Housing Corporation. The breakdown by race/ethnicity of persons assisted with federal funds is as follows:

1. Housing Counseling Assistance Program for Foreclosure (Kentucky Homeownership Protection Center)/Homeownership Counseling Program: Participants in the program totaled 7414, of which 32% were minority. The breakdown of minority by race and ethnicity is as follows: American Indian/Alaskan Native (44); Asian (26); Black/African American (2047), Native Hawaiian/other Pacific Islander (22); Hispanic (129); Multi-racial (94).
2. Homeless Prevention and Rapid Re-housing Program (KY Hearth): Participants in the program totaled 5,472 of which 16% were minority. The breakdown of minority by race and ethnicity is as follows: Hispanic (103); American Indian/Alaskan Native (16); Asian (1); Black/African American (689); Native Hawaiian/Pacific Islander (9); Multi-racial/other (54).
3. Weatherization Assistance Program: Participants in the program totaled 2595, of which 11% were minority. The breakdown of minority by race and ethnicity is as follows: African American (162); American Indian and Alaska Native (5); Multi-Racial (24); Hispanic (38); Other (62).
4. HOME Program: Assistance was provided to 806 persons, of which 13% were minority. The breakdown of minorities by race is as follows: Black/African American (75); American Indian/Alaskan (5); Multi-Racial (3); Hispanic (13) and Other (7).
5. ESG Program: Assistance was provided to 5,734 persons, of which 18% were minority. The breakdown of minority by race and ethnicity is as follows: Black/African American (770); American Indian/Alaskan Native (42); Asian (20); Native Hawaiian/Pacific (3); Hispanic (157); and Other/Multi-Racial (69).

6. Supportive Housing Program: Participants in the program totaled 3,954, of which 22% were minority. The breakdown of minority by race and ethnicity is as follows: Hispanic (78); American Indian/Alaskan Native (37); Asian (7); Black/African American (736); Native Hawaiian/Pacific Islander (2); Multi-racial/Other (0)
7. Housing Choice Voucher Program/ Section 8 Family Self-Sufficiency Program (FSS)/ Shelter Care Plus Housing/Disaster Housing Assistance Program (DHAP)/ Safe Havens Program: Assistance was provided to 4,812 persons, of which 19% were minority. The breakdown of minority by race and ethnicity is as follows: Black/African American (866); Hispanic (48)
8. Rental Administration Program: Assistance was provided to 17,264 persons, of which 34% were minority. The breakdown of minority by race and ethnicity is as follows: Black/African American (5,325); Alaskan/Indian (65); Asian (83); Hawaiian/Pacific (25); Hispanic (286); and Other (151). (Note: 308 individuals declined to self identify)
9. HOPWA Program: Assistance was provided to 545 persons, of which 39% were minority. The breakdown of minority by race and ethnicity is as follows: Black/African American (144); American Indian/Alaskan (1); Hispanic (55) and Other (14).
10. Kentucky Appalachian Housing Program: This is a Regional program, therefore KHC does not track protected status information.

Kentucky Higher Education Assistance Authority. Educational loans are guaranteed for all qualified applicants without regard to race, color, or national origin. Thus, members of the protected categories participate fully on the Agency's program. However, the race, color, or national origin of program participants is not tracked by the Agency, and data in that regard is not available. Likewise, the state student financial aid programs administered by KHEAA are available to all otherwise qualified individuals without regard to race, color, or national origin. Data concerning the racial or ethnic status of applicants is not collected by KHEAA in administering these programs.

Kentucky Higher Education Student Loan Corporation. Participation is open to all qualified persons without regard to race, color, or national origin. Protected status information is not tracked.

XIII. Minority Representation on Planning or Advisory Boards

The following presents the employment data and minority representation on planning or advisory boards for the Finance and Administration Cabinet, as a whole, and the Kentucky Housing Corporation, Kentucky Higher Education Assistance Authority, and Kentucky Higher Education Student Loan Corporation, as administratively attached agencies:

Finance and Administration Cabinet

The Finance and Administration Cabinet (Cabinet) recognizes its responsibility to abide by the provisions of Title VI of the Civil Rights Act of 1964, Title VII of the Civil Rights Act of 1964, the Civil Rights Act of 1991, the Age Discrimination in Employment Act of 1967, the Equal Pay Act of 1963, the Kentucky Civil Rights Act and any Executive Order issued by the Governor of the Commonwealth of Kentucky. Further, the Cabinet affirms its commitment to the affirmative action plan for Kentucky state government as adopted by Executive Order.

The Finance and Administration Cabinet employed 1,825 individuals at May 31, 2012. Minority employees accounted for 7.45 percent of the total. A breakdown of the 136 minority employees by race/ethnicity follows: Black/African American (99); Hispanic/Latino (4); Asian (20); American Indian/Alaskan Native (6); Native Hawaiian/Pacific Islander (1); and Two or More Races (6). This data was supplied by the Kentucky Personnel Cabinet. (Note: Employment data for the Commonwealth Office of Technology and the Department of Revenue is reflected in these figures.)

Beginning July 1, 2012, the Cabinet will again offer EEO-related training. The training will include anti-harassment, diversity and workplace violence prevention.

Kentucky Housing Corporation

KHC employed 290 individuals at March 31, 2012. Minority employees accounted for 11.03% percent of the total. A breakdown of minority employees by race/ethnicity follows: Black/African American (23); Hispanic/Latino (4); Asian/Pacific Islander (3); and American Indian/Alaskan Native (2). This data was supplied by the Kentucky Housing Corporation.

KHC is governed by a 15-member board appointed by the Governor of the Commonwealth of Kentucky. Two (2) members of the board are minorities. Minorities comprised 13.33% of the total. A breakdown of minority board members by race follows: Black/African American (2).

In addition to the board, KHC also has two (2) advisory committees. Information about the committees follows.

1. Housing Policy Advisory Committee: During the 1996 legislative session, the General Assembly found and declared it to be in the public interest to establish a state policy on

housing. Section 2 of the Commonwealth of Kentucky Housing Policy Act states KHC shall oversee the development and implementation of Kentucky housing policy. Further, KHC was charged with creating an advisory committee on housing policy consisting of nine (9) ex officio state government members, seventeen (17) at-large members appointed by the chairman of the board of directors of KHC, one (1) member of the Senate and one (1) member of the House of Representatives. The advisory committee submits an annual report of activities and recommendations to the Governor.

The Housing Policy Advisory Committee currently has 28 members. Four (4) members are minorities (14%). A breakdown of minority committee members by race follows: Black/African American (4).

2. Affordable Housing Trust Fund Advisory Committee: The Affordable Housing Trust Fund (AHTF) Advisory Committee was created pursuant to KRS 198A.725 to address the critical needs of very low-income Kentuckians, including the mentally and physically disabled and those on the verge of homelessness. The fund supports projects that assist persons at or below 60 percent of the area median income, with a preference to help persons at or below 30 percent of the area median income.

The AHTF Advisory Committee consists of eleven (11) members appointed by the chairman of the board of directors of KHC. Three (3) members shall be appointed from representatives from each of the following categories of organizations: (1) The Home Builders Association of Kentucky, the Kentucky Manufactured Housing Institute, the Apartment Association, the Kentucky Association of Realtors, the Kentucky State Building Trades Council, the Mortgage Bankers Association of Kentucky and the Kentucky Bankers Association; (2) the Homeless and Housing Coalition of Kentucky, builders or nonprofit housing organizations, support service providers, homeless persons and very low-income tenants; and, (3) the Kentucky Association of Counties, the Kentucky League of Cities and agencies of state government. The remaining two (2) members appointed shall include one (1) member of the Kentucky Senate and one (1) member of the Kentucky House of Representatives.

The AHTF Advisory Committee currently has 11 members. One (1) member is a minority (9%). A breakdown of minority committee members by race follows: Black/African American (1).

Kentucky Higher Education Assistance Authority and Kentucky Higher Education Student Loan Corporation

KHEAA employed 47 individuals as of June 4, 2012. Minority employees represented 2.13 percent of the total. A breakdown of minority employees by race follows: American Indian (1). This data was supplied by KHEAA.

KHESLC employed 251 individuals at May 1, 2012. Minority employees comprised 14 percent of the total. A breakdown of minority employees by race/ethnicity follows: Black/African

American (32); Hispanic/Latino (1); Hawaiian/Pacific Islander (2); American Indian (0) and Asian (0). This data was supplied by KHESLC.

It is the goal of state government, KHEAA, and KHESLC to achieve a workforce as diverse as the population of the Commonwealth. The current goal is to have 10% of the workforce comprised of minorities. KHEAA and KHESLC continue to identify and employ qualified minority applicants.

KHEAA and KHESLC are governed by a 15-member Board of Directors (currently there are only 13 members on the Board), pursuant to KRS 164.746 and KRS 164A.050; ten (10) are appointed by the Governor and 5 serve by virtue of the office or position they hold within state government or an organization (ex officio). Currently, there are no racial/ethnic minorities serving on the board. KHEAA/KHESLC will refer potential interested candidates—including racial/ethnic minority candidates—to the Governor's Office of Boards and Commissions.

XIV. Glossary of Common Terms

AHTF	Affordable Housing Trust Fund
AHOA	AIDS Housing Opportunity Act
AIDS	Acquired Immunodeficiency Syndrome
ARC	Appalachian Regional Commission
Assurance	A written statement or contractual agreement signed by the agency head in which a recipient agrees to administer federally assisted programs in accordance with civil rights laws and regulations.
Beneficiary	Applicant or recipient for whose benefit federal funds are intended
Board of Directors	Board of directors appointed by the Governor of the Commonwealth of Kentucky to govern the Kentucky Higher Education Assistance Authority, the Kentucky Higher Education Student Loan Corporation, and the Kentucky Housing Corporation
Broadband	Broadband in telecommunication refers to a signaling method that includes or handles a relatively wide range (or band) of frequencies. The wider (or broader) the bandwidth of a channel, the greater the information-carrying capacity.
CACG	College Access Challenge Grant Program
CAP	Cooperative Agreements Program
C.F.R.	Code of Federal Regulations
Cabinet	Finance and Administration Cabinet
Chief Program Officer	Executive responsible for the overall administration of the Kentucky Housing Corporation's programs
Commonwealth Map	The statewide digital basemap containing twelve data layers which is linked to <i>The National Map</i> and is available free via the Internet for interactive mapping and geographic data querying and downloading.
Complaint	A verbal or written allegation of discrimination indicating that a federally assisted program is operated in such a

manner that it results in disparity of treatment to persons or groups of persons based on race, color or national origin.

Compliance	The fulfillment of the requirements of Title VI, other applicable laws, 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.
DHAP	Disaster Housing Assistance Program
DVP	Disaster Voucher Payment
Discrimination	Any distinction made 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.
EEO	Equal Employment Opportunity
ESG	Emergency Shelter Grant program
Eligible Beneficiary	Applicant or recipient for whose benefit federal funds are intended
Executive Director	Agency head of the Kentucky Higher Education Assistance Authority or the Kentucky Higher Education Student Loan Corporation
FAFSA	Free Application for Federal Student Aid
FEMA	Federal Emergency Management Agency
FFELP	Family Federal Education Loan Program
FGDC	Federal Geographic Data Committee
FSS	Section 8 Family Self-Sufficiency Program
Geospatial	Having to do with entities or events that can be described in a geographic fashion. A term widely used to describe the combination of spatial (space) software and analytical methods with terrestrial or geographic (the study of the Earth and its lands, features, inhabitants, and phenomena) datasets. The term is often used in conjunction with geographic information systems (GIS) and geometrics (the discipline of gathering, storing, processing,

and delivering geographic information, or spatially reference information), never separately.

GIS	Geographic Information Systems
HOME	HOME Investment Partnership Program
HOPWA	Housing Opportunities for Persons With AIDS
HUD	Housing and Urban Development
IDA	Individual Development Accounts
IRS	Internal Revenue Service
IRS SPEC	Internal Revenue Service Stakeholder Partnerships, Education and Communication partnership agreement
Implementation Plan	The plan described herein, as required by KRS 344.015
KHC	Kentucky Housing Corporation
KHEAA	Kentucky Higher Education Assistance Authority
KHESLC	Kentucky Higher Education Student Loan Corporation
KRS	Kentucky Revised Statutes
Minority	Persons who are distinguishable by immutable characteristics of race, color or national origin
NAHA	National Affordable Housing Act
NSDI	National Spatial Data Infrastructure
NSDI CAP	National Spatial Data Infrastructure Cooperative Agreements Program
NTIA	National Telecommunications and Information Administration
Noncompliance	Failure or refusal to comply with Title VI of the Civil Rights Act of 1964, other applicable civil rights laws and implementing regulations

Pass-through	Federal funding that is awarded, granted, loaned or otherwise obtained through the Finance and Administration Cabinet or one of its attached agencies
Program Beneficiary	Applicant or recipient for whose benefit federal funds are intended
Program Coordinator	Coordinator of the CAP grant program
Program Head	Executive Director, Commissioner or Division Director responsible for administering Title VI programs or activities
Recipient	Organization to which federal financial assistance is Extended
SAFAH	Supplemental Assistance for Facilities to Assist the Homeless
Sub-recipient	An entity that receives federal financial assistance through another recipient
The National Map	A consistent framework of geographic data that provides the public with access to high quality geospatial data and information and helps support decision-making by resource managers and the public on a global, national and local scale.
Title VI	Section of the Civil Rights Act of 1964 that prohibits discrimination, denial of benefits and exclusion from participation based on race, color, or national origin
Title VI Compliance Officer	Individual responsible for monitoring Title VI compliance for agencies administratively attached to the Finance and Administration Cabinet. These individuals are often designated 'Title VI Coordinators' within their respective agencies.
Title VI Coordinator	Individual responsible for monitoring Title VI compliance for the Finance and Administration Cabinet
U.S.	United States
U.S.C.	United States Code
USDE	United States Department of Education

Ultimate Beneficiary	Applicant or recipient for whose benefit federal funds are intended
VITA Program	Volunteer Income Tax Assistance Program

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