



Title VI of the Civil Rights Act

Overview

Kansas Office of Recovery

June 20, 2023

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Title VI Overview

Title VI of the Civil Rights Act of 1964 - 42 U.S.C. § 2000d, et. seq.

“No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.”



Title VI in Action

- Seek feedback and ideas from all members of community and include people with limited English proficiency (LEP)
- Consider how programs and projects will impact historically underserved communities (economically, environmentally, socially, etc.)
- Document how to ensure non-discrimination in programs and services
- Create a Title VI-positive culture and educate employees



Title VI is Far Reaching

- Any entity that receives federal financial assistance shall comply with Title VI in all its programs and activities
- To be compliant, you must have written policies and procedures aligning with the federal requirements
- Many requirements are evolving, but the basics for planning are available



Title VI Definition of Importance

“Program or activity” means all the operations—any part of which is extended Federal financial assistance—of:

- A department, agency, special purpose district, or other instrumentality of a State or of a local government; or
- The entity of such State or local government that distributes such assistance and each such department or agency (and each other State or local government entity) to which the assistance is extended, in the case of assistance to a State or local governmental of the operations of any entity”

[For More Information see federal register notice](#)



Components of a Title VI Plan

Know your Federal Funding Sources & Have a Title VI Role

Know your organization's federal funders

- Look to your federal funders for specific guidance on requirements

To help facilitate this work (and as part of your data collection)

- Designate a person to have responsibility for implementation and compliance across your organization, staff, and, if applicable, sub-recipients
- Provide access to the lead decision-maker in the organization

And be sure to document, document, and document some more!



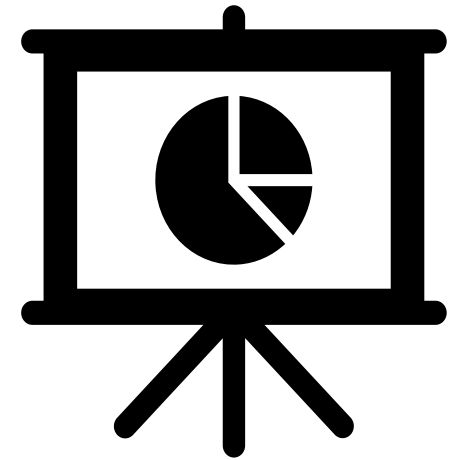


Documenting Your Title VI Efforts

1. Data Collection
2. Notices of Rights & Complaints
3. Language Access for Limited English Proficiency | [Executive Order 13166](#)
4. Public Participation
5. Employee & Subrecipient Training

Data Collection – Gather Accurate & Timely Demographic Data

- Look for existing data sources as a starting point
- The demographic data should help describe the communities you serve - collect data that include participants' race, color, national origin, primary language and income, among other data considerations
- Data collection should happen through all points of your process
- *Example:* Any calls for information challenged by language barriers are documented and used to inform future Title VI planning



Notice of Rights – Ensure the Public is Aware of their Rights

Post Notice of Rights/Notice of Nondiscrimination signage

- Where the public interacts with your organization
- On your website

Metro Notice of Civil Rights

metro.net

The Los Angeles County Metropolitan Transportation Authority (Metro) operates its programs and services without regard to race, color and national origin in accordance with Title VI of the Civil Rights Act. In addition to Title VI, Metro also prohibits discrimination based on sex, age, disability, religion, medical condition, marital status, sexual orientation or any other protected classes as described in State or Federal laws. Any person who believes he or she has been aggrieved by any unlawful discriminatory practice may file a complaint with Metro. For more information on Metro's civil rights program and the procedure to file a complaint, please contact Metro using the information listed below.

Aviso de Metro sobre derechos civiles

La Autoridad de Transportación Metropolitana del Condado de Los Angeles (Metro) opera sus programas y servicios sin consideración de raza, color u origen nacional, de acuerdo al Título VI del Acta de Derechos Civiles. En adición al Título VI, Metro también prohíbe la discriminación basada en el sexo, edad, discapacidad, religión, condición médica, estado civil, orientación sexual, o cualquier otra categoría protegida, como se describe en las leyes federales o estatales. Cualquier persona que cree que ha sido víctima de alguna práctica discriminatoria puede presentar una queja con Metro. Para más información acerca del programa de derechos civiles de Metro y del procedimiento para presentar una queja, por favor contacte a Metro usando la información proporcionada adentro.

Thông báo của Metro về Dân Quyền

Cơ Quan Vận Chuyển Đô Thị Quận Hạt Los Angeles (Los Angeles County Metropolitan Transportation Authority - Metro) điều hành các chương trình và dịch vụ của cơ quan mà không phân biệt sắc tộc, màu da, và nguồn gốc quốc gia theo Tiêu đề VI của Đạo Luật Dân Quyền. Ngoài Tiêu Đề VI, Metro cũng nghiêm cấm phân biệt đối xử dựa trên giới tính, tuổi, tình trạng khuyết tật, tôn giáo, tình trạng bệnh tật, tình trạng hôn nhân, xu hướng tính dục hay những phân loại khác được bảo vệ theo như mô tả trong luật Tiểu Bang hay Liên Bang. Bất kỳ ai tin rằng mình bị phân biệt đối xử bất hợp pháp đều có thể khiếu nại với Metro. Để biết thêm thông tin về chương trình dân quyền của Metro và thủ tục khiếu nại, vui lòng liên lạc với Metro qua những cách dưới đây.

洛杉磯大都會交通局公民權利通告

洛杉磯大都會交通局 (Metro) 之營運計劃和服務 依照《民權法案》第六條款規定 不因種族、膚色及籍籍而區別待遇。除第六條款之外，Metro 亦禁止基於性別、年齡、殘障、宗教信仰、疾病、婚姻狀況、性傾向、或州或聯邦法律描述的任何其它受保護類別的歧視。任何人如受到非法歧視的侵害，請使用以下聯絡資料向 Metro 投訴。

ՄԵՏՐՈ-ի Ծանուցումը Քաղաքացիական Իրավունքների Վերաբերյալ

Լոս Անջելես քառ կրթի մետրոպոլիտան տրանսպորտի վարչապետը (Metro) իրագործում է իր ծրագրերը և ծառայությունները առանց ստատի, մարմնի գույնի ու ազգային ծագման խտրականության: Բացի այդ կրթումից և Քաղաքացիական իրավունքների մասին օրենքի VI-րդ հոդվածով (Title VI)-ի, Metro-ն նաև ստորադրում է խտրականությունը սեռի, տարիքի, նախնականության, կրթի, քննարկական վիճակի, անուսական կարգավիճակի, սեռական կողմնորոշման կամ ցանկացած այլ ստատիստիկական դասակարգման նկատմամբ: Ինչպես դա կլինի և նախնական կամ հարևան օրենքներով ծանուցված սեռ, ով կարծում է, որ ինքն ենթարկվել է ստատիկ խտրականության, կարող է բողոք ներկայացնել Metro-ին: Metro-ն քաղաքացիական իրավունքների ծրագրերի մասին և բողոք ներկայացնելու վերաբերյալ լրացուցիչ տեղեկություններ ստանալու համար ինչպես մեր դեպի Metro՝ ստորև կլինի միջոցներով:

ロサンゼルス郡交通局 (Metro) は、公民権法タイトルVIに従って

메트로 Metro의 공민권 통지서

로스앤젤레스 카운티 도시교통국 (Metro)은 공민권법 제6장에 준하여 인종, 피부색 및 출신국에 상관없이 프로그램을 및 서비스를 운영합니다. 또한 법으로는 공민권법 제 6장에 추가해서 성별, 연령, 장애, 종교, 의료 상태, 결혼 여부, 성적 성향 또는 주나 연방에서 규정하는 다른 보호 물결에 근거한 차별 대우를 금지합니다. 불법적인 차별 대우로 인해 권리를 침해당했다고 생각하는 사람은 누구나 Metro를 상대로 고소를 제기할 수 있습니다. Metro의 공민권법 프로그램을 더 많은 재기 절차에 대한 상세한 정보가 필요하시면, 정보를 이용하여 Metro에 연락하십시오.

Metroからの公民権に関するお知らせ

ロサンゼルス郡交通局 (Metro)は、公民権法タイトルVIに従って人種、皮膚の色、出身国に拘わらずに事業を行っています。タイトルVIに加え、Metroは性別、年齢、障害、宗教、医療的な状態、結婚状態、性的指向、あるいは州法または連邦法に記載のその他の「プロテクテッド・クラス」(protected class) 』に基づく差別を禁止しています。不法な差別待遇を受けたと思う人は、誰でも Metro に対して苦情を提出することができます。Metroの公民権プログラムと苦情提出手続きに関する詳細は、以下の方法で Metroまでお問い合わせください。

Уведомление Metro о гражданских правах

Транспортное управление округа Лос-Анджелес (Metro) реализует свои программы и предоставляет услуги независимо от расы, цвета кожи и национального происхождения в соответствии с Разделом VI Закона о гражданских правах

Complaint Procedures – Define and Make the Process Readily Available

- Have a procedure for filing complaints, a procedure for investigating complaints, and a Title VI complaint form
- Post the procedures, form, and point of contact on your website. Translate each into the top languages used in your community
- Consider formats for community members that might not have access to technology

8. Explain the events that took place and why you believe you or another person was subject to a discriminating, intimidating or retaliating act(s). For example, indicate who was involved and how another person treated you differently than others. (Attach additional sheets, if necessary. Attach a copy of written materials that support your complaint.)

Language Access – Understand Needs and Have a Plan to Address Them

Language Access Plan - a document that outlines how to provide services to individuals who are non-English speaking or have limited English proficiency (LEP)

- Should be tailored to individual organizations, but may include similar sections, such as a needs assessment, language services offered, notices, training for staff, and evaluation
- Will vary based on community demographics

I Speak Chinese.

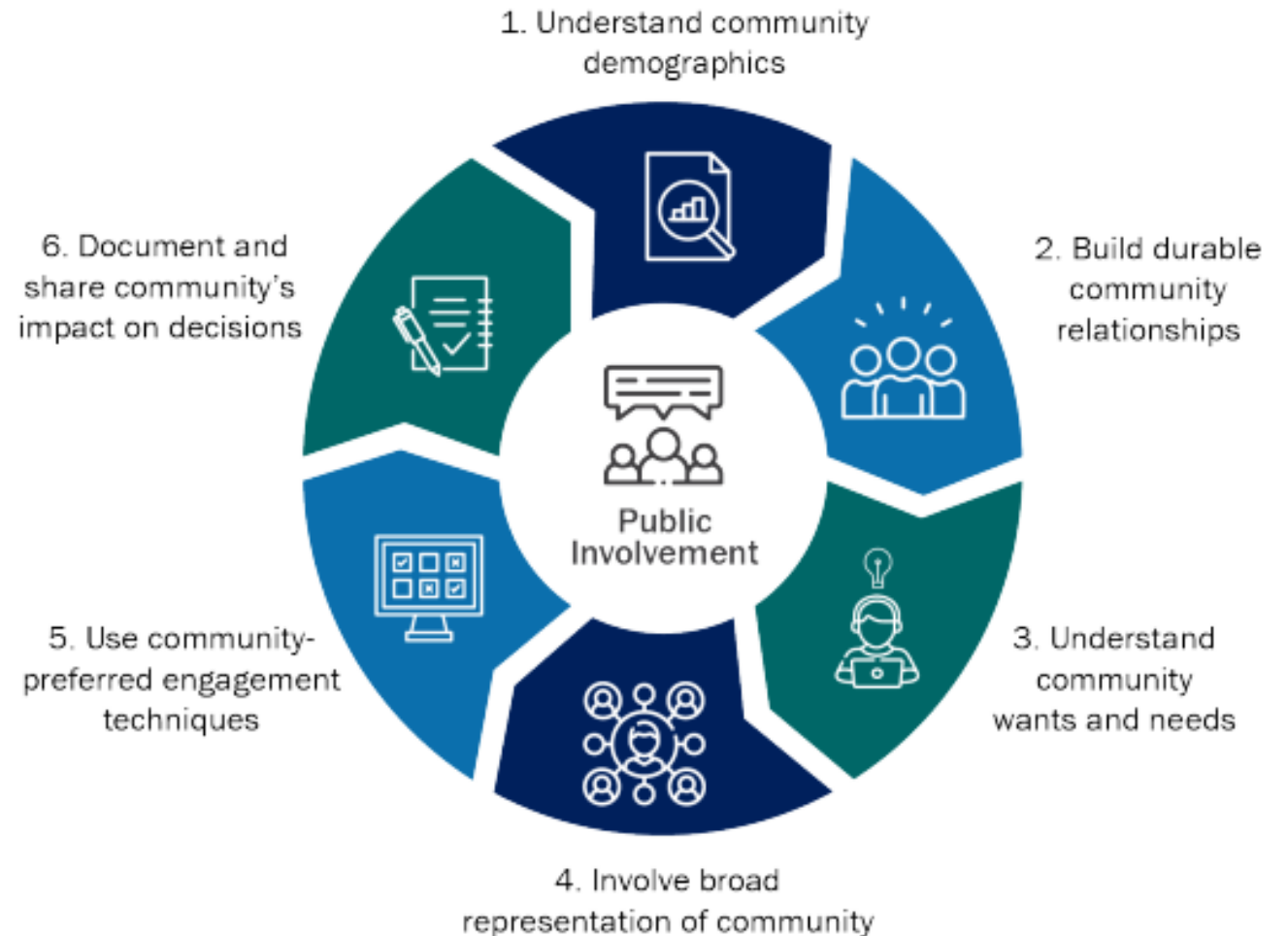
I need assistance and have the right to receive assistance in my spoken language. Please provide me with an interpreter and note my spoken language in your permanent records. Thank you.

我说的是汉语普通话。

在口述交流过程中，我有需要并且有权利接受帮助。请为我配备一位译员并在记录中说明在日后的交流中我将使用汉语普通话。

Public Participation - Encourage Transparent & Meaningful Communication

Create a plan tailored to your community that demonstrates a commitment to meaningful public participation.



Public Participation – Some Useful Tactics

- Develop a toolkit of options with diverse outreach tools and inclusive communications strategies
- Cultivate relationships with community-based organizations
- Consider how programs or activities will potentially impact communities and have a forum for feedback
- Ensure diverse views are considered throughout all stages of the consultation, planning, and decision-making processes
- Leverage various channels of communication (Social media, relationships with community organizations, staff associations, etc.)

To read about effective practices for public involvement, [refer to this USDOT publication](#)

Employee & Subrecipient Training

- Design training to develop awareness and sensitivity in carrying out federally funded programs
- Include how to access language assistance tools
- Periodically host Title VI training seminars particularly for those individuals responsible for monitoring sub-recipients for compliance
- Provide new employees with a copy of the Title VI plan as part of the onboarding and orientation process





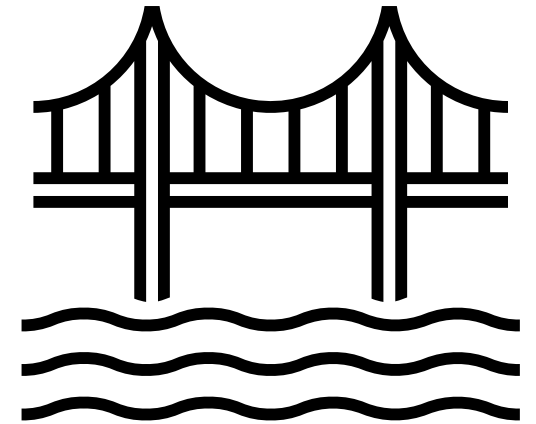
For Your Title VI Planning, Consider

- Minority Representation on Boards/Committees
- Environmental Justice | [Executive Order 12898](#)
- Compliance and Monitoring
- Any Federal Funding Agency Specifics

How Title VI Readiness Creates Funding Opportunities and Contributes to your Equity Strategy

An Effective Title VI Plan Can Help You Win Competitive Funding

- An equity strategy for your organization should include Title VI
- Having a Title VI plan and equity strategy will help inform your planning and funding strategies
- Through the Justice40 Initiative (Executive Order 14008), the Federal government aims to direct 40% of the benefits of certain Federal investments to disadvantaged communities
- The incoming federal infrastructure awards will go to jurisdictions that can demonstrate a commitment to equity and Environmental Justice



Considering Environmental Justice

Environmental Justice considerations for impacts on underserved communities (minority and low-income) must be considered in all stages of the project/program development through closeout/completion ([EO 12898](#), [EO 14008](#), [EO 13985](#)).

Applications for many federal grants will be more competitive if they

- Contribute to environmental justice for communities that disproportionately experience the impacts of climate change
- Target at least 40% of resources and benefits towards low-income, historically disadvantaged, underserved, or overburdened communities

These standards are based on the federal government's [Justice40 initiative](#).



Example from the USDOT's SMART Grants Program NOFO

The Department seeks to award projects that address Environmental Justice.

As part of its implementation of Executive Order 14008, *Tackling the Climate Crisis at Home and Abroad*, the Department:

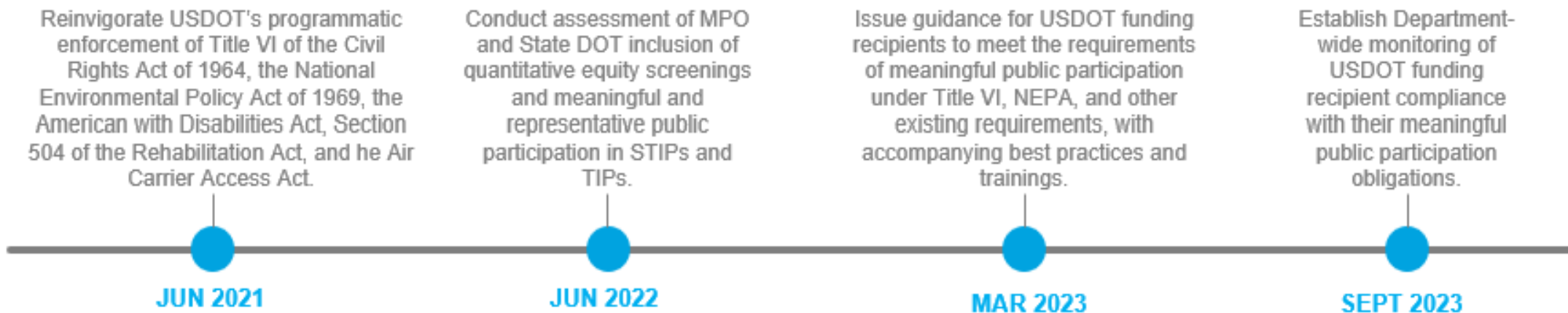
Seeks to fund projects that, to the extent possible, ***target at least 40 percent of resources and benefits towards low-income communities, disadvantaged communities, communities underserved by affordable transportation, or overburdened communities.***

Projects that have not sufficiently considered climate change and Environmental Justice in their planning will be required to do so before receiving funds.

Federal Agency Equity Action Plans

- Federal agencies have drafted Equity Action Plans ([Advancing an equitable government | Performance.gov](#))
- Consider the agencies that fund your organization. Review the Equity Action Plans and any other associated guidance for updates and ideas for your plans and communities

TIMELINE OF USDOT ACTIONS



The Impacts of Non-Compliance

Ensuring that your agency is compliant is critical to your success and resiliency – and your ability to continue to receive federal funding.

Civil Rights Complaint Filed Against TxDOT for Ongoing Discrimination Against Houston Residents Adversely Affected by the North Houston Highway Improvement Project

This additional complaint is necessary because TxDOT has continued to discriminate on the basis of race, color, and national origin – even after FHWA initiated a Title VI investigation – and has retaliated against persons and groups for filing previous civil rights complaints by threatening to remove funding from the Houston-Galveston region altogether if the agency is not allowed to construct its preferred version of the NHHIP.

Every journey starts with a step or an idea



- Review your existing policies, procedures, and practices
- Take stock of what you already have in place (data collection, training, public engagement, language access planning, complaint procedures, etc.)
- Ask questions of your team, professional organizations, industry leaders, and your federal partners

Questions?