

Title VI Program and Other Related Nondiscrimination Authorities Training


1. Title VI Training

1.1 TITLE: TITLE VI

Florida Department of Highway
Safety and Motor Vehicles

**Title VI Program and Other
Related Nondiscrimination
Authorities Training**

Duration: 15 minutes
Slides: 23
Version: 6.10.2016



The logo for the Florida Department of Highway Safety and Motor Vehicles, featuring the word "FLORIDA" in large blue letters, with "A SAFER" in small red letters above it, and "HIGHWAY SAFETY / MOTOR VEHICLES" in small red letters below it.

Notes:

1.2 OBJECTIVES

Objectives

Following this course, you will be able to:

- ✓ Identify the laws enforced by the Federal Office for Civil Rights which apply when agencies receive Federal funds.
- ✓ Identify discriminatory actions prohibited by Title VI.
- ✓ Explain the responsibilities of the Department Title VI Program Coordinator and Division Title VI Program Coordinators and how to file a Title VI Complaint.

Notes:

1.3 CLAIMS OF DISCRIMINATION POLICIES

Claims of Discrimination Policies

Don't we already have a Policy that pertains to Claims of Discrimination?

- ❖ Management Policy 3.05, Claims of Discrimination, to include Sexual Harassment pertains to Title VII of the Civil Rights Act of 1964.
- ❖ Title VII prohibits discrimination in employment on the basis of race, color, religion, sex or national origin.

Notes:

1.4 TITLE VI CLAIMS OF DISCRIMINATION

Title VI Claims of Discrimination

Title VI of the Civil Rights Act of 1964 and related nondiscrimination authorities prohibit discrimination on the basis of race, color, national origin, sex, disability, age, income-level and limited English proficiency (LEP) under any program or activity receiving federal financial assistance.



Notes:

1.5 TITLE VI CLAIMS OF DISCRIMINATION

Title VI Claims of Discrimination

The Title VI program has recently been implemented.

In order to ensure all members are aware of it, we are providing this training.



Notes:

1.6 FMCSA

The Federal Motor Carrier Safety Administration (FMCSA)

FMCSA is a separate administration within the U.S. Department of Transportation that provides federal financial assistance, like grants, to law enforcement agencies and other entities to reduce bus and truck-related crashes.

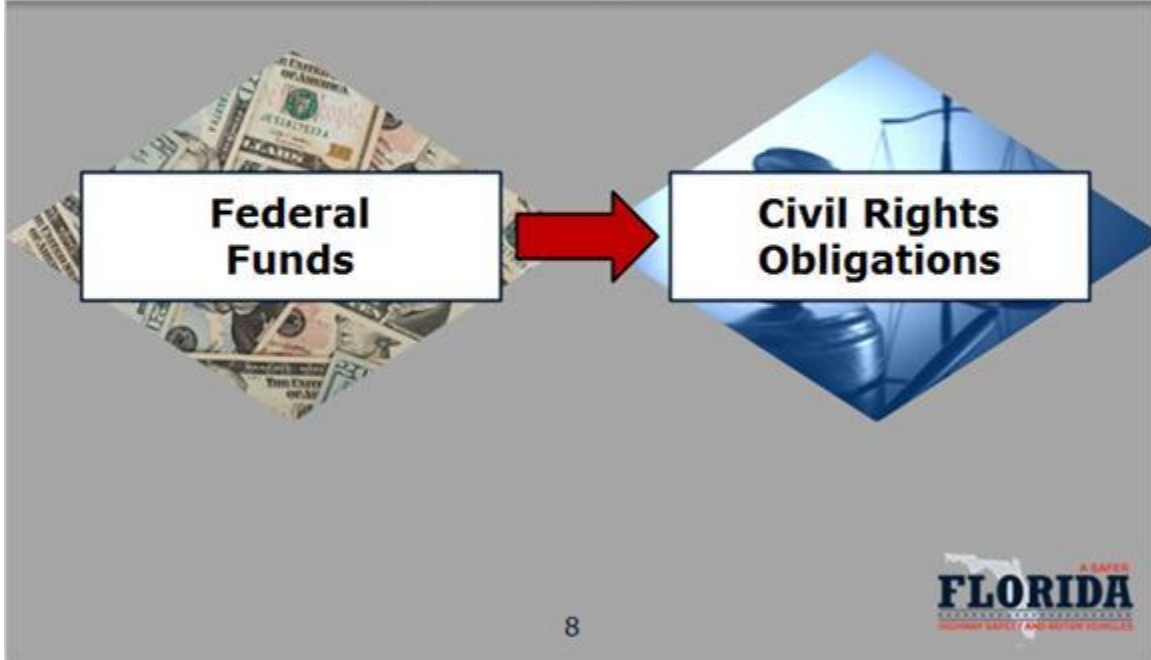
The Office of Civil Rights (OCR) is responsible for enforcing civil rights laws connected to FMCSA financial assistance.

When federal financial assistance is provided, in any way, the recipients and sub-recipients must be aware of and comply with all civil rights requirements.

Notes:

1.7 WHENEVER FEDERAL FUNDS ARE INVOLVED

Whenever Federal funds are involved,
recipients must follow
civil rights requirements.



Notes:

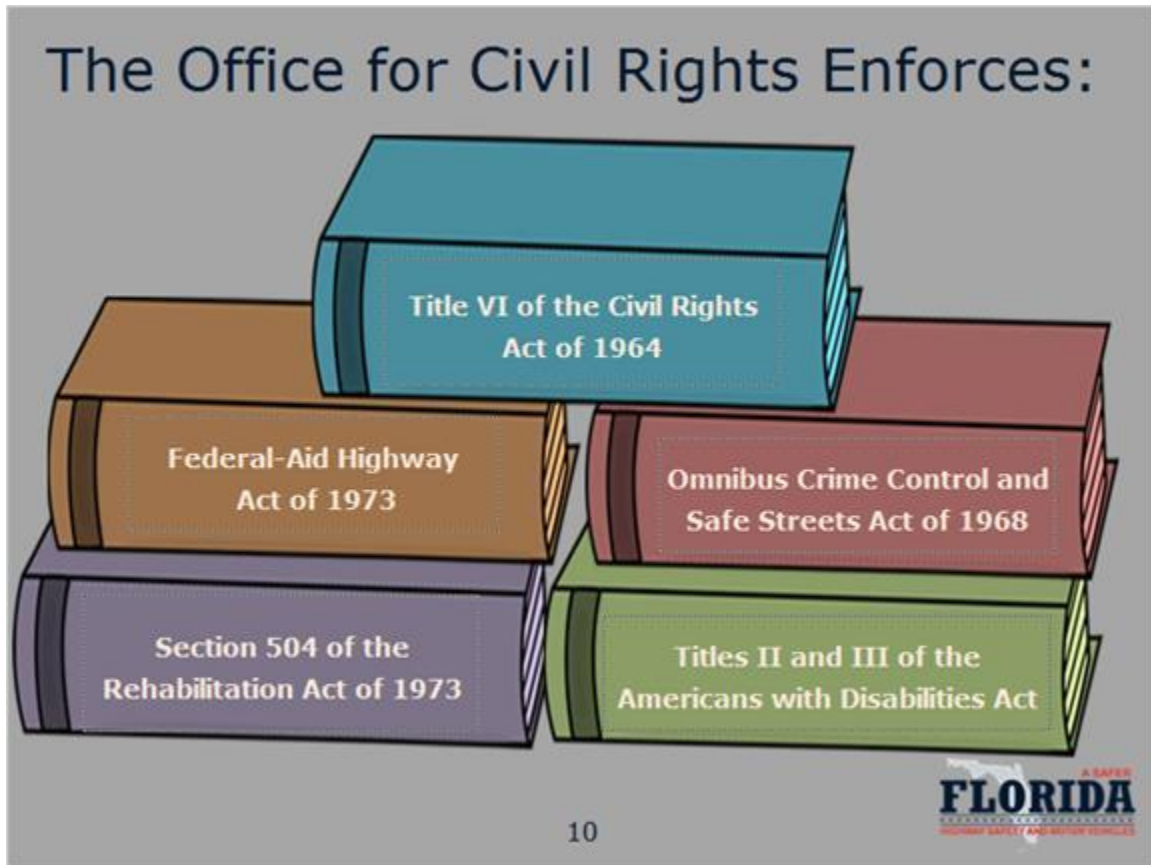
1.8 WHENEVER FEDERAL FUNDS ARE INVOLVED

Whenever Federal funds are involved,
recipients must follow
civil rights requirements.

- ❖ This presentation provides a great deal of useful information about civil rights laws and their application to Federal grantees.
- ❖ However, when all is said and done, if nothing else, everyone should learn this one simple concept: whenever Federal funds are involved, there are civil rights requirements that recipients must follow.

Notes:

1.9 THE OFFICE OF CIVIL RIGHTS ENFORCES



Notes:

1.9a Title VI of the Civil Rights Act of 1964

Title VI of the Civil Rights Act of 1964

**Title VI of the Civil Rights Act of 1964, 42U.S.C. §2000d
et seq. (prohibiting discrimination in programs or activities
on the basis of race, color, and national origin)**

10.1



1.9b Federal-Aid Highway Act of 1973

Federal-Aid Highway Act of 1973

**Federal-Aid Highway Act of 1973, 23 U.S.C. § 324
et seq., which prohibits discrimination on the basis of sex.**

10.2



1.9c Omnibus Crime Control and Safe Streets Act of 1968

Omnibus Crime Control and Safe Streets Act of 1968

Omnibus Crime Control and Safe Streets Act of 1968, as amended, 42 U.S.C. §3789d(c)(1) (prohibiting discrimination in employment practices or in programs and activities on the basis of race, color, religion, national origin, and sex)

10.3



1.9d Section 504 of the Rehabilitation Act of 1973

Section 504 of the Rehabilitation Act of 1973

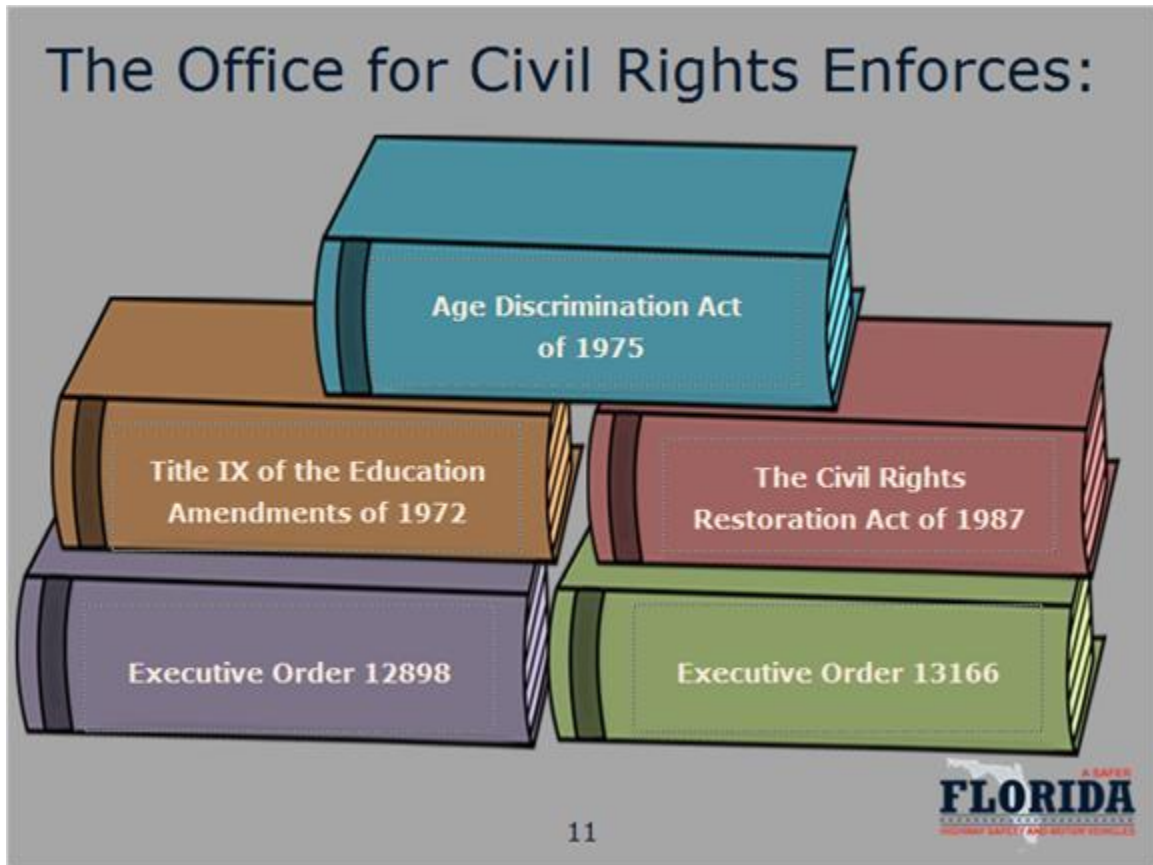
Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. §794 *et seq.* (prohibiting discrimination in employment practices or in programs and activities on the basis of disability)

1.9e Titles II and III of the Americans with Disabilities Act

Titles II and III of the Americans with Disabilities Act

Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §12131 – 12189) as implemented by Department of Justice regulations at 28 C.F.R. parts 35 and 36, and Department of Transportation regulations at 49 C.F.R. parts 37 and 38.

1.10 THE OFFICE OF CIVIL RIGHTS ENFORCES



Notes:

1.10a Age Discrimination Act of 1975

Age Discrimination Act of 1975

**Age Discrimination Act of 1975, 42 U.S.C. §§6101-07
(prohibiting discrimination in programs and activities on
the basis of age)**

11.1



1.10b Title IX of the Education Amendments of 1972

Title IX of the Education Amendments of 1972

**Title IX of the Education Amendments of 1972,
20 U.S.C. §1681 *et seq.* (prohibiting discrimination in
educational programs or activities on the basis of sex)**

11.2



1.10c The Civil Rights Restoration Act of 1987

The Civil Rights Restoration Act of 1987

The Civil Rights Restoration Act of 1987, Public Law 100-259, which restored the broad scope of coverage and to clarify the application of Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and Title VI of the Civil Rights Act of 1964.

Executive Order 12898

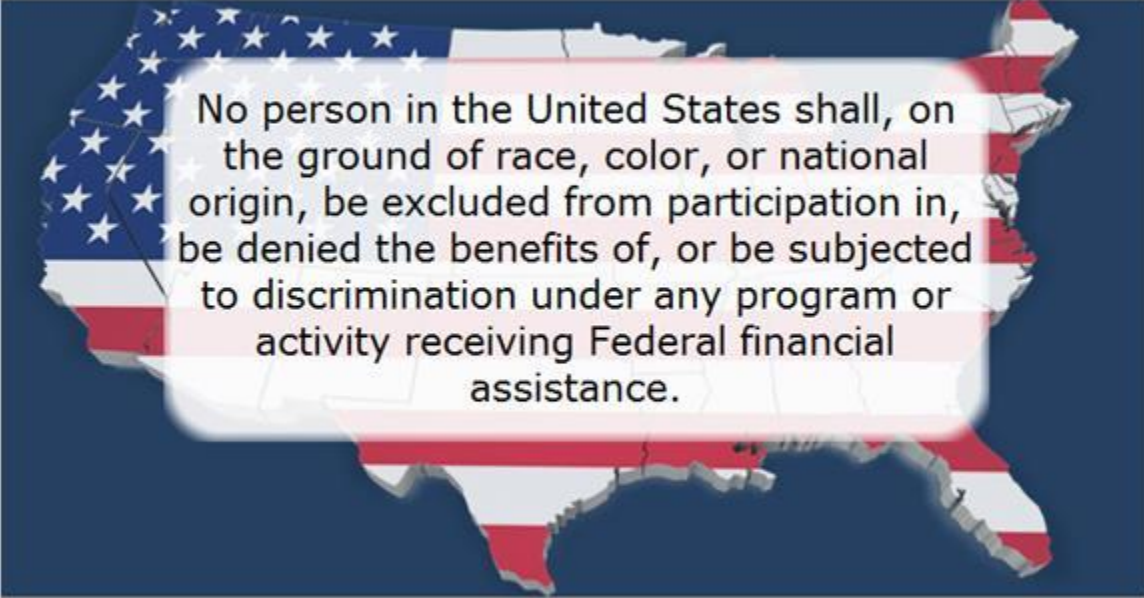
Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which prohibits discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations

Executive Order 13166

Executive Order 13166, *Improving Access to Services for Persons with Limited English Proficiency*, and resulting Department of Transportation guidance, prohibits national origin discrimination includes discrimination based on limited English proficiency (LEP).


1.11 TITLE VI CIVIL RIGHTS ACT OF 1964

Title VI Civil Rights Act of 1964



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.


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Notes:

1.12 TITLE VI PROTECTED CLASSES

A presentation slide with a grey header and footer. The main content area has a background image of hands clasped together. A semi-transparent white box in the center contains a bulleted list of protected classes. The Florida Department of Education logo is in the bottom right corner.

Title VI Protected Classes

- Race
- Color
- National Origin
- Sex
- Disability
- Age
- Income-level
- Limited English Proficiency (LEP)

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SCHOOL
FOR ALL
STUDENTS

Notes:

1.13 FEDERAL CIVIL RIGHTS PROTECTED CLASSES

Federal civil rights laws apply to all “protected classes.”

There are some important, but often overlooked types, of discrimination:

- ❖ Color discrimination can occur intra-rationally.
- ❖ Natural origin discrimination may include barriers that prevent Limited English Proficient (LEP) persons from accessing federally funded programs.

Notes:

1.14 APPLICATION OF FEDERAL PROTECTION

Application of Federal Protections:

If a state receives funding that is designated for a particular state HSMV program, all the services and programs provided by the HSMV are covered, but not, however the entire State of Florida.

If a project of a county Sheriff's department receives Federal funds, the entire Sheriff's department is covered, but not the other departments in the county.

If one school in a post-secondary educational institution receives Federal financial assistance, then the whole school system is subject to Title VI.

Notes:

1.15 TITLE VI PROHIBITS

Title VI Prohibits:

- ❖ Providing **different** services to individuals based on race, color, or national origin.
- ❖ Denying the opportunity to participate as a member of a **planning or advisory body**.
- ❖ Selecting the **location of a facility** with the purpose or effect of excluding individuals.

Notes:

1.16 TITLE VI PROHIBITED DISCRIMINATORY ACTIONS

Title VI Prohibited Discriminatory Actions

Title VI Department of Justice regulations outline specific discriminatory actions that are prohibited (28 C.F.R. §42.104). A recipient may not:


Directly or through contractual or other arrangements discriminate on the basis of race, color, or national origin.

Deny an individual any disposition, service, financial aid, or benefit.

Subject an individual to segregation or separate treatment.

Notes:

1.17 TITLE VI PROHIBITED DISCRIMINATORY ACTIONS

Title VI Prohibited Discriminatory Actions		
Department of Justice regulations implementing Title VI outline specific discriminatory actions that are prohibited (28 C.F.R. §42.104). A recipient may not:		
Treat an individual differently from others in determining whether he or she satisfies any admission, enrollment, or eligibility requirement, or condition which individuals must meet to receive the funded service.	Deny an individual an opportunity to participate or afford him or her services that are different from those provided to others.	Deny a person the opportunity to participate as a member of a planning or advisory body which is an integral part of the program.
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Notes:

1.18 TITLE VI PROHIBITED DISCRIMINATORY ACTIONS

Title VI Prohibited Discriminatory Actions

Title VI Department of Justice regulations outline specific discriminatory actions that are prohibited (28 C.F.R. 42.104). A recipient may not:

In determining the type of service or class of individuals served, may not discriminate on the basis of race, color, or national origin;

In determining the site or location of facilities, may not make selections that have the purpose or effect of discriminating.

Notes:

1.19 LIMITED ENGLISH PROFICIENCY (LEP)

Limited English Proficiency (LEP)



National Origin Discrimination

- ❖ Includes discrimination for services on the basis of Limited English Proficiency (LEP).
- ❖ A Limited English Proficient (LEP) person has a first language other than English and a limited ability to read, write, speak, or understand English.

Notes:

1.20 FILING A TITLE VI COMPLAINT

Filing a Title VI Complaint

Chief of Personnel Services, Department Title VI Program Coordinator

Responsibilities include:

- ❖ Title VI Program Assurance, Policy and Training
- ❖ Facilitating formal complaints
- ❖ Reviewing quarterly reports submitted by the Division Title VI Program Coordinators regarding Division compliance with Title VI

Notes:

1.21 DIVISION TITLE VI PROGRAM COORDINATORS

Division Title VI Program Coordinators

Bureau Chiefs and Troop Commanders responsibilities include:

- ❖ Resolving Title VI issues within their respective Division/Bureau
- ❖ Notifying the Chief of Personnel Services and appropriate division management of the complaint within 5 calendar days of receipt
- ❖ Referring formal complaints or unresolved complaints to the Chief of Personnel Services
- ❖ Providing quarterly reports to the Chief of Personnel Services

Notes:

1.22 COMPLETION

Congratulations!

You have completed the Title VI Training.

Notes: