



Title VI of the 1964 Civil Rights Act

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Purpose of This Training

To ensure all TDA sub-recipients of federal financial assistance are aware of the provisions of Title VI of the Civil Rights Act of 1964 and the minimum requirements to be in compliance with its rules, laws, and regulations.

What is Title VI

Title VI of the Civil Rights Act of 1964 is a federal statute that states:

No person in the U.S. shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal Financial Assistance.” 42 U.S.C. 2000d

Title VI Compliance - Basics

Purpose: To verify that all federal fund recipient state agency entities comply with Title VI of the Civil Rights Act of 1964

- TCA §4-21-203 requires the Tennessee Human Rights Commission to review Title VI monitoring and enforcement procedures, and
- Periodically audit, review, evaluate and report on Title VI compliance efforts and outcomes for each executive branch department and agency.
- Recipients are required to audit, review, evaluate and report on Title VI compliance efforts and outcomes of all its sub recipients and beneficiaries of federal funds.

Title VI Compliance-The Basics

Discriminatory Practices under Title VI

- Denying an individual any program services, financial aid, or benefits;
- Providing a different service, aid, or benefit, or providing them in a manner different than they are provided to others; or
- Segregating or treating individuals separately in any matter related to receiving any program service, aid, or benefit.

Title VI Compliance-The Basics

Retaliation

- Retaliation occurs when a recipient or another person intimidates, threatens, coerces, or discriminates against any individual for the purpose of interfering with any right or privilege secured by Title VI, or because a person made a complaint, testified, assisted, or participated in any manner in an investigation or proceeding under Title VI.

THRC Rule 1500-01-03-.06(3)(c) & 28 CFR 42.107

Title VI Complaint Procedure

- *Any person alleging discrimination based on race, color, or national origin has a right to file a complaint within 180 days of the alleged discrimination. At the complainant's discretion, the complaint can be filed with the Tennessee Department of Agriculture and/or the Tennessee Human Rights Commission. These procedures comply with TCA 4-21-905.*

Complaint Process

Have a Written Title VI Complaint Process and Complaint Log

To include:

- How to file a complaint;
- Complaints filed against the subrecipient should be forwarded to TDA Title VI funding entity for investigation;
- File within 180 days of occurrence or knowledge;
- Complaints, both written and verbal, will be accepted and documented.

Limited English Proficiency (LEP)

Who are LEP Persons?

Persons who do not speak English as their primary language, and who have **a limited ability** to read, speak, write or understand English.

LANGUAGES SPOKEN IN TENNESSEE

Top 5 Non-English Languages Spoken at Home:

1. Spanish
2. Arabic
3. Vietnamese
4. Chinese
5. Somali

Migration Policy Institute 2013

154 different languages spoken in Tennessee

"2009-2013 American Community Survey" U.S. Census Bureau

LEP REQUIREMENTS

Recipients and sub recipients of federal financial assistance are required to take reasonable steps to ensure meaningful access to their programs and activities by LEP persons.

Executive Order 13166 (2001)

LANGUAGE SERVICES

Have a Limited English Proficiency (LEP) Plan

How do you assist customers that do not speak English?

PROVIDING MEANINGFUL ACCESS

- Interpretation language services
- Staff or family interpreter
- Documents in other languages
- Document provision of language services

NON-COMPLIANCE

An agency's failure to comply with the requirements of Title VI may result in loss of federal funding.

Summary

- Keys to Title VI Compliance
 - Ensure that service recipients receive:
 - Equal treatment
 - Equal access
 - Equal rights
 - Equal opportunitieswithout regard to their race, color, or national origin

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