

Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq. ("Title VI")

Title VI prohibits discrimination on the basis of race, color, or national origin in any program or activity that receives Federal funds or other Federal financial assistance. Programs that receive Federal funds cannot distinguish among individuals on the basis of race, color or national origin, either directly or indirectly, in the types, quantity, quality or timeliness of program services, aids or benefits that they provide or the manner in which they provide them. This prohibition applies to intentional discrimination as well as to procedures, criteria or methods of administration that appear neutral but have a discriminatory effect on individuals because of their race, color, or national origin.

Policies and practices that have such an effect must be eliminated unless a recipient can show that they were necessary to achieve a legitimate nondiscriminatory objective. Even if there is such a reason the practice cannot continue if there are alternatives that would achieve the same objectives but that would exclude fewer minorities. Persons with limited English proficiency must be afforded a meaningful opportunity to participate in programs that receive Federal funds. Policies and practices may not deny or have the effect of denying persons with limited English proficiency equal access to Federally-funded programs for which such persons qualify.

Set forth below are examples of conduct that may violate Title VI:

- A welfare benefit provider restricts training and/or work assignments based on its clients' race or national origin by assigning minority clients to jobs that pay less or have fewer opportunities for permanent employment than work assignments given to non-minority clients.
- A predominantly minority community is provided lower benefits, fewer services, or is subject to harsher rules than a predominantly non-minority community.
- A local welfare office makes assumptions regarding a person's citizenship, immigration status and eligibility for benefits, based on the person's surname, accent or ability to speak English, and asks only those persons who look or sound foreign about their citizenship and immigration status.
- In determining eligibility of Asian applicants for TANF benefits, a local agency requires substantially more and different documentary proof of citizenship and immigration status than it does in determining the eligibility of non-Asians.
- A local welfare office located in a neighborhood with a number of immigrant groups provides no language assistance to TANF applicants or participants who are limited English proficient (LEP), but advises them to bring friends or relatives, as interpreters, to their appointments.
- A training program charges an LEP class member for interpreter services that are needed for the class member to benefit from the training program.
- A local welfare office which regularly serves LEP persons only makes interpreters available for persons applying for benefits three hours a week.