

**Title VI of the  
1964 Civil Rights Act  
Training  
for LFUCG ARPA Recipients  
and Sub-recipients**

*Isabel Gereda Taylor, JD, LLM  
LFUCG Title VI Coordinator  
Office of the Mayor*



**LEXINGTON**



# 1964 CIVIL RIGHTS ACT

## *Title VI, Section 601*

**No person 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.*''**



# KENTUCKY TITLE VI

KRS 344.015(2) states agencies shall

- Submit a Title VI implementation plan

- Submit annual Title VI compliance reports

- Submit both to the Auditor of Public Accounts and the Human Rights Commission

45 KAR standards and information that must be included in the plans:

- Record keeping and reporting, training, public notice and outreach, complaint procedures, and enforcement of corrective actions**



## DOJ's Four Factor Analysis:

1. ID the number/proportion of foreign language speakers in your area. (Provided by an annual report by the Title VI Coordinator)
2. **Frequency of LEP Contact with your service or program.** (provided by Division or program level, note red flag to DOJ)
3. Nature and Importance of the service or program (Safety Divisions held to a higher standard by DOJ)
4. Resources Available (funding & budget reasonable test)



# LIMITS OF TITLE VI

1. Applies to those “receiving federal financial assistance”
2. Applies to entire agency if one part of it is funded
3. Applies to sub-recipients of federal funds



# ARPA RECIPIENTS & TITLE VI

**US Treasury** requirements include:

“ensuring that entities receiving Federal financial assistance from the Treasury do not deny benefits or services, or otherwise discriminate on the basis of race, color, national origin (including limited English proficiency), disability, age, or sex (including sexual orientation and gender identity), in accordance with the following authorities: Title VI of the Civil Rights Act of 1964 (Title VI) Public Law 88-352...”



## ARPA RECIPIENTS & TITLE VI

**“US Treasury expects evidence based Reporting:** Generally, recipients must submit one initial interim report, quarterly or annual Project and Expenditure reports **which include sub-award reporting**, and in some cases annual Recovery Plan reports.”

**“Civil Rights Compliance. Recipients of Federal financial assistance from the Treasury are required to meet legal requirements relating to nondiscrimination and nondiscriminatory use of Federal funds.”**



# SUBRECIPIENTS & TITLE VI

“f. Civil Rights Compliance: Treasury will request information on recipients’ compliance with Title VI of the Civil Rights Act of 1964 on an annual basis.

*This information may include a narrative describing the recipient’s compliance with Title VI, along with other questions and assurances”.*





---

# NATIONAL ORIGIN DISCRIMINATION

## *Language*

**The Supreme Court has ruled that a person's language is so closely connected to national origin that *denial of service due to language barriers* is a violation of the Civil Rights Act of 1964**

National origin discrimination can also be due to someone's country of birth. A "national origin group," or an "ethnic group" is a group of people sharing a common culture, ancestry, race, and/or other social characteristics, such as dress, religion, features, etc. They can be American or foreign born.



---

# NATIONAL ORIGIN DISCRIMINATION & DOJ'S Meaningful Access

“***Meaningful access***” for the Limited English proficient (**LEP**) public means language assistance to your information or programs through:

- **Timely language assistance**, without unreasonable delay
  - Bilingual or multilingual staff, and/or
  - **A trained *interpreter***, and/or
  - Telephone interpreting service
- **Translations of important written material**
- **At no cost to the individual**



# COMPLIANCE: How does LFUCG achieve it?

- *Written Title VI Policy*
- *Title VI Plan Program available online*
- *Designation of Title VI Compliance Coordinator and TVI Liaisons for each Division*
- *Notice to the public in lobbies and on the website*
  - *Posters*
  - *“I Speak posters/cards”*
- *\*Training all staff who work with the public*
- *Record keeping/**tracking** that tabulates all languages encountered*
  - **4 part analysis is impossible without tracking LEP**
  - Know the demographic: FCPS ELL student and foreign languages and numbers & E911 calls



---

# NATIONAL ORIGIN DISCRIMINATION

## Record Keeping

**US Treasury will look for LFUCG's:**

- **Policy & Plan**
- **Knowledge of Lexington's LEP communities**
- **Record keeping (tracking encounters) and reporting,**
- **Training for all staff**
- **Public notice and *outreach to LEP***
- **Complaint procedures (most language access)**
- **Enforcement of corrective actions**



# COMPLAINT PROCEDURES & COMPLIANCE

- *Complaint process* for reporting, investigating and corrective measures meant to *provide LFUCG employees with the tools they need to do their job.*
- *Your written Language Access Plan/Protocol shows supervisors and staff*
  - How to ID the LEP communities in Lexington to recognize probable language needs & outreach goals
  - How to ID the LEP individual
  - How to access a qualified interpreter
  - \*How to access a translator (written material)
  - Quality control
  - Complaint protocol: (comments, suggestions)




# “I SPEAK” POSTERS & CARDS

## Arabic

عربي 

أشـر إلى لغتك. وسوف يتم جلب مترجم فوري لك.  
سيتم تأمين المترجم الفوري مجاناً.

## French

Français 

Pointez vers votre langue et on appellera un  
interprète qui vous sera fourni gratuitement.

## German

Deutsch 


Zeigen Sie auf Ihre Sprache. Ein Dolmetscher wird  
gerufen. Der Dolmetscher ist für Sie kostenlos.

## Hindi

हिंदी 

अपनी भाषा पर इंगित करें और एक दुभाषिया बुलाया जाएगा।  
दुभाषिये का प्रबन्ध आप पर बिना किसी खर्च के किया जाता है।

## Italian

Italiano 


Puntare sulla propria lingua. Un interprete sarà  
chiamato. Il servizio è gratuito.

## Japanese

日本語 


あなたの話す言語を指して下さい。  
無料で通訳を提供します。

## Korean

한국어 

귀하께서 사용하는 언어를 지적하시면 해당  
언어 통역 서비스를 무료로 제공해 드립니다.

## Mandarin

國語 


請指認您的語言，  
以便為您提供免費的口譯服務。

## Russian

Русский 

Укажите язык, на котором вы говорите. Вам вызовут  
переводчика. Услуги переводчика предоставляются бесплатно.

## Spanish

Español 

Señale su idioma y llamaremos a un intérprete.  
El servicio es gratuito.

## Swahili

Kiswahili

Onyesha lugha yako. Ataitishwa mkalimani.  
Utapewa mkalimani bila ya gharama yoyote kwako.

## Vietnamese

Tiếng Việt 

Hãy chỉ vào ngôn ngữ của quý vị. Một thông dịch viên sẽ được  
gọi đến, quý vị sẽ không phải trả tiền cho thông dịch viên.



# LFUCG'S Language Access Goals

- *Trained* multilingual/bilingual staff (includes Vistas, interns, volunteers, etc.)
- Telephone **interpreter** service accessible to all staff that interact routinely with the public
  - “Language Line” Codes: E-911, 311, Police, Fire, Global Lex & Mayor’s Office, DSS Divisions, with “I speak posters” & tutorial on how to use Language Line.
  - Global Lex Interpreter lists for Police, DEM, & general staff, all include Sign Language Services
- *Annual Language Group Report* by IGT helps identify top area languages and critical material translations
- *Budget: Routinely include language access costs to checklist of expenses in budgets & in grant applications*



# LFUCG TITLE VI NOTICE & PLAN

*Notice:*

<https://www.lexingtonky.gov/notice-title-vi>

*Plan:*

<https://intranet.lexingtonky.gov/home/showpublisheddocument/1204/637745627237970000>

**Above links serve as guides for sub-recipients to achieve the objective of non-discriminatory practices in all areas of service-delivery.**





QUESTIONS?