

Do You Have A Role in Title VI Enforcement?

Offices of Resolution Management & Diversity and Inclusion Remember the "R"



Who Does Title VI Protect?

Any person in the United States.

- Everyone
- Dependents
- Survivors
- Veterans



What is Title VI?

Title VI of the Civil Rights Act of 1964 (Title VI) prohibits:

- Excluding any person from participation in, denying the benefits of, or subjecting them to discrimination
- in any program or activity receiving federal financial assistance
- on the grounds of race, color, or national origin

Who Must Comply with Title VI?

- **Any non-federal entity that receives federal financial assistance from VA (recipient).**
- Title VI does not apply to VA federally-conducted programs.

Title VI Complaint Examples

- ✓ Refusal of service
- ✓ No language services
- ✓ Limiting choices
- ✓ Pricing differences
- ✓ Retaliation for complaining

Examples of Programs or Activities

- Possible federally-assisted programs and activities:
- California Department of Veterans Affairs
 - City of Springfield, Department of Health
 - Mississippi Veterans Memorial Cemetery

Examples of Recipients

- ❖ Vermont Office of Veteran Affairs
- ❖ City of Springfield
- ❖ Maryland Veteran's Cemetery
- ❖ Oakland Behavioral Health Clinic
- ❖ Syracuse University

Title VI Resources

- U.S. Department of Justice Title VI Manual
- VA Title VI Regulations, 38 CFR Part 18
- VA Civil Rights Discrimination Complaint Form, VA 10-0381

What is the Title VI Complaint Process?

VA



U.S. Department
of Veterans Affairs

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These are the steps to assign and process a VA External Complaint under Title VI

1

Individual initially contacts ORM to report the occurrence (s) of alleged discrimination under Title VI. Upon receipt of the complaint, the External Complaints Program (ECP) Manager identifies the responsible office and assigns the complaint to the Administration (VHA, VBA, & NCA) where the claim originated for further complaint processing.

2

The receiving Administration establishes Title VI jurisdiction by determining: 1) if the complaint alleges discrimination based on race, color or national origin; and 2) if the alleged discrimination occurred in a program or activity that receives federal financial assistance from VA.

3

If the Administration concludes that it does have jurisdiction over the External Complaint, the Administrative Officer will forward the complaint to an investigator to conduct a prompt investigation to determine if the alleged discrimination or any other discrimination in violation of federal civil rights laws occurred.

4

If the investigator concludes that there was discrimination in violation of Title VI, the investigator will forward his/her report to the Administrative Officer to conduct the complaint resolution process and negotiate an appropriate resolution.

VA Title VI regulations also require VA staff to conduct compliance reviews.

VA can initiate a compliance review at any time for any reason, as long as it is reasonable, meaning whether it is:

- (i) in accordance with VA regulations that require periodic compliance reviews;
- (ii) to consolidate multiple complaints about the same entity;
- (iii) based on established VA criteria; or
- (iv) based on newspaper articles and other sources of information that indicate a violation.