

MDOT SUB-RECIPIENT - TITLE VI RESPONSIBILITIES

Title VI of the Civil Rights Act of 1964 makes it illegal for people to be discriminated against on the basis of their race, color, or national origin in any program or activity that receives funds directly from the federal government or from a sub-recipient of federal funds (a sub-recipient is an entity that receives federal funds from a direct recipient of federal funds). If an entity receives one dollar (\$1.00) from a recipient of federal funds the entire entity must comply with Title VI.

Congress restored the broad coverage of Title VI with the passage of the 1987 Civil Restoration Act. It is crucial to understand that Title VI applies to discrimination throughout a covered entity, not just to actions involving the federally assisted program. If a local government accepts one dollar (\$1.00) from a recipient of federal funds, it has to review all of its policies and programs for Title VI compliance.

Title VI is the mechanism that ensures that federal financial assistance, which drives or promotes economic development, infrastructure improvements, service delivery, and minority participation in decision-making, is done without discrimination. The intent is to ensure that all persons have fair participation and representation in the planning and execution of public policy.

Individuals must not be excluded from participating in a program or activity operated by the state, county, city, transit agencies, colleges, or universities. Entities receiving grants must ensure that those funds are spent in a nondiscriminatory manner.

Most complaints against local governments deal with issues of inadequate or inferior municipal services, lack of participation on local planning bodies and in contracting opportunities; unequal access to services; failure to notify persons of the existence of programs; and different standards utilized to obtain services.

As citizens become aware of their rights and seek parity in programs funded with their tax dollars, local governments find themselves vulnerable if they have failed to develop a program to enforce this broad, far-reaching law. The Federal Highway Administration (FHWA) requires that agencies act in a proactive manner in order to avoid non-compliance in regard to Title VI.

In 1963, President John Kennedy said Title VI reflected the "moral sense of the nation." It meant that federal tax dollars not be spent in any fashion which encourages, entrenches, subsidizes, or results in racial discrimination.

Unfortunately, most Americans are unaware of Title VI and its breadth of coverage. Title VI covers programs that address such broad and diverse areas as health care, transportation, parks, the environment, housing and community development, law enforcement and many other areas.