

EDUCATION AND WORKFORCE DEVELOPMENT CABINET

KENTUCKY EDUCATIONAL TELEVISION (KET)



The Kentucky Network
600 Cooper Drive
Lexington, KY 40502-2296
(859) 258-7000
www.ket.org

June 28, 2012

**Commonwealth of Kentucky
Auditor of Public Accounts
Attn: Lorrie Hawkins
Division of Financial Audit
209 St. Clair Street
Frankfort, KY 40601**

Dear Ms. Hawkins

Attached is the KET report regarding Title VI and LEP plan for period ending June 28, 2012.

Please advise if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ronald L. Brown', is written over a horizontal line.

**Ronald L. Brown
Director of Personnel
Phone 859-258-7103
E-mail rbrown@ket.org**

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: Kentucky Educational Television

DATE: 6/30/12

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

(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.

Title VI Implementation Plan Update

Kentucky Authority for Educational Television

Shae Hopkins
Executive Director

Prepared by: Ronald L. Brown
Director of Personnel
KET
600 Cooper Drive
Lexington, KY 40502

Title VI Implementation Plan Update
Kentucky Authority for Educational Television
July 1, 2011 – June 30, 2012

(6) Grants Subject to Title VI:

- a. **NTIA- CFDA# 11.550 National Tele-Communications and Information Administration grant funds are received from the U.S. Department of Commerce. Funds from the NTIA grant are used to finance KET's conversion from analog to digital broadcasting primarily through the purchase of digital equipment and refurbishment of transmission lines. Beneficiaries include all KET clientele (all viewers).**
- b. **OET-CFDA# 17.259 Federal Stimulus Grant funds are designated to fund administration of the GED program through Morehead University, promotion of the program and professional development for adult education providers. Beneficiaries include citizens of the commonwealth that aspire to complete GED certification with KET preparation programs, and adult education providers.**
- c. **PBS WARN Grant-CFD# 11.553 PBS WARN Grant funds are received from the U.S. Department of Commerce. Funds from the PBS WARN Grant are used to finance KET's electrical infrastructure improvements in order to comply with the FCC Second Report and Order [FCC 08-164] rule which requires PBS Stations to provide a hardened divers path for the delivery of CMAS messages from FEMA to Celluar Carriers.**
- d. **USDS/RUS-CFDA# 10.861 The USDA/RUS grant funds are received from the U.S. Department of Agriculture Rural Utilities Services. Funds from the USDA/RUS Grant are used to finance a project converting KET's public television station services from analog to digital broadcasting in compliance with FCC mandates**

(7) Complaints Procedures

A) A Title VI complaint alleging discrimination on the basis of race, color, or national origin may be filed according to the following procedure.

1. How to File a Complaint

Complaints must be filed in writing by the complainant. The complaint may be made to the Supervisor, Division Director, or Director of Personnel.

2. Where to File a Complaint

The complaint may be made to the Supervisor, Division Director, or Director of Personnel. The Director of Personnel located at 600 Cooper Drive Lexington KY, 40502 has the responsibility of investigating, reporting and mediating or dealing with complaints in the best possible way for the complainant and the agency.

3. Time for Processing a Complaint

The investigation should be completed within two weeks of receiving the complaint. The review and determination upon complaint should be completed within another two weeks.

4. Withdrawal of Complaint

The complainant may withdraw his/her complaint at any time during the process by notifying (in writing) the Director of Personnel or the office where the complaint was filed.

B) Non-satisfactory Outcome of Complaint

Complainant may appeal to the U.S. Equal Employment Opportunity Commission and State or local Agency if outcome of original complaint not satisfactory.

9. Agency Training Plan

- A)
 - 1. New employees receive Title VI information during orientation and are informed of the requirement to comply with terms set forth under Title VI.
 - 2. Staff receive Title VI information periodically via e-mail and materials are posted in common areas. The Director of Personnel is available to conduct training on an as-needed basis, or when requested by an employee or division.
 - 3. KET provides printed materials designed to increase awareness of and prevent discrimination in the workplace. We have initiated the practice of distributing this material to all new employees with our standard compliance statement. Supervisors have received copies.
- B)
 - 1. Title VI coordinator attended EEOC training institute (2012 Technical Assistance Program Seminar) on discrimination prevention and employment law training.
 - 2. Management staff and supervisors completed employment law training. This training was provided by an experienced employment law attorney.

10. Evaluation Procedures of Title VI Plan

- a. The *goal* of KET with regard to Title VI compliance is to afford all individuals an equal opportunity to participate in federally-assisted programs and to benefit from these programs.

The digital conversion is about the type of signal received by Kentucky residents. KET's goal is to reach all Kentuckians with the digital signal without regard to race, color, age, religion, national origin, genetic information or disability.

- b. KET's Title VI program is *evaluated* annually with Executive Staff regarding any existing needs or plan deficiencies. A

progress report is maintained and reviewed as needed. KET's Strategic plan includes objectives to: "Create a workforce that reflects the diversity of the Commonwealth" and "Recruit to obtain minority applicants for all KET positions".

Reports are filed regularly with the Transmission and Studio Engineering Division, as part of KET's FCC EEO compliance and the reports are public records.

12. Recordkeeping / Reporting

- a. Records of all complaints and their resolutions are kept for a period of ten (10) years in the Personnel Office. The Director of Personnel will submit the annual Title VI Compliance report.**
- b. Changes to subsection (9) of this section of the plan include:**
 - Title VI coordinator attended EEOC training institute (2012 Technical Assistance Program Seminar) on discrimination prevention and employment law training**
 - Management staff and supervisors completed employment law training. This training was provided by an experienced employment law attorney.**

An annual compliance report has been submitted to the Executive Director of KET.

No updates were made to subsection (8).

13. Minority Representation

There is no advisory board.

The Board for the Kentucky Authority for Educational Television consists of nine (9) members and there are two minorities currently serving on the board. These members are appointed as listed below:

5 members appointed by Governor
2 members appointed by Kentucky Department of Education
2 members appointed by Council on Postsecondary Education

Employee statistics -

Information from KET's state Masterfile indicated below:

White Females	49
White Males	74
Black Females	5
Black Males	6
Hispanic Females	0
Hispanic Males	0
Asian Females	0
Asian Males	1
'Other' Females	0
'Other' Males	<u>0</u>
	135

ENSURING ACCESS TO KENTUCKY EDUCATIONAL TELEVISION SERVICES BY INDIVIDUALS WITH LIMITED ENGLISH PROFICIENCY (LEP) PLAN 06/30/12

Kentucky Educational Television serves the citizens of the commonwealth of Kentucky by providing educational programming to individuals and educational institutions which include classroom material, GED preparation material and programs based on Kentucky traditions and culture. Based on recent census data, the largest group of potential LEP customers is persons of Hispanic or Latino origin at an estimated 3.2% of the state's population.

KET provides language assistance services to individuals with limited English proficiency the following ways:

- Forms in Spanish are available for some programs to facilitate access
- Offers elementary Spanish language series that diminishes the language barrier
- Provides Spanish interpreter support by phone when needed by KET staff
- Several KET staff members speak Spanish at a level sufficient to assist Spanish speaking service recipients
- Several staff members speak German and Latin
- Several children's programs are aired in Spanish
- A Spanish version of GED connection is aired weekly
- Recently produced health documentary highlights medical services for Spanish speaking persons and provides a model other communities can use