

**Commonwealth of Kentucky
Cabinet for Economic Development**

**Assurance of Compliance
with the
Civil Rights Act of 1964**

**Title VI
Implementation Plan**

**Effective January 1, 1995
As of Annual Plan Update July 1, 2018**

Updates as of July 1, 2018

- I. Glossary/Definitions – No Substantive Change
- II. Overview – **Updated**
- III. Scope of Title VI Applicability to Programs and Activities – No Substantive Change
- IV. Responsible Official – **Updated**
- V. Statement of Assurance – No Substantive Change
- VI. Programs or Activities Subject to Title VI – **Updated**
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I. Glossary/Definitions

“Assurance” means 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.

“Complaint” means a verbal or written allegation of discrimination that indicates that a federally-assisted program is operated in such a manner that it results in disparity of treatment of persons or groups of persons because of race, color, or national origin.

“Compliance” means 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.

“Contractor and/or Grantees” means any public or private agency, institution, or organization to which federal funds are tended through a Cabinet recipient or dispenser of federal funds for any program, service, or activity of or for the Cabinet for Economic Development.

“Discrimination” means to make any distinction between one person or group of persons and others, either intentionally, by neglect, or by the effect of actions or lack of actions based on race, color, or national origin.

“Dispenser” means any Cabinet, Department, Division, Branch, office, or entity as well as any public or private agency, institution, organization, or business that distributes or administers federal funds.

“Federal Funds” means any federal dollars, property, or federally-funded service provided by a Cabinet and/or a recipient or dispenser of federal funds, to include contractors or grantees for the purpose of assisting, or providing an action or an activity or service to a beneficiary of the Cabinet’s activities or programs.

“Grantee” means any public or private agency, institution, or organization to which federal funding assistance is tended for by the Cabinet.

“Minority” means a person or group of persons differing from others in some characteristics who may be subjected to differential treatment on the basis of race, color, or national origin.

“Noncompliance” means failure or refusal to comply with the Title VI of the Civil Rights Act of 1964, other applicable civil rights laws, and Cabinet regulations.

“Recipient” means any Cabinet, Department, Division, Branch, office, or entity as well as any public or private agency, institution, organization, or business that receives federal funds.

[No substantive change from Original Implementation Plan January 1, 1995]

II. Overview

A. Mission

The Cabinet for Economic Development (the “Cabinet”) is committed to enabling the success and growth of Kentucky’s existing businesses, attracting new businesses to Kentucky, and facilitating the startup of small business ventures by consistently providing outstanding service, programs, and results that exceed expectations. The Cabinet also strives to balance the goal of making Kentucky a great place to do business with the goal of being a good steward of taxpayer and other resources. The Cabinet consists of the Office of the Secretary, Office of Legal Services, Department for Financial Services, Department for Business Development, Office of Public Affairs, Office of Workforce, Community Development and Research, and Office of Entrepreneurship (which includes the former Division of Small Business Services). Each office or department is made up of sub-units. The Cabinet structure is set forth in Appendix A. Title VI programs help the Cabinet reach various members of the business community to enhance their success in building and expanding the Commonwealth’s economy.

[Updated July 1, 2018]

B. Purpose of Title VI Plan

This is the Cabinet’s implementation plan required by Title VI of the Civil Rights Act of 1964. Its purpose is to assure the Cabinet’s federally-financed activities and programs, as well as Cabinet programs that dispense federal funds, do not, on the basis of race, color, or national origin, exclude or deny the benefit of, or otherwise subject to discrimination, any individual using or attempting to use the Cabinet’s business assistance services or activities. These include Cabinet ventures, enterprises, loans, grants, contracts, or similar undertakings made with federal funds. Prohibited practices on the basis of race, color, or national origin are:

- Denying a person any assistance, service, or benefit extended under a Cabinet program or activity;
- Providing any assistance, service, or benefit to a person that is different in kind or manner from that provided to others under Cabinet programs and activities;
- Subjecting a person to discriminatory treatment in any manner related to the receipt or non-receipt of a Cabinet program, service, assistance, or benefit;
- Restricting a person in any way in enjoying services, facilities, assistance, or any other advantage, privilege, property, or benefit provided to others through the Cabinet’s programs and activities;
- Treating a person differently from others in determining whether he or she satisfies any admission, enrollment, quota, eligibility, membership, or other requirement or condition that people must meet to receive any Cabinet service, assistance, or benefit; or
- Denying or affording a person an opportunity to participate in a program (including the opportunity to participate as a loan applicant, contractor, grantee, or subgrantee) in a way

that is different from that afforded others using the Cabinet's services, assistance, or benefits.

[No substantive change from Original Implementation Plan January 1, 1995]

III. Scope of Title VI Applicability to Programs and Activities

Title VI of the Civil Rights Act of 1964, as implemented by 32 CFR 195, prohibits discrimination on the basis of race, color, or national origin, as does KRS Chapter 344, the Kentucky Civil Rights Act. The policies of the U.S. Civil Rights Act and the Kentucky Civil Rights Act apply to all Cabinet programs, services, facilities, loan, grants, or contracts and other activities that result from federal funding received by the Cabinet.

[No substantive change from Original Implementation Plan January 1, 1995]

IV. Responsible Official

The Secretary of the Cabinet selects and names an individual to coordinate the Cabinet's nondiscrimination efforts for federally-funded Cabinet programs or activities, to include such actions as making grants, loans, contracts, or providing business assistance (the "Coordinator"). The Coordinator oversees, monitors, and enforces Title VI of the Civil Rights Act. Assistant Coordinators, within departments that dispense or receive federal funds, are appointed to assist the Coordinator with enforcing Title VI of the Civil Rights Act. The Cabinet's Deputy Secretary, Office of the Secretary, will serve as advisor to the Coordinator in all matters pertaining to Title VI. In addition, an Advisory Board of selected Cabinet employees has been established by the Secretary to address Title VI issues and concerns. The Cabinet has appointed Jessica A. Burke, General Counsel, as Coordinator. Her address is Old Capitol Annex, 300 West Broadway, Frankfort, Kentucky 40601; telephone: 502-564-7670; e-mail: Jessica.Burke@ky.gov.

Reid Glass and Dawn Powers are designated as Title VI Assistant Coordinators. The address and phone number for each named Assistant Coordinator is Old Capitol Annex, 300 West Broadway, Frankfort, Kentucky 40601; telephone: 502-564-7670. Their respective e-mail addresses are Reid.Glass@ky.gov and Dawn.Powers@ky.gov. Advisory Board members are listed in Section XIII.

[Updated July 1, 2018]

V. Statement of Assurance

All departments of the Cabinet that receive or dispense any federally-funded loans, services, contracts, or grants, as well as said departments' contractors or grantees, are required to sign a non-discrimination clause certifying the following:

The undersigned has complied with all federal statutes relating to non-discrimination, including, but not limited to, Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, or national origin.

Subrecipients must further certify the following:

The undersigned has either adopted its own Title VI Implementation Plan, which will be made available for review by the Cabinet's Title VI Coordinator, or agrees to adopt the Title VI Implementation Plan of the CED.

Copies of written assurances of compliance with Title VI from Cabinet departments receiving or dispensing federal funds or providing federally-funded Cabinet services, such as contractors or grantees, are to be collected, filed, and maintained by the Cabinet's Title VI Assistant Coordinators and made available upon written request. Both the Cabinet and any subrecipients have complied with Title VI.

[Updated July 1, 2015]

VI. Programs or Activities Subject to Title VI

A. KEI

The Kentucky Export Initiative ("KEI"), Office of Entrepreneurship, is funded by the State Trade and Export Promotion ("STEP") Grant through the U.S. Small Business Administration. This grant provides funding for export promotion and development across Kentucky. Kentucky has received funding since the first round, which began on September 30, 2011 and expired on September 29, 2012. The 5th round of funding began on September 30, 2016 and expired on September 29, 2017. The 6th round of funding began on September 30, 2017 and will expire on December 31, 2018. See Section XI below for efforts by the Cabinet to reach those businesses with LEP issues.

B. KSBCI

The Kentucky Small Business Credit Initiative ("KSBCI"), Office of Entrepreneurship, is funded by an allocation from the U.S. Department of Treasury ("Treasury") as part of the Small Business Jobs Act of 2010 (the "Act"). The Act created the State Small Business Credit Initiative ("SSBCI") and appropriated \$1.5 billion to be used by Treasury to provide support to states for use in programs designed to increase access to credit for small business. On July 28, 2011, Treasury and the Commonwealth through the Cabinet entered into an Allocation Agreement, which allocated \$15,558,050 (the "Allocation") to the Commonwealth.

The Cabinet has received all four tranches of the Allocation for use in its three credit-enhancement programs known as the Kentucky Small Business Credit Initiative ("KSBCI") to be implemented by the Cabinet through the Kentucky Economic Development Finance Authority ("KEDFA"). The three KSBCI credit enhancement programs currently in place are the Kentucky Capital Access Program ("KYCAP"), Kentucky Loan Participation Program ("KYLPP"), and Kentucky Collateral Support Program ("KYCSP"). A fourth tranche of unused funds from other states, in the amount of \$70,053, was received and is included in the total above.

KYCAP offers loan portfolio insurance to private financial institutions, thus encouraging them to lend to creditworthy small businesses, by providing a matching contribution to a lender's loan loss reserve account when it extends credit to qualified small businesses. In the case of a loss, the lender may draw against the account to offset a loss.

KYLPP assists borrowers whose cash flow does not meet a lender's coverage requirements by allowing KEDFA to purchase (or participate in) a portion of the loan from the lender and offer the borrower, on that portion, a payment-free grace period of up to 24 months.

KYCSP provides a pledged asset (cash) to a lender for consideration in making a loan to a small business, thereby enhancing the lender's ability to underwrite the loan.

In addition to these credit enhancement programs, in 2014 the Cabinet created the Kentucky Venture Capital Program ("VenCap Kentucky") to utilize a portion of KSBCI funds to work with private venture capital firms, angel investor networks, and other members of the Commonwealth's innovation ecosystem to source deals. VenCap Kentucky was discontinued on January 19, 2016, and no federal funds were expended during the current reporting year.

In accordance with the SSBCI and Treasury requirements, KSBCI maintains a special emphasis on penetrating a number of underserved markets including but not limited to:

- Businesses owned by individuals classified with low-to-moderate income;
- Women-owned firms;
- Ethnic minority-owned firms;
- Businesses located in low-to-moderate income communities; and
- Businesses owned by individuals with limited English proficiency.

KSBCI is available through lenders and certified Community Development Financial Institutions ("CDFIs") that service the entire Commonwealth. See Section XI below for efforts by the Cabinet to reach those businesses with LEP issues.

[Updated July 1, 2018]

VII. Complaint Procedures

Any person who believes that a Cabinet recipient or dispenser of federal funds discriminated against him/her based on race, color, or national origin has a right to file a complaint no later than 90 calendar days after the alleged discrimination and request a compliance review. A sample complaint form is attached hereto at Appendix B. The complaint is to be filed with the Cabinet's Title VI Coordinator at Old Capitol Annex, 300 West Broadway, Frankfort, Kentucky 40601; e-mail Jessica.Burke@ky.gov; telephone 502-564-7670. Title VI Coordinator contact information has been posted on the Cabinet's website. All complaints, written or verbal, are to be accepted by the Coordinator. In the event a complainant refuses or is unable to put his/her allegations in writing, the Coordinator will reduce the elements of the complaint to writing. Forms are available from the Coordinator to aid a complainant in filing a complaint, but the use of such forms is not required for acceptance of a complaint. Complaints may be filed electronically by e-mail to the Coordinator. Complaints should contain the following information:

- Name, address, and telephone number of the complainant;

- The location and name of the Cabinet program, activity, contractor, or grantee alleged to have discriminated;
- The nature of the incident that led the complainant to feel discrimination occurred;
- The basis of the complaint (i.e., race, color, or national origin);
- Names, addresses, and phone numbers of people who may have knowledge of the incident(s); and
- The date or dates on which the alleged discriminatory incident(s) occurred.

The Coordinator, as part of his or her complaint review, is to:

- Investigate the complaint thoroughly, to include interviewing Cabinet staff against whom a complaint was lodged;
- Resolve the complaint, or refer for further handling, within 30 calendar days of its receipt;
- Acknowledge receipt of the complaint in writing and request a time and date that an investigator can reach the complainant by telephone contact to discuss the complaint or, in the alternative, make arrangements for a face-to-face visit;
- Determine if there is a violation of Title VI and, if there is, inform the violator of proposed remedial action; and
- Conduct a full compliance/noncompliance investigation, if the violation continues and the records maintained on incidents and follow-up contacts demonstrate that no corrective action was taken.

The complainant may appeal an adverse determination. The appeal should be addressed as stated for a complaint. The appeal shall be served no later than 30 days from the date of the notice of determination. If complainant chooses to withdraw his/her complaint, the reason for withdrawal shall be documented in writing and should be addressed as stated for a complaint.

During the time period covered by this report, no complaints were received.

[Updated July 1, 2018]

VIII. Compliance/Noncompliance Reporting

Compliance/Noncompliance Investigation: Whenever a complaint review process fails to correct discriminatory practices, the Coordinator will initiate a compliance/noncompliance investigation. The investigation is to include a review of the pertinent practices and policies of the Cabinet's recipient or dispenser of federal funds and/or its contractor or grantee, the circumstances under which the possible noncompliance occurred, and other factors relevant to determining whether the recipient failed to comply. If there is no finding of noncompliance, the complainant will be notified of this fact in writing.

Negotiation: If there is noncompliance, the informal process to negotiate compliance begins. The Coordinator must attempt to convince the Cabinet's recipient or dispenser of federal funds and/or its contractor or grantee to comply voluntarily. This negotiating process may involve telephone calls or field visits. If negotiations continue for more than 60 working days, the next mandated procedure involves a formal hearing by the agency on the alleged noncompliance.

Formal Hearing: A typical hearing will provide for due notice to all parties of the alleged discrimination and time, date, and place of the hearing as well as the right to counsel by the complaining individual(s) and a presentation of facts by the Cabinet's recipient or dispenser of federal funds and/or its contractor or grantee and the complainant. The hearing is to be conducted by the Coordinator. Judicial review of any hearing decision may be pursued. No action by the Coordinator will become effective until 30 days after notice of hearing.

Legal Action: Court action may be pursued by the Coordinator to:

- Enforce assurances signed by the Cabinet's recipient or dispensers of federal funds (to include contractors and grantees) as well as covenants or certifications that are part of federally-provided property, funds, statements of compliance, or desegregation plans filed pursuant to Cabinet requirements;
- Enforce compliance with other civil rights statutes; or
- Initiate or intervene in a suit for other relief designed to secure compliance.

Additionally, the Coordinator may force compliance by involving other agencies that are connected to the grant program.

[No substantive change from Original Implementation Plan January 1, 1995]

IX. Agency Training Plan

Employees of the Cabinet who receive or dispense federal funds are to receive orientation regarding the obligations and rights involved in the Title VI program, as are the Cabinet contractors or grantees that receive federal funds. The Title VI Coordinator is to arrange for such training. Assistant Coordinators within programs that dispense or receive federal funds shall provide annual notice and/or training for all employees involved with the federally-funded programs, and shall certify in writing that such training has taken place. Training will consist of written materials explaining Title VI requirements, as well as verbal discussions to clarify any issues as needed. The Coordinator will provide technical assistance related to Title VI implementation as needed. Training will include information on Executive Order 13166, "Improving Access to Services for Person with Limited English Proficiency."

In 2017, mandatory training covering broader issues of discrimination was administered to the staff of the Cabinet for Economic Development.

All Title VI training has taken place and notices have been provided as of the date of this report.

[Updated July 1, 2018]

X. Evaluation Procedures of Title VI Plan

Collection of Data: The Coordinator will ensure that any Cabinet recipient or dispenser of federal funds, to include contractors and grantees, are in compliance with Title VI by periodically collecting:

- The manner in which the services are, or will be, provided by the program;
- The assistance, services, programs, or activities provided, broken down by race, color, or national origin;
- Program employment data by race, color, or national origin;
- The location of existing or proposed facilities connected with the program (to determine the effect of unnecessarily denying access to any person); and
- The current or proposed membership (by race, color, or national origin) of any planning or advisory body that is an integral part of the program.

Visits: Additional action might include visits by the Coordinator or his/her designates, for the purpose of monitoring compliance activities of the Cabinet recipients or dispensers of federal funds to include contractors or grantees that receive federal funds through the Cabinet.

Self Surveys: Self surveys are to be completed annually by Assistant Coordinators of Title VI within those Cabinet activities that receive or dispense federal funds. An annual report of this analysis shall be submitted to the Cabinet's Title VI Coordinator preferably by June 25th of each year. Self surveys and written progress reports will be maintained.

Advisory Board: The Cabinet will maintain a Title VI Advisory Board comprised of various Cabinet staff. It is to meet at least once a year to review the prior year's activities. This annual meeting will focus primarily on complaints filed during the year. Any significant problems of general compliance will also be addressed.

At this time, there appear to be no significant deficiencies in the program.

[Updated July 1, 2018]

XI. Public Notice and Outreach

The Cabinet's recipient or dispenser of federal funds and its contractors and grantees will take positive and specific action to advise and inform the public about all available services and about their rights under Title VI. As part of its compliance procedures, the Cabinet's recipient or dispenser of federal funds and its contractors or grantees will display posters and other literature or include a posting on a publicly-accessible website stating that its program is in compliance with Title VI. Civil rights requirements will be included in all guidelines and information on Title VI will be made available to the public. All program information, to include brochures and promotional material, published by the Cabinet's recipient or dispenser of federal funds and its contractors or grantees will include a statement that its services, assistance, or activities are

available to all without regard to race, color, or national origin. At this time, services are being provided by Cabinet staff and one contractor.

Outreach to those with LEP: Because the Cabinet's KEI and KSBCI programs and related services are offered to businesses rather than individuals, special efforts are made to reach those businesses for which LEP may be an issue. The Cabinet will call upon its staff and member organizations of KEI having employees who are conversant in Spanish, Arabic, German, and Japanese to assist in this outreach. A statement has been added to the KEI and KSBCI program web pages in Spanish to advise of the availability of KEI and KSBCI. Other avenues for outreach include the Kentuckiana Hispanic Business Council, Inc., and similar organizations in the Japanese and Indian communities, that can identify businesses that need special outreach because of LEP issues.

The export promotion services of KEI are available to firms throughout the Commonwealth. The core service providers in KEI are Cabinet employees and member organizations, such as the World Trade Center, that have personnel or referral resources who speak Spanish, Arabic, German, and Japanese. Additional language services are available through a statewide list of certified and qualified interpreters provided by the Kentucky Administrative Office of the Courts or the Cabinet for Health and Family Services, which has implemented a Language Access Section that seeks to connect citizens having LEP with an appropriate interpreter (primarily Spanish). The Central Kentucky Interpreter Referral is a potential source for interpreters as well. There have been no requests or evidenced need for these services in the Appalachian region, due to the relative homogeneity of the area. There have been no requests for language assistance from other parts of the state, but resources are in place to connect clients efficiently with necessary assistance.

As of June 30, 2018, KSBCI has 50 participating lenders in the program and at least four lenders in every county of the state. All four of the Commonwealth's CDFIs are also approved lenders, ensuring that the underserved markets mentioned in Section VI, have access to and are being made aware of KSBCI. Particular attention has been focused on marketing KSBCI to underserved markets including businesses owned by individuals with limited English proficiency, and participating lenders are required to provide a brief marketing overview of how they intend to market KSBCI in those communities. Marketing efforts of KSBCI are provided by the Cabinet's Office of Entrepreneurship which provides services to minority-owned businesses. The KEI service providers mentioned above that speak Spanish, Arabic, German, and Japanese would be available to KSBCI participants as well. Additional language services are available through a statewide list of certified and qualified interpreters provided by the Kentucky Administrative Office of the Courts. There have been no requests for language assistance from KSBCI participants thus far, but the resources are in place to connect KSBCI participants efficiently with necessary assistance.

The Title VI Coordinator and the Title VI Advisory Board are responsible for ensuring the distribution of information as described in this section.

[Updated July 1, 2018]

XII. Recordkeeping and Reporting

The Coordinator, with assistance from the Assistant Coordinators, will prepare an annual report and summary of his/her monitoring activities and complaint processing and information gathered during investigations and other Title VI actions, proceedings, or investigations. The report will be submitted annually to the Secretary of the Cabinet for Economic Development. The Secretary of the Cabinet is to distribute this report to the Auditor of Public Accounts and the Human Rights Commission by July 1, 1995, and each July 1 thereafter. The Coordinator shall maintain all records regarding Title VI for a period of not less than six (6) years.

The Coordinator will also maintain records showing the extent to which protected parties are participating in Cabinet programs covered by Title VI:


a) For the period covering July 1, 2017 to June 30, 2018, KEI staff traveled the state to rural, low-to-moderate income communities and held several events that focused on opportunities for small businesses, including exporting. The events were free to the public and while specific statistics were not captured, participants included women-owned businesses, businesses owned by non-native speakers of English, and minority-owned businesses. KEI staff also participated in the 2016 Lexington Bluegrass Minority Business Expo and the Commerce Lexington Minority Opportunity Exchange, events geared toward reaching and assisting minority-owned businesses. The business participants represented several rural, low-to-moderate income communities, as well as others, throughout Kentucky.

Finally, the various members of KEI have participated during this time period as invited speakers at several other events, providing audiences a full overview of the programs, information regarding procedures for applying, and assistance for addressing questions or concerns.

KEI also continued its efforts to reach individuals with limited English proficiency by posting the following statement on the KEI web page (<http://www.thinkkentucky.com/Entrepreneurship/KEI.aspx>):

“For assistance in translating the KEI pages to another language, please visit this suggested site:

Para la ayuda en traducir las páginas de KEI a otra lengua, visite por favor este sitio sugerido:

[Google Translate](#) 

b) For the period covering July 1, 2017 through June 30, 2018, the Kentucky Cabinet for Economic Development, through its Office of Entrepreneurship (which includes the former Division of Small Business Services), continued its efforts to market the Kentucky Small Business Credit Initiative (“KSBCI”) to, in particular, the underserved areas and individuals in Kentucky. The Office of Entrepreneurship partnered with strategic resource partners, such as the Kentucky Small Business Development Center and the Kentucky District Office of the U.S. Small Business Administration, among others, to market the program. Cabinet staff members also participated in various lender outreach initiatives throughout the state, designed to inform new lenders about the program. As with the previous year, many of this year’s marketing events were directed at lenders, however, considerable efforts were also made to market directly to small businesses and

entrepreneurs by utilizing social media and more traditional marketing strategies such as newspaper and magazine articles.

In addition to the entities mentioned above, additional marketing support has come from other like-minded small business support organizations. In most cases, these strategic partners have a mission to reach out and assist the same underserved markets that KSBCI seeks to engage. They include:

- Kentucky Economic Development Finance Authority (“KEDFA”)
- Kentucky Association for Economic Development (“KAED”)
- Kentucky Commission for Small Business Advocacy (“KCSBA”)
- Community Development Financial Institutions (“CDFIs”) such as Community Ventures Corporation, Kentucky Highlands Investment Corporation, Mountain Association for Community Economic Development, and Southeast Kentucky Economic Development Corporation
- Local County and City Governments
- Numerous National, Regional, and Community banks
- Numerous Local Chambers and Economic Development Organizations

KSBCI will continue to target individuals with limited English proficiency by posting the following statement on the KSBCI web page (<http://thinkkentucky.com/smallbizlending/>):

“For assistance in translating the KSBCI pages to another language, please visit this suggested site:

Para la ayuda en traducir las páginas de KSBCI a otra lengua, visite por favor este sitio sugerido:

[Google Translate](#) 

c) No substantive changes were made to Section 8 or Section 9 of this plan.

[Updated July 1, 2018]

XIII. Minority Representation on Planning Board or Advisory Body

Whenever a planning or advisory body, such as a board or committee, is an integral part of the services, assistance, or activities provided by a Cabinet recipient or dispenser of federal funds, including its contractors or grantees, they are to take and document steps carried out to ensure that minorities are notified of the existence of such bodies and are provided equal opportunity to participate as members.

a. The Cabinet has four planning and/or advisory boards attached to it. These boards are statutory in nature, and the members are not employees of the Commonwealth or Cabinet, except for those who are members of a board by virtue of serving in another state position. The

members do not participate in the federally-funded programs of the Cabinet, with the exception of the Kentucky Economic Development Finance Authority approving of KSBCI program implementation and authorizing the Cabinet staff to assist with the implementation of KSBCI projects.

The Kentucky Economic Development Partnership Board is comprised of 13 individuals: one is the Governor of the Commonwealth, who serves as chairman; four are Executive Branch Cabinet Secretaries; and the balance are private-sector individuals. One is African American and the remainder appear to be Caucasian. Minority representation is 7.6%.

The Kentucky Economic Development Finance Authority is comprised of seven individuals. As of the date of this report, 1 unfilled vacancy exists on the board. Board membership is comprised of the Executive Branch Cabinet Secretary and the balance are private-sector individuals. As of the date of this report, all members of the board appear to be Caucasian. Minority representation is 0%.

The Bluegrass State Skills Corporation is comprised of a board consisting of 18 individuals. As of the date of this report, 2 unfilled vacancies exist on the board. Of the current members of the board, six serve by virtue of other positions held in state government and 10 are private-sector individuals. Three are African American, and 13 appear to be Caucasian. Minority representation is 18.75%.

The Commission on Small Business Advocacy is comprised of 13 individuals, all from the private sector, with particular interest in and involvement with small businesses. Of the 13 members, two are African American, including the chair, and 11 appear to be Caucasian. Minority representation is 15%.

b. The Cabinet is unable to implement a policy to increase the minority representation on these boards. Membership on the boards is statutorily mandated in the case of cabinet secretaries and other state positions, the majority of which are gubernatorial appointments. The Governor appoints the private-sector members of each board. The Cabinet, therefore, does not have the authority to alter the composition of the boards or create a plan to change the composition of the boards.

c. As of June 30, 2018, the Cabinet has 71 staff members. Of these, four are African American (5.63%) and one is listed as two or more races (1.4%). The remaining employees appear to be Caucasian.

The Title VI Advisory Board is comprised as follows:

<u>Name</u>	<u>Race</u>
Jessica A. Burke	Caucasian
Jon Wertzler	Caucasian
Erran F. Persley	African American

Jasmin J. Chery	African American
Reid Glass	Caucasian
Marilyn LeBourveau	Caucasian
Kristina Slattery	Caucasian
Dawn Powers	Caucasian
Kylee Palmer	Caucasian

Minority representation by percentage: 22%

[Updated July 1, 2018]

XIV. Appendices

- A. Cabinet Organizational Structure
- B. Sample Complaint Form
- C. Title VI Compliance Status Report

ECONOMIC DEVELOPMENT CABINET – 36
10102474

OFFICE OF THE SECRETARY
(36-635) - 10102475

OFFICE OF LEGAL SERVICES
10102476

DEPARTMENT FOR BUSINESS DEVELOPMENT
10200063

DEPARTMENT FOR FINANCIAL SERVICES
10200068

- KY ECONOMIC DEVELOPMENT FINANCE AUTHORITY
10200069
- FINANCE & PERSONNEL DIVISION
10200070
- COMPLIANCE DIVISION
10200071
- IT & RESOURCE MANAGEMENT DIV
10200072
- INCENTIVE ADMINISTRATION DIV
10200073
- BLUEGRASS STATE SKILLS CORPORATION
10201264

OFFICE OF PUBLIC AFFAIRS
10201258

- COMMUNICATIONS DIVISION
10201259
- GRAPHICS DESIGN DIVISION
10201260

OFFICE OF WORKFORCE COMMUNITY DEVELOPMENT & RESEARCH
10201261

OFFICE OF ENTREPRENEURSHIP
10201262

COMMISSION ON SMALL BUSINESS ADVOCACY
10201263

Kentucky Cabinet for Economic Development
Title VI Complaint Form

Note: We are asking for the following information to assist in processing your complaint. If you need help in completing this form please let us know.

Complainant's Information:

Name: _____
Address: _____
City/State/Zip Code: _____
Telephone Number (Home): _____
Telephone Number (Work): _____

Person Discriminated Against (If someone other than complainant)

Name: _____
Address: _____
City/State/Zip Code: _____
Telephone Number (Home): _____
Telephone Number (Work): _____

Which of the following best describes the reason you believe the discrimination took place?

Race/Color (Specify) _____ National Origin (Specify): _____

On what date(s) did the alleged discrimination take place? _____

Describe the alleged discrimination. Explain what happened and who you believe was responsible (if additional space is needed, add a sheet of paper).

List names and contact information of persons who may have knowledge of the alleged discrimination.

Have you filed this complaint with any other federal, state, or local agency, or with any federal or state court? Check all that apply.

Federal Agency _____ Federal Court _____
State Agency _____ State Court _____
Local Agency _____

Please provide information about a contact person at the agency/court where the complaint was filed.

Name: _____

Address: _____

City/State/Zip Code: _____

Telephone Number (Work): _____

Please sign below. You may attach any written materials or other information that you think is relevant to your complaint.

Complainant Signature _____

Date _____

Attachments: Yes _____

No _____

Submit form and any additional information to:

Title VI Coordinator
Office of Legal Services
Cabinet for Economic Development
Old Capitol Annex
300 West Broadway
Frankfort, Kentucky 40601
Phone: 502-564-7670
Fax: 502-564-1535
www.thinkkentucky.com/

**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 Cabinet for Economic Development

DATE: July 1, 2018

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
Kentucky Cabinet for Economic Development
 (July 1, 2017 - June 30, 2018)

	<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"/>

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