

Title VI

Title VI of the 1964 Civil Rights Act says, “No person in the United States shall, on the grounds of **race, color** or **national origin**, be excluded from participation in, be denied the benefit of, or be subjected to discrimination under any program or activity receiving federal financial assistance.” 42 U.S.C. §2000d Title VI covers all forms of federal aid except those federally funded contracts of insurance and guaranty. It does not cover employment, except where employment practices result in discrimination against program beneficiaries or where the purpose of federal assistance is to provide employment.

Title VI prohibits entities from denying an individual any service, financial aid, or other benefit because of **race, color** or **national origin**. It prohibits entities from providing a different service or benefit or providing these in a different manner from those provided to others under the program.

Title VI prohibits segregation or separate treatment in any manner related to receiving program services or benefits. It prohibits entities from requiring different standards or conditions as prerequisites for serving individuals. Title VI encourages the participation of minorities as members of planning or advisory bodies for programs receiving federal funds. It prohibits discriminatory activity in a facility built in whole or part with federal funds. It requires information and services to be provided in languages other than English when significant numbers of beneficiaries are of limited English-speaking ability. Title VI requires entities to notify the respective population about applicable programs. It prohibits locating facilities in any way that would limit or impede access to a federally funded service or benefit. And finally, Title VI requires assurance of nondiscrimination in purchasing of services.

There are many forms of illegal discrimination based on **race, color** or **national origin** that can limit the opportunity of minorities to gain equal access to services and programs. Among other things, in operating a federally assisted program, a recipient cannot, based on **race, color** or **national origin**, either directly or through contractual means:

- Deny program services, aids or benefits.
- Provide a different service, aid, or benefit, or provide them in a manner different than they are provided to others.
- Segregate or separately treat individuals in any matter related to the receipt of any service, aid, or benefit.

To ensure the broad, institution wide application of Title VI and other civil rights statutes Congress passed *The Civil Rights Restoration Act of 1987*. This act clarifies the definition of “programs and activities” covered by the nondiscrimination provisions of civil rights statutes. The revised definition states that discrimination is prohibited throughout an entire agency or institution, if any part of that agency or institution receives Federal financial assistance. 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 and not just that particular program. (Example: If the Butler County Engineer's Office traffic department receives a federal grant to purchase traffic signal equipment, all departments of the Butler County Engineer's Office must follow the Title VI rules and regulations.)

Additionally, Executive Order 13166, 3 CFR 289 (2001) on **limited English proficiency**, according to the U.S. Department of Justice in its Policy Guidance Document dated August 16, 2006 (65 Fed. Reg. at 50123), clarifies the responsibilities associated with the "application of Title VI's prohibition on **national origin** discrimination when information is provided only in English to persons with limited English proficiency." Together these statutes and Executive Orders form the basis of the Department's Title VI/Nondiscrimination Program, which aims to ensure that no person will be denied the benefits of or be excluded from participation in or be subjected to discrimination under any program, service, or activity on the basis of **race, color, national origin, sex, age, disability, low-income status, or limited English proficiency**.

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