

## TITLE VI COMPLIANCE AND TRAINING FOR AOC GRANT SUBRECIPIENTS QUICK FACTS

The AOC suggests printing these Quick Facts for reference during the training:

- ◆ According to Federal Law, **Title VI of the Civil Rights Act of 1964** states that no person in the United States shall, on the grounds 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.

In addition, Tennessee legislation (TCA 4-21-904 and TCA 4-21-203) enforces Title VI Compliance in all of its departments, programs, and agencies.

- ◆ Subrecipients are encouraged to **engage the public** with the opportunity to make them aware of projects or services and to provide input in the decision-making process through: Public Meetings/Hearings in centralized locations; Advertisement with Local Media Resources and Minority Newspapers; Direct Mailings; Public Service Announcements; Website, and Radio and Television.
- ◆ **Limited English Proficiency (LEP) persons** are a people who do not speak English as their primary language, and have a limited ability to read, speak, write or understand English.
- ◆ **Non-Compliance** is the failure or refusal to comply with Title VI of the Civil Rights Act of 1964, other applicable Civil Rights Laws, and implementing departmental regulations.

Non-Compliance may result in sanctions such as withholding of payments to the recipient under the contract until the recipient complies, and/or cancellation, termination or suspension of the contract, in whole or in part.

- ◆ Agencies are to **evaluate current LEP practices**. This evaluation process may include identifying actions already being taken and existing tools that can be used to provide meaningful access; taking inventory of existing materials that have been translated into other languages; staff awareness and response plan.
- ◆ **To be compliant with Title VI requirements**, agencies must: 1) Appoint a Title VI Coordinator; 2) Obtain Title VI Training from the AOC; 3) Provide Title VI Training to all employees; 4) Develop a Title VI Policy Statement and post in visible areas; 5) Acquire signed Title VI Assurances; 6) Monitor ethnicity of contractors and subcontractors; and 7) Include Title VI Assurances in all contracts.

- ◆ Title VI regulations require agencies to provide **civil rights training for staff** and assign sufficient personnel to ensure effective enforcement. Periodic training should be designed to develop awareness and sensitivity in carrying out federally funded programs.
- ◆ Compliance includes developing a Title VI Policy Statement and posting it in visible areas. Subrecipients must have a **mechanism for advising service recipients of their rights** under Title VI of the Civil Rights Act of 1964 and how to file a discrimination complaint.
- ◆ Agencies are required to have a written **Title VI complaint process and complaint log** including: How to file a complaint; Instructions that the complaint must be filed within 180 days of the alleged occurrence or when the alleged discrimination became known to the complainant; Procedure stating that the complaint should be in writing and signed by the person making the complaint; Process for determining the jurisdiction, acceptability and the need for additional information upon receipt in order to investigate the merit of the complaint; Instructions that complaints filed against the subrecipient should be forwarded to the AOC Title VI Coordinator for investigation; Commitment to take final action within 90 days; and appeal instructions.
- ◆ The **inclusion of minorities on planning boards and commissions** is critical in establishing an equal access planning system. Subrecipients cannot “deny a person the opportunity to participate as a member of a planning, advisory, or similar body which is an integral part of the program.”