

FACT SHEET

Southwest Tennessee Community College – 737 Union Avenue -- Memphis, TN 38103 - (901) 333.5828

YOUR RIGHTS UNDER TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

The Civil Rights Act of 1964 was passed to ensure the people of the U.S. equal treatment, rights, and opportunities regardless of race, color, or national origin. Title VI of that Act prohibits discrimination in federally funded programs. It is important that all applicants and recipients of services know about their rights under the law.

WHAT IS TITLE VI?

"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."

WHAT IS COVERED BY TITLE VI?

- Veterans Administration educational benefits
- employee or student recruitment
- social services
- construction
- transportation
- the distribution of benefits and services
- tax benefits enjoyed by private agencies, fraternal and non-profit organizations (i.e., 501 c3), as well as
- education institutions
- hiring
- equipment and building loans
- health care (i.e., Medicare, Medicaid, TennCare)
- parks and recreation
- housing
- contracting
- the location of facilities
- community development block grants
- welfare services
- law enforcement
- program effects on people in applicable communities

*This is not an inclusive list.

WHAT IS FEDERAL FINANCIAL ASSISTANCE?

- Federal financial assistance means more than just money. Aid that enhances the ability to improve or expand allocation of a recipient's own resources also constitutes assistance. Examples:
 - Student aid (releases recipient's funds for other uses) or
 - Training of employees (permits better use of the employer)
 - Grants and Loans
 - Property
 - Loan or Personnel
 - Tax incentives
 - Technical assistance, etc.
 - Title
- Title VI applies to discrimination throughout an agency, not just to actions involving the federally assisted program. Therefore, if an agency receives any federal financial assistance for any program or activity -- the entire agency is required to comply with Title VI, not just that particular program.
- Note: 1987 Civil Rights Restoration Act restored the broad coverage of "program or activity."

HOW DOES TITLE VI APPLY TO PUBLIC POLICY?

Title VI is a mechanism that directs the federal financial assistance which drives or promotes economic development. By legislative mandate, Title VI examines the following public policy issues:

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- Provision of Services
 - Infrastructure development
 - Accountability in public funds expenditures
 - Economic Empowerment
 - Program service delivery
 - Disparate impact
 - Minority participation in decision-making
 - Site and Local of Facilities

- Environmental Justice
- Public-Private Partnerships financed in part or whole with public funds
- Accessibility for all persons
- Comprehensive Method of Administration to sure enforcement/compliance at the state and local level

WHO MUST COMPLY? I.E., WHO MAY BE FOUND IN VIOLATION?

Recipients and other parties that substantially affect program outcomes

- State and Local Government: Agency distributing federal assistance or entity distributing federal assistance to the state or local government entity
- Higher education: college, university, or other post-secondary institution
- Local education agency or system of vocational education, or other school system
- An entire corporation, partnership, or other private organization, or an entire sole proprietorship
- Private organization in education, housing, health care, etc. (the entire organization)
- The entire plant or private corporation or other organization which is a geographically separate facility to which federal financial assistance is extended

WHAT TITLE VI DOES

- Prohibits entities from denying an individual any service, financial aid, or other benefit
- Prohibits entities from providing services or benefits to some individuals that are different or inferior (either in quantity or quality) to those provided to others
- Prohibits segregation or separate treatment in any manner related to receiving program services or benefits
- Prohibits entities from requiring different standards or conditions as prerequisites for serving individuals
- Encourages the participation of minorities as members of planning or advisory bodies for programs receiving federal funds
- Prohibits discriminatory activity in a facility built in whole or part with Federal funds
- Requires information and services to be provided in languages other than English when significant numbers of beneficiaries are of limited English speaking ability
- Requires entities to notify the eligible population about applicable programs
- Prohibits locating facilities in any way that would limit or impede access to a federally funded service or benefit
- Requires assurance of nondiscrimination in purchasing of services

WHAT TITLE VI DOES NOT DO

- Does not apply to Federal assistance provided through insurance or guaranty contracts (e.g., FHA loan insurance)
- Does not apply to employment, except where employment practices result in discrimination against program beneficiaries or where the purpose of the Federal assistance is to provide employment
- Does not provide relief for discrimination based on age, sex, geographical locale, or wealth
- Does not apply to direct benefit programs such as Social Security
- Only apply to contracts and set-aside programs

HOW TO FILE A COMPLAINT WITH THE TBR

Complaints must be filed in writing with the Title VI representative of the location of the alleged discrimination or with the appropriate regional or central office of the Tennessee Board of Regents, 1415 Murfreesboro Road, Suite 350, Nashville, TN 37217.

You should be aware that a recipient is prohibited from retaliating against you or any person because he or she opposed an unlawful policy or practice, or made charges, testified or participated in any complaint action under Title VI.

INFORMATION

For additional information about Title VI, please contact the Human Resources Office.

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"Simple justice requires that public funds, to which all taxpayers of all races contribute, not be spent in any fashion which encourages, entrenches, subsidizes, or results in racial discrimination."
 (President John F. Kennedy, in his message calling for the enactment of Title VI, 1963.)