

Title VI Overview

**U.S. Department of Justice
Civil Rights Division**



Title VI Overview

Who is protected

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graph TD; A[Who is protected] --> B[Who must comply]; B --> C[Funding agency responsibilities]; C --> D[Enforcement and compliance];
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Who must comply

Funding agency responsibilities

Enforcement and compliance

“Direct discrimination by Federal, State, or local governments is prohibited by the Constitution. But indirect discrimination, through the use of Federal funds, is just as invidious; and it should not be necessary to resort to the courts to prevent each individual violation.”



Quiz: Who is Protected?



- A. Individuals**
- B. Community groups who file complaints**
- C. U.S. Citizens**
- D. All people, documented and undocumented**

Title VI of the Civil Rights Act

- 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.
- Funding agency authority



Quiz: Is This FFA?

1. The Boise Idaho police department is given seven bullet proof vests from DOJ.
2. A non-profit in Puerto Rico helps low-income individuals apply for air conditioners under LIHEAP.
3. A public interest law office receives training and computer from the IRS to process income tax returns for low-income households.

Federal Financial Assistance

- **Grants and direct funding**
- **Grant or donation of Federal property**
- **Equipment and training**
- **Detail of Federal personnel**
- **Sale, lease, permission to use Federal property**



Recipient Compliance is Required

- Terms by Congress
- Assurances
- Timing



Jurisdiction Example

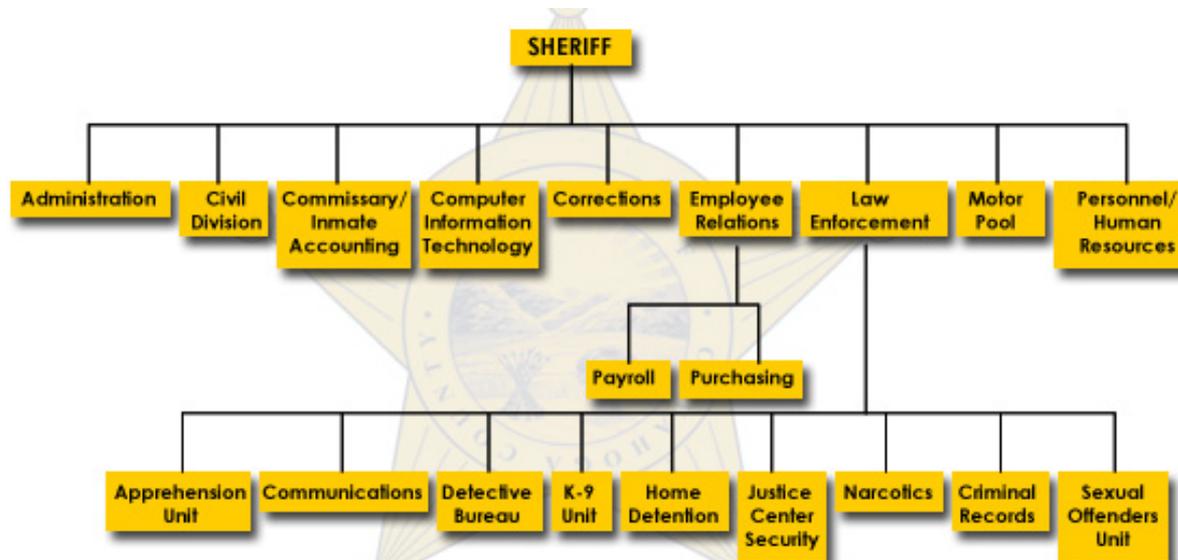
- **Eagleton Village**
- **Is there Jurisdiction?**



Program or Activity

“[A]ll of the operations of”

- State and local government entities
- College, university, school
- Corporation, private organization



Funding Agency Role

- Enact rules, regulations, orders
- Conduct investigations and compliance reviews of recipients
- Make efforts to secure voluntary compliance at the outset
- Prepare matters for referral to DOJ
- Removal of funding



Discriminatory Conduct

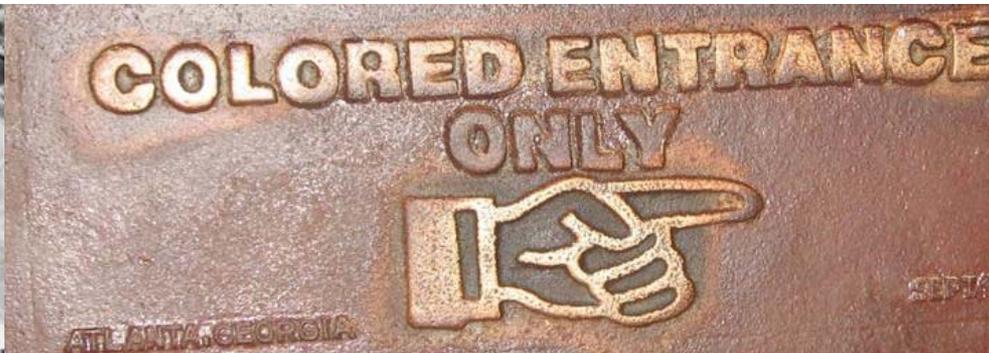
Intentional Discrimination

Disparate Impact or Effect

Retaliation

Intentional Discrimination

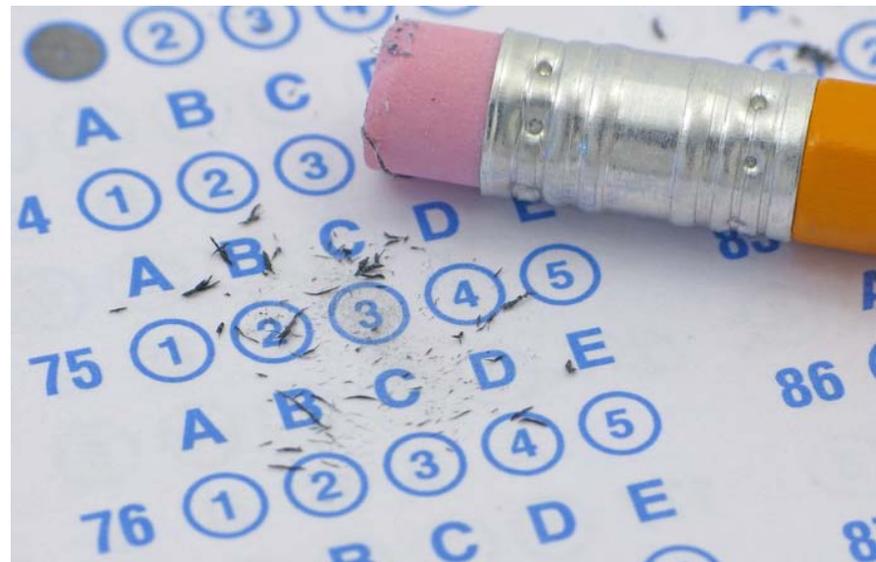
- **Prima Facie Case**
 - **Motivated by intent to discriminate**
 - **Decision maker not only aware but acted, because of a complainant's race, color, or national origin**
- **Do not need evidence of bad faith**



Proving Intentional

What information sources could you use?

- A. statements of decision-makers**
- B. departure from standard procedure**
- C. legislative or administrative history**
- D. All of the above**



Intentional Claims

- Can the recipient articulate a non-discriminatory reason?
- Claims of a pattern or practice
- Claims of practices that classify individuals based on membership in a protected group

Tell us when you need it, we'll see that your job is covered in time. Printing Department, The News.

The Russell Daily News

The Weather
Comfortable clear & sunny through Tuesday. Breezes tonight. Tuesday. Cooler tonight. Low tonight 30. High Tuesday in the 40s.

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Russell County's Only Daily Paper

RUSSELL, KANSAS, MONDAY, MAY 11, 1954

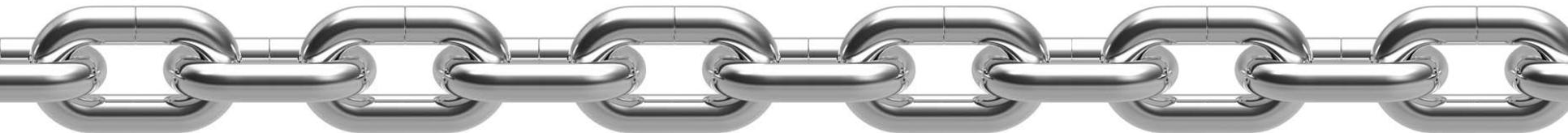
Official City Paper — Official County Paper

6 Pages

Segregation in Schools Is Outlawed

Proving Disparate Impact

- **Did the recipient utilize a facially neutral practice that had a disproportionate impact on a protected group?**
- **Prima Facie Case: proof of a causal link between the policy and the impact**



Justification and Alternative

- Can recipient articulate a "substantial legitimate justification"
- Determine whether an alternative practices exists that is comparably effective with less impact



Instead of



Retaliation

- **Who can file a retaliation complaint?**
 1. **Engaged in a protected activity**
 2. **Recipient knew of activity**
 3. **Recipient took adverse action**
 4. **Connection between protected activity and adverse action**

PROTECTED AREA

Contact Information

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