

**Federal Interagency Title VI Working Group:
Activities of the Education Committee**



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Goals of the Federal Interagency Title VI Working Group Education Committee

- **The goals of the Education Committee are to:**
 - Identify current Title VI compliance issues.
 - Share expertise, compliance manuals, and model documents across Federal agencies.
 - Identify best practices for reviewing and monitoring recipients for compliance with Title VI.
 - Conduct interagency education and training on Title VI enforcement.



HHS Office for Civil Rights (HHS OCR) Equal Opportunity Specialist Academy





Overview of the Equal Opportunity Specialist Academy

- **The HHS Office for Civil Rights has launched a training academy for Equal Opportunity Specialists (EOS).**
 - Intensive four day program at the National Advocacy Center (NAC), located in Columbia, South Carolina.
 - Will include an in-dept review of Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, and Title IX of the Education Amendments of 1972.
 - Assistant Attorney General for Civil Rights Thomas E. Perez and HHS OCR Director Leon Rodriguez will lead the faculty.



Participating Federal Agencies

- U.S. Department of the Interior
- U.S. Department of Labor
- U.S. Department of Justice
- U.S. Department of the Treasury
- U.S. Nuclear Regulatory Commission
- U.S. General Services Administration
- U.S. Small Business Administration



Goals of the Equal Opportunity Specialist Academy

- **The goals of the EOS Academy are to:**
 - Provide the EOS with a legal review of Title VI, Section 504, Title II of the ADA, the Age Act, and Title IX.
 - Hone the investigative skills of the EOS.
 - Train the EOS to prepare thorough and specific investigative plans, including data requests and witness interview questions.
 - Increase the ability of the EOS to identify key facts and apply the law to the facts identified.
 - Augment the case resolution and negotiating skills of the EOS.



HHS Office for Civil Rights (OCR) What We Do & How We Do It





Non-Discrimination on the Basis of Race, Color, or National Origin

- Avoiding National Origin Discrimination Under Title VI
 - Must take reasonable steps to provide meaningful access to individuals who are limited English proficient (LEP)
 - Failure to provide meaningful access to individuals who are LEP, such as through oral interpretation and written translation, may constitute national origin discrimination



Non-Discrimination on the Basis of National Origin Ensuring Compliance with Respect to LEP Persons

Strategies to ensure compliance:

- Maintain written policies and procedures on providing language assistance services
- Assess language needs of the service area
- Maintain data on the primary language of each LEP person served and the type of language assistance provided
- Notify LEP persons in the service area in their native languages of the right to language assistance at no cost
- Ensure competency, quality and accuracy of language services
- Offer language services even if a person brings a family member, friend, or child to interpret



Non-Discrimination on the Basis of Disability

- Section 504 of the Rehabilitation Act of 1973
 - Applies to recipients of FFA
- Title II of the Americans with Disabilities Act (ADA)
 - Applies to public entities, including those that do not receive FFA



Non-Discrimination on the Basis of Disability

- Discriminatory Prohibitions:
 - Exclude or deny benefits based on an individual's disability
 - Provide separate or different benefits to individuals with disabilities, unless it is necessary to ensure that the benefits and services are equally effective
 - Establish eligibility criteria that screen out, or tend to screen out, individuals with disabilities, unless the criteria are necessary to meet the program objectives



Non-Discrimination on the Basis of Disability

- Obligations:
 - Ensure that programs are accessible
 - Make reasonable modifications, unless it would result in a fundamental alteration in their program or activity
 - Provide services and programs in the most integrated setting
 - Provide auxiliary aids and services, at no cost, where necessary to ensure effective communication



Non-Discrimination on the Basis of Age

- The Age Discrimination Act of 1975
 - Prohibits recipients of FFA from discriminating on the basis of age in their programs and activities
 - Use of age must be necessary to normal program operations or to achieve a statutory objective



Non-Discrimination on the Basis of Sex

- Title IX of the Education Amendments of 1972
 - Prohibits recipients of FFA from discriminating on the basis of sex in education programs and activities



Non-Discrimination on the Basis of Sex

Ensuring Compliance

Strategies to ensure compliance:

- Use gender-neutral language in eligibility criteria
- Include a nondiscrimination policy in program materials
- Conduct outreach and recruitment in a manner that is accessible to all persons regardless of gender

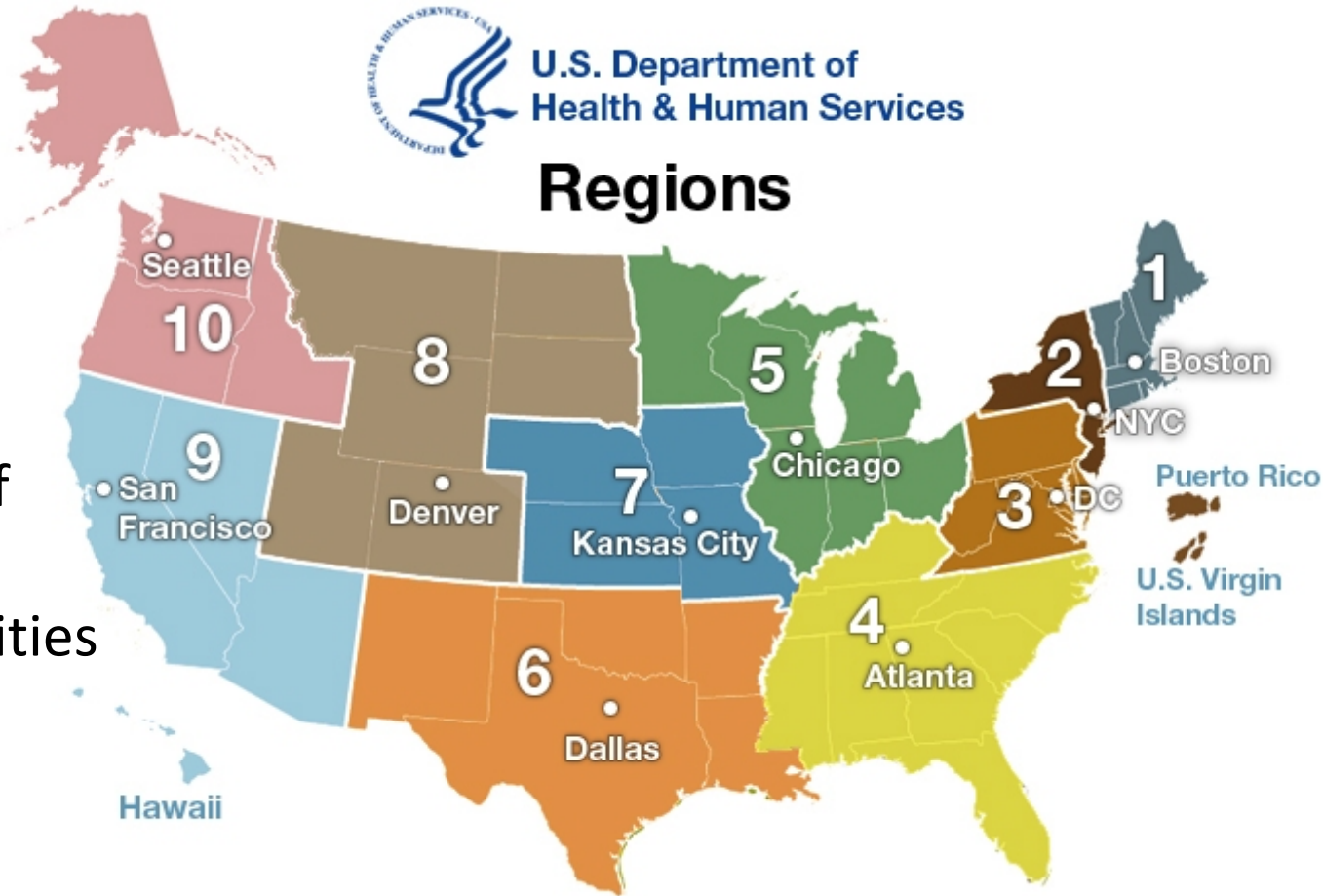


Technical Assistance OCR Regional Offices



U.S. Department of
Health & Human Services

Regions



- Provide technical assistance
- Receive reports of noncompliant programs or activities

For more information, contact us: 1-800-368-1019, ocrmail@hhs.gov

Visit <http://www.hhs.gov/ocr/office/about/rgn-hqaddresses.html>



Resources Are Available Useful Links and Documents

- HHS Office for Civil Rights Case Resolution Manual for Civil Rights Investigations, <http://www.hhs.gov/ocr/civilrights/complaints/crm2009.pdf>
- OCR Fact Sheets, <http://www.hhs.gov/ocr/civilrights/resources/factsheets/index.html>
- OCR Compliance Activities, <http://www.hhs.gov/ocr/civilrights/resources/specialtopics/hospitalcommunication/heccomplianceactivities.html>
- HHS LEP Guidance (2003), <http://www.hhs.gov/ocr/civilrights/resources/specialtopics/lep/hhslepguidancepdf.pdf>
- Tri-Agency Guidance, <http://www.hhs.gov/ocr/civilrights/resources/specialtopics/origin/policyguidanceregardinginquiriesintocitizenshipimmigrationstatus.html>
- ADA Standards for Accessible Design (2010), <http://www.ada.gov/regs2010/2010ADAStandards/2010ADAstandards.htm#designconstruction>
- DOJ Language Access Assessment and Planning Tool, http://www.lep.gov/resources/2011_Language_Access_Assessment_and_Planning_Tool.pdf
- Federal Interagency Working Group on LEP, <http://www.lep.gov>
- DOJ Guidance: Accessibility of State and Local Government Websites to People with Disabilities, <http://www.ada.gov/websites2.htm>
- Web Content Accessibility Guidelines 2.0, <http://www.w3.org/TR/WCAG/>