

FACT SHEET ABOUT

Basic Requirements of Title VI of the Civil Rights Act of 1964, as amended

Title VI of the Civil Rights Act of 1964 (Title VI), as amended, prohibits discrimination, by recipients of Federal financial assistance based on race, color, or national origin in program participation or in receipt of services. It, also, prohibits such discrimination in employment, where (1) the primary purpose of the Federal assistance is to provide employment, or (2) discriminatory employment practices result in unequal treatment of persons, who are or should be receiving the benefits of the assistance.

- Covers recipients of federal financial assistance
- Entire system is covered not just the part directly receiving funds
- Federal financial assistance is more than money-land, supplies, etc.
- Primary recipients must impose same requirements on sub-recipients as is imposed by Title VI on them (i.e. pre and post award compliance reviews)
- Notification must be provided continuously to beneficiaries and participants that recipient programs are open to all on a non-discriminatory basis regardless of one's color, race, or national origin. The notification must, also, describe how and to which Federal agency one may complain.
- Where a significant number or proportion of the population is non-English speaking, the recipient must take reasonable steps, considering the scope of the program and the size and concentration to provide information in appropriate languages (**LEP requirement- see the Fact Sheet for EO 13166**)
- Contractual or other agreements must not discriminate
- Services, financial aid, or other benefits provided by the recipient cannot be denied, provided differently or in a segregated manner
- Advisory boards and commissions cannot discriminate against potential or actual members on the basis of race, color, or national origin
- In determining locations of facilities, recipients may not discriminate
- There is no discrimination, where by Federal law the program is limited to Native Americans, natives of certain territories or Alaska natives
- Recipients must keep such records as the Secretary deems necessary to determine compliance



- Complaints must be filed within 180 days of alleged discrimination
- Written assurances not to discriminate based on race, color, or national origin must be provided with every application for assistance
- Pre-award compliance review is required-historically has been a confirmation that written assurances have been provided
- Post-award compliance reviews are required
- Unclear if agencies have authority to withhold grants if pre and post-award noncompliance found-usually funds are not withheld and voluntary resolution efforts continue
- Monetary awards are available for intentional discrimination not disparate impact of neutral policies
- Private right of action (right to sue at any time without completion of the grievance process)
- Voluntary resolution must be attempted by agency
- If voluntary resolution cannot be achieved then fund termination after hearing process (“pin-point provision” required) and/or submit to the Department of Justice for litigation

