



THE UNITED STATES DEPARTMENT OF JUSTICE

Protecting Against Race, Color, and National Origin Discrimination by Recipients of Federal Funds

Congress enacted Title VI as part of the landmark Civil Rights Act of 1964. Title VI prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance. In the enforcement of Title VI, the U.S. Department of Justice has three distinct roles. First, given its unique role within the federal government, the Department's Civil Rights Division coordinates Title VI enforcement activities among all federal agencies that award financial assistance. Second, like any other federal agency, the Department, through the administrative process, ensures that its own recipients of financial assistance do not engage in unlawful discrimination. Third, when the enforcement of Title VI requires litigation, the Civil Rights Division represents the interests of the federal government in court.

Direct discrimination by Federal, State, or local governments is prohibited by the Constitution. But indirect discrimination, through the use of Federal funds, is just as invidious."

- President John F. Kennedy, 1963

I. LEADERSHIP AND COORDINATION OF TITLE VI ENFORCEMENT AMONG FEDERAL AGENCIES



[Executive Order 12250](#), "Leadership and Coordination of Nondiscrimination Laws," gives the Department the authority to ensure consistent and effective enforcement of Title VI across all federal agencies. The Attorney General has delegated that authority to the Civil Rights Division, and it is a key function of the [Federal Coordination and Compliance Section](#) (FCS).

In July of 2009 the Civil Rights Division held a Title VI Conference: [Celebrating the 45th Anniversary of the Legislation and Exploring Current Issues in Enforcement](#). Approximately 400 representatives from federal, state and local agencies, community organizations and advocacy groups gathered to share new ideas and discuss trends in Title VI enforcement. The conference emphasized the federal government's reinvigorated commitment to enforcement of the Title VI

prohibition against discrimination on the basis of race, color or national origin in federally funded programs.

The Federal Coordination and Compliance Section (which was named the Coordination and Review Section at the time) delivered this conference as part of its broad responsibility to ensure greater effectiveness and consistency in federal Title VI enforcement. The Division continues to carry out these responsibilities using a variety of strategies, including:

Leadership and Coordination

- Issued guidance memoranda to federal funding agencies concerning their Title VI obligations, entitled:
["Strengthening of Enforcement of Title VI of the Civil Rights Act of 1964"](#)
["Title VI Coordination and Enforcement"](#)
- Issued an updated version of a [video](#) that serves as a training tool on the requirements of Title VI;
- Created and led the Title VI Interagency Working Group, a forum for federal civil rights leadership, staff, and counsel to leverage resources, training, promising practices, and problem-solving opportunities with the goal of creating more effective and consistent Title VI enforcement programs across government;
- Established and led the Title VI Committee of the Interagency Working Group on Environmental Justice;
- Led the federal agency coordination and implementation of [Executive Order 13166](#), "Improving Access to Services for Persons with Limited English Proficiency." This effort includes enforcement and coordination of Title VI requirements as well as those that require the federal government itself to communicate effectively with limited English proficient individuals;

As you likely have heard me say, Title VI has been called the "sleeping giant" of civil rights law. Title VI's breadth of coverage is extensive and it can address a huge array of injustices: from environmental racism to discriminatory profiling, and from disparities in health care and basic services to inequities in transportation, housing, and education. Title VI offers federal agencies a powerful tool to fight discrimination based on race, color, and national origin." Assistant Attorney General Tom Perez, August 19, 2010

- Continued to lead the Interagency Working Group on Limited English Proficiency (LEP) and the development of numerous technical assistance, guidance, and planning tools and the website www.lep.gov;
- Provided agencies with model language for contractual assurances of civil rights compliance by recipients, and continues to work with the interagency working groups to improve consistency of civil rights assurances, terms, and conditions in the grant making process; and
- Coordinated matters over which many agencies have jurisdiction.

Review and Legal Counsel

- Reviewed agency Title VI implementing regulations and guidance documents;
- Worked with federal agencies to address Title VI claims in federal cases; and
- Provided guidance to federal agencies explaining how [discrimination against Jews, Muslims, Sikhs, and members of other religious groups](#) violates Title VI when that discrimination is based on the group's actual or perceived shared ancestry or ethnic characteristics or actual or perceived citizenship or residency in a country whose residents share a dominant religion or a distinct religious identity.

Technical Assistance

- Provided Title VI training, technical assistance, and counsel to civil rights offices in various federal agencies;
- Provided training and technical assistance tools for a variety of recipients of federal financial assistance; and
- Maintained two websites as a repository for news and resources to federal agencies, recipients, and the public (www.LEP.gov and www.justice.gov/crt/about/cor).

"Title VI is a vital tool in the struggle to end discrimination in our time. The Civil Rights Division and all of the federal agencies that provide federal financial assistance must be vigilant in enforcing its provisions in order to ensure that public funds are not used in programs that engage in discrimination."
Loretta King, Acting Assistant Attorney General for the Civil Rights Division, during the July 2009 45th Anniversary Conference.

Compliance

- Conducted joint Title VI investigations with other federal agencies and provided strategic and legal advice to assist in investigations and compliance reviews.

Leveraging Resources

- Established a highly successful [Title VI Detailee program](#) in which staff from other federal agencies can work full- or part-time in FCS on programs that address cross-cutting Title VI issues while gaining specific investigative and other skills to take back to their agencies; and
- Provided training to and expanded our partnerships with U.S. Attorneys to collaborate on Title VI investigations and enforcement actions in their districts.

In addition, in 2011, the Department proposed [legislation](#) to facilitate enforcement by private parties of Title VI's non-discrimination guarantees.

II. ADMINISTRATIVE ENFORCEMENT OF TITLE VI



Beneficiaries of programs that receive financial assistance from the Justice Department and who believe that they have experienced discrimination in the delivery of services or benefits, based on race, color, or national origin, may file an administrative complaint directly with the Justice Department.

The principal office for receiving discrimination complaints against recipients of financial assistance from the Justice Department is the Office for Civil Rights at the Office of Justice Programs. For more information about the enforcement activities of that office, including details regarding a proactive compliance review program focused on ensuring State Administering Agencies understand and abide by their obligations as to subrecipients of Department of Justice funds, see http://www.ojp.usdoj.gov/about/ocr/pdfs/OCR_TitleVI.pdf.

The Civil Rights Division also investigates allegations of discrimination by recipients of Department of Justice financial assistance, including state courts, state and local law enforcement, correctional facilities, juvenile justice programs, educational institutions, and other recipients. We do so through memoranda of agreement with Departmental components that distribute grants and forfeited assets.

The Division has expanded its use of Title VI as a tool to address and prevent discrimination by Justice Department recipients. For instance:

- The Special Litigation Section frequently includes Title VI claims in their law enforcement, juvenile justice, and corrections cases;
- The Educational Opportunities Section works closely with the Department of Education in areas of overlapping Title VI jurisdiction; and
- The Federal Coordination and Compliance Section has identified key focus areas, including a courts language access initiative; and
- The Policy Section assists in developing, proposing, or responding to Title VI-related legislative and policy matters.

The remainder of this document highlights several priority areas in which the Department has leveraged multiple roles and offices to address and prevent discrimination.

III. TITLE VI: A TOOL TO PROTECT ACCESS TO THE COURTHOUSE **– *Expanding Access to Courts for People with Limited English Proficiency***



Access to state courts is critically important. From child custody proceedings and criminal prosecutions to foreclosure actions and domestic violence cases, state courts play a central role in our society by protecting individuals, resolving disputes, securing justice for victims of crime, and ensuring justice for the accused. It is essential that state courts be fully accessible to everyone, no matter their race, color, or national origin, including language ability.¹



Under Title VI, recipients of federal financial assistance, including state courts that receive funds from the Department of Justice, have an obligation to ensure that people with limited English skills can meaningfully access the programs or services the recipients offer. In the courtroom context, the stakes are high: a person with limited proficiency in English cannot effectively participate in a proceeding without language assistance. That is why the Division initiated a [Courts Language Access Initiative](#) that has successfully helped ensure that those who cannot speak or understand English have access to justice. The Division has engaged in more than a dozen states and with advocates and court leaders nationwide to improve access to courts for limited English proficient individuals.

¹ Other provisions of federal law protect against discrimination in courts on the basis of disability, religion, and other protected classes.

The Division's Initiative combines enforcement tools with policy, technical assistance, and collaboration in an effort to ensure that people with limited English skills receive interpretation and language services in court proceedings and operations. Through this Initiative, the Division has entered into agreements with court systems from Colorado to Maine to ensure that free interpreter services and other language assistance services are available to everyone.

Guidance and Technical Assistance

The Division has also issued guidance to all chief justices and administrators of state court systems clarifying the obligation of courts that receive federal financial assistance to provide oral interpretation, written translation, and other language assistance services to people who are limited English proficient in all proceedings and court operations. In addition, the Division issued a [draft courts language access planning tool](#) for comment and continues to provide technical assistance and training to courts, attorneys, advocates, and others.

At the same time, the Division has collaborated with bench, bar, and interpreter organizations in support of efforts, such as the [American Bar Association Standards for Language Access in Courts](#), that will ensure that the provision of language assistance services in court proceedings and operations becomes the norm. Many states have taken voluntary steps to come into compliance as a result of these collaborative efforts.

Examples of the Results of Enforcement Efforts:

- **Colorado:** In June 2011, the Division reached an agreement with officials of the Colorado Judicial Department to ensure that limited English proficient individuals have access to timely and

When a mother attended her hearing regarding permanent custody of two of her children without an attorney or interpreter, she indicated that she was limited English proficient. The court transcript revealed that the mother had great difficulty communicating with the court and understanding the judge, opposing counsel, and witnesses. She struggled to communicate basic facts because of her limited English proficiency. She also had difficulty following the testimony in English and opposing counsel, including testimony that others sexually abused her child while under her supervision. At the end of the permanent custody hearing, she lost custody of her children, though she did not understand the result until after the hearing when she spoke with a child services employee.

After the Division's enforcement efforts under Title VI, the state agreed to provide interpreters in child custody and other civil matters across the state.

competent language assistance throughout Colorado's state court system. As part of the agreement, Colorado's Chief Justice issued a comprehensive directive providing for free and competent interpreter services in all criminal and civil proceedings and operations. Colorado state court officials worked with judges, administrators, and community experts to make the directive an example for other state court systems to follow. In addition, the Colorado Judicial Department has worked with the Division to develop a state language access plan addressing both oral interpretation and the translation of vital written documents to people with limited English language ability.

- **North Carolina:** In March 2012, the Division issued findings of our investigation of the North Carolina state courts. Through our investigation, we found that the North Carolina Administrative Office of the Courts discriminated against national origin minorities by failing to provide meaningful language access services in state court proceedings and operations. In some cases, we found that the state court system's policies and practices resulted in longer periods of incarceration for people with limited English language ability, and had delayed several critical cases involving domestic violence, child custody, and housing eviction. We also found that the state's practice of allowing prosecutors to interpret for defendants in criminal proceedings caused serious conflicts of interest. Since the Division issued the letter, NCAOC has lifted income limits on the provision of court interpreting in all criminal, juvenile, and domestic violence proceedings in August, created a stakeholder committee, and assigned additional staff. It has agreed to expand to full coverage of all proceedings and operations by January 2015 and is continuing to work with the Civil Rights Division on a language access plan and other improvements.
- **Rhode Island:** In June 2012, the Rhode Island Supreme Court took an important step toward full and equal access in its state courts by issuing an Executive Order that ensures that limited English proficient individuals seeking access to court proceedings and services throughout the state court system will have access to timely and competent language assistance services. The Executive Order was issued in response to the Division's investigation of the Rhode Island Judiciary's language access practices, which was opened due to a complaint of alleged national origin discrimination in violation of Title VI. The Rhode Island Judiciary and the Division worked together to reach agreement on key provisions of the Executive Order, which provides for free and competent interpreter services in all criminal and civil proceedings, as well as in court operations. To ensure public participation and transparency, the order also involves court staff and external stakeholders in the planning and implementation process, requires detailed monitoring reports to be posted on the Rhode Island Judiciary website, and creates a language access complaint procedure. The Division continues to work with the Rhode Island Judiciary to develop a language access plan to manage implementation of the Executive Order.

IV. TITLE VI: A TOOL TO HELP ENSURE NONDISCRIMINATORY POLICING



The Department provides millions of dollars in grants and assets to law enforcement agencies. The vast majority use those funds to help run an effective, accountable, and nondiscriminatory program. Title VI is an important tool to address instances when discrimination occurs.

Title VI In Pattern or Practice Cases

- **Maricopa County Sheriff's Office:** Recipients of taxpayer funds, including law enforcement offices, must cooperate with investigations of discrimination by providing access to documents, facilities, and staff. In June 2008, the Division opened a preliminary inquiry of the Maricopa County Sheriff's Office (MCSO) for alleged national origin discrimination in police practices and jail operations. The Division tried to work cooperatively with the sheriff's office to gain access to its documents and facilities, which the sheriff's office was contractually obligated to provide. However, MCSO refused to cooperate – the first time a police department or sheriff's office has refused to do so in 30 years. After exhausting all other options, in September 2010 the Division brought a lawsuit to ensure that the sheriff's office cooperated with our investigation and provided us with the documents and other information we needed. As a result, MCSO ultimately allowed Justice Department officials to conduct more than 200 interviews and to review hundreds of thousands of pages of documents. MCSO also entered into a court-enforceable agreement in which it committed to providing the Division with access to all of the information needed to complete the investigation. After completing a thorough and independent investigation, the Division filed a lawsuit in May 2012 to address a pattern or practice of unconstitutional and unlawful policing. MCSO's motion to dismiss was [denied by the district court](#) in December 2012, and that litigation remains pending.
- **New Orleans Police Department:** In May 2010, the Division opened an investigation of the New Orleans Police Department for alleged discriminatory police practices and other unlawful conduct. The investigation yielded a comprehensive report in which the United States found, among other things, that the New Orleans Police Department engages in a pattern or practice of discriminatory policing based on race, ethnicity, gender and sexual orientation, in violation of the Constitution and federal law, including Title VI. Following the release of the investigative findings, the Division and the City of New Orleans began negotiating the terms of a Consent Decree to address this unlawful conduct. A Consent Decree was agreed to in July 2012 and submitted to the federal district court for approval. Following the district court's approval of the Consent Decree in January 2013, the parties



are now working to implement the Consent Decree and remedy the Police Department's pattern of misconduct, including its violations of Title VI.

Administrative Compliance Reviews

The Office of Justice Programs Office for Civil Rights has initiated administrative reviews of compliance with the Title VI requirement to provide meaningful access for LEP individuals in thirty-eight of the nation's fifty largest local police departments. More information on these and other reviews can be found at <http://www.ojp.usdoj.gov/about/offices/ocr.htm>.

Advice Clearinghouse

The Federal Coordination and Compliance Section has played a critical role in reviewing allegations and providing guidance in instances where police departments allegedly fail to provide language services in encounters with LEP members of the public. In this regard, the Federal Coordination and Compliance Section has served as an "advice clearinghouse" for United States Attorneys' Offices, other federal agencies, and for law enforcement agencies themselves. FCS's activities include drafting language for insertion in police department language access plans, reviewing and editing LEP resource guides drafted for law enforcement audiences, creating training curricula for local law enforcement trainings, reviewing training videos created to train state and local police on civil rights obligations, and handling investigations stemming from complaints involving a failure to provide language access in police operations.

V. TITLE VI: A TOOL TO PROTECT AGAINST ENVIRONMENTAL INJUSTICE



In August 2011, the Department of Justice signed, along with sixteen other federal agencies, a [Memorandum of Understanding on Environmental Justice and Executive Order 12898](#). This Memorandum, which the Department played a key role in developing, builds upon the foundation laid by Executive Order 12898 – the federal government's first statement of an environmental justice policy – and embodies the government's renewed commitment to environmental justice.

The Memorandum promotes interagency collaboration and public access to information about agency work on environmental justice, and specifically requires each agency to publish an environmental justice strategy, to ensure that there exists an opportunity for public input on those strategies, and to produce annual implementation progress reports. The Department is committed to upholding the civil and constitutional rights of all Americans, particularly some of the most vulnerable members of our society.

The Civil Rights Division’s key tool in environmental justice enforcement is the Title VI prohibition against discrimination on the ground of race, color, or national origin by recipients of federal financial assistance. While each federal funding agency has the ultimate responsibility for resolving their Title VI administrative complaints, the Civil Rights Division has utilized its authority to ensure consistent enforcement of Title VI throughout the government to pursue a number of important ongoing activities in the environmental justice context:

- The Division works closely with the Environmental Protection Agency to strengthen its Title VI enforcement program and its Office of Civil Rights by providing technical assistance regarding best practices in agency complaint-processing and investigation techniques, as well as focused legal counsel on environmental justice complaints and compliance reviews of particular significance.
- The Division collaborates with the Department of Homeland Security, the Department of Health and Human Services, and other agencies to ensure that non-discrimination obligations, including language access, are met in disaster planning, response, and recovery. In doing so, the Federal Coordination and Compliance Section draws upon lessons learned from over a decade of efforts to plan for and address Title VI compliance in a variety of large-scale crises, including the Gulf Oil Spill, wildfires, hurricanes, and health epidemics.
- The Division provides general technical assistance to various federal agencies on matters affecting health, environment, transportation equity, and safety. This includes assistance on legal issues that arise during an agency’s investigation or compliance review of a

“In 2005, a report based on EPA data showed that African Americans were almost 80 percent more likely than white Americans to live near hazardous industrial pollution sites. Today, poor families of color are more likely to have a landfill proposed in their community. Their neighborhoods are more likely to have polluted water and soil. Their children are more likely to breathe polluted air and suffer from asthma.

In 2011, the burden of environmental degradation still falls disproportionately on low-income communities and communities of color – and most often, on their youngest residents: our children.

This is unacceptable. And it is unconscionable. But through the aggressive enforcement of federal environmental laws in every community, I believe we can – and I know we must – change the status quo.”

- Attorney General Eric Holder, January 14, 2011.

funding recipient or during agency development of guidance and regulations. Additionally, the Division frequently connects communities with the appropriate agency staff qualified to address environmental justice concerns.

- The Division leads the Title VI Committee of the Interagency Working Group on Environmental Justice. This committee is focused on agency collaboration to address discrimination in federally funded programs and activities that affect the environment and human health.
- The Division continues to look for opportunities to identify additional areas for intervention or technical assistance to improve the health and safety of communities exposed to discriminatory living, learning, and working environments.

To the extent any agency funds programs and activities that impact the environment or human health, there is the potential for a Title VI complaint to raise environmental justice issues. For example, a vast majority of the Environmental Protection Agency's Title VI complaints involve allegations of discrimination in environmental enforcement and permitting; the Department of Transportation receives Title VI complaints because of the impact of transportation projects on the environment of minority communities; and the Department of Health and Human Services often provides municipalities with funds to support basic services such as water, sewer, sidewalks, and storm water management. Many communities of color still struggle with obtaining access to these services and file Title VI complaints that allege discriminatory access to benefits. The Division's assistance to these and other agencies helps to ensure that funding recipients comply with non-discrimination statutes.

VI. TITLE VI: A TOOL TO PROTECT JUVENILES FROM DISCRIMINATION IN THE JUVENILE JUSTICE SYSTEM



The Department has utilized Title VI as one tool in the effort to ensure nondiscrimination in the juvenile justice system. For instance:

Incorporating Title VI into Special Litigation Investigations

The [Special Litigation Section](#) has incorporated Title VI into recent investigations examining civil rights compliance in juvenile justice systems, pursuant to Section 14141 of the Violent Crime Control and Law Enforcement Act of 1994. Section 14141 authorizes the Attorney General to address certain violations of the U.S. Constitution or laws, including Title VI, in the administration of juvenile justice.

- **Shelby County, Tennessee:** In December 2012, the Division entered into an agreement to resolve its findings regarding the juvenile justice system in Shelby County, Tennessee,

including the finding that Black children were disproportionately represented in almost every phase of the Shelby County juvenile justice system. The Division determined that Shelby County violated Black children’s rights under Title VI and their constitutional right to equal protection under the law. The agreement resolving these findings includes requirements that Shelby County assess where and why disproportionate minority contact (DMC) in the juvenile justice system occurs, and that the County hire a DMC coordinator, who will be charged with gathering data, working with the court and other county agencies to develop alternatives to detention, and ensuring that children are not referred to juvenile court based on their race.

- **Meridian, Mississippi:** In October 2012, the Division brought a lawsuit based on our findings that in Meridian, Mississippi, a police department, juvenile court and youth probation system violate the due process rights of youth referred to the juvenile justice system by a local public school district. The Special Litigation Section’s investigation found that the effects of the constitutional violations it identified are particularly egregious and pronounced for Black children and children with disabilities, and continues to examine potential Title VI and equal protection claims.

Administrative Compliance Reviews by the Office of Justice Programs Office for Civil Rights

In light of research that suggests that youth who are limited English proficient, or have limited English proficient families, receive more severe punishment in the juvenile justice system than those who are not, the Office of Justice Programs Office for Civil Rights initiated language-access compliance reviews under Title VI of the juvenile justice systems in Adams and Arapahoe Counties, Colorado; Douglas County, Nebraska; Fairfax County, Virginia; Hennepin County, Minnesota; Milwaukee County, Wisconsin; New Castle County, Delaware; Pima County, Arizona; Prince George’s County, Maryland; Santa Clara County, California; and Suffolk County, Massachusetts. For more information on these reviews and other OJP OCR efforts to ensure that recipients of Department of Justice funds do not discriminate, see <http://www.ojp.usdoj.gov/about/offices/ocr.htm>.

VII. TITLE VI: A TOOL TO PROTECT EDUCATIONAL OPPORTUNITY



The Department of Justice and the Department of Education (ED) share enforcement authority for Title VI in the education context. When either Department provides federal financial assistance to educational agencies or other agencies with educational programs, it has the ability to initiate a compliance review of the recipient or investigate a complaint under Title VI. Within the Civil Rights Division, the [Educational Opportunities Section](#) takes the lead on Title VI enforcement involving school systems. Below we describe some of the Educational Opportunities Section’s Title VI work to protect educational opportunity.

Preventative Guidance:

- **Voluntary Policies to Achieve Diversity or Avoid Racial Isolation:** On December 2, 2011, the Departments of Justice and Education [jointly issued guidance](#) that explains how educational institutions can lawfully pursue voluntary policies to achieve diversity or avoid racial isolation within the framework of Titles IV and VI of the Civil Rights Act of 1964, the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution, and current case law. The guidance is presented in two documents, one for elementary and secondary schools and the other for postsecondary institutions.
- **The Rights of All Children to Enroll in Public Schools:** On May 6, 2011, the Departments of Justice and Education issued [joint guidance](#) to all public school districts reminding them of their obligation under federal law (including Title VI) not to discriminate against students on the basis of race, color, or national origin, and not to bar students from enrolling in public schools at the elementary and secondary levels on the basis of their own citizenship or immigration status or that of their parents or guardians. The letter also reminds districts that they may not request information with the purpose or result of denying access to public schools on the basis of race, color, or national origin.

Ensuring that our educational system is a doorway to opportunity – and not a point of entry to our criminal justice system – is a critical, and achievable, goal,” said Attorney General Holder.

“By bringing together government, law enforcement, academic, and community leaders, I’m confident that we can make certain that school discipline policies are enforced fairly and do not become obstacles to future growth, progress, and achievement.”

July 21, 2011 launch of the [Supportive School Discipline Initiative](#)

Examples of Civil Rights Division Title VI Enforcement to Advance Educational Equity:

- **School to Prison Pipeline:** The Civil Rights Division’s Educational Opportunities Section is currently investigating matters pursuant to its Title VI and Title IV enforcement authority involving local law enforcement and schools that allegedly share responsibility for local school discipline systems that discriminate on the basis of race or national origin. Recipients of federal financial assistance, including schools and law enforcement agencies, that are responsible for school discipline systems that unjustifiably and disproportionately move students of color from general education to more restrictive environments, including the juvenile justice system, have a Title VI obligation to end that discrimination or risk termination of funds or litigation.

- **Boston Public Schools:** In October 2010 and April 2012, the Division and ED’s Office for Civil Rights secured two major settlements with the Boston Public School District to address serious violations of Title VI and the Equal Educational Opportunities Act. We determined that the school district had denied English Language Learner (ELL) services to approximately 8,500 students by failing to appropriately test their proficiency in English or incorrectly categorizing them as having “opted out” of services. While the primary goal of the first agreement was to secure immediate relief for the 8,500 students who had no ELL services at all, the second agreement was designed to provide all ELL students with high quality ELL services delivered by qualified teachers. For example, the 2012 agreement ensures that ELL students who face unique challenges, including those with disabilities and those whose formal education has been interrupted, receive assessments and services specially designed to address their needs. The agreement also affords high-performing ELL students greater access to advanced learning opportunities.
- For more information on the federal government’s enforcement of Title VI in the educational context, see the Department of Education’s July 2012 report on its [Title VI Enforcement Highlights](#).

Amicus Briefs and Statements of Interest:

The Civil Rights Division’s Appellate Section has filed amicus briefs in cases concerning the application of Title VI’s deliberate indifference standard of liability to known acts of persistent student-on-student racial harassment in *Zeno v. Pine Plains Central School District* (2d Cir.) and *Williams v. Port Huron Area School District* (6th Cir.)

VIII. TITLE VI: A TOOL TO ADDRESS PROGRAMS WITH UNJUSTIFIED DISCRIMINATORY IMPACT



The Civil Rights Division has taken a number of steps in the last four years to encourage and assist agencies, inside and outside of the Department, to address Title VI disparate impact claims that currently can only be enforced by the federal government. These steps include:

- Issuing memoranda under EO 12250 encouraging a government-wide initiative to strengthen enforcement of Title VI, including agency disparate impact regulations, and providing resources and guidance.
http://www.justice.gov/crt/about/cor/titlevi_memo_tp.pdf
http://www.justice.gov/crt/lep/titlevi_enforcement_memo.pdf

- Providing extensive technical assistance and support to federal agencies, including in the areas of environmental justice, language access, criminal background checks, transportation equity, immigration status verification requirements, emergency preparedness and response, and other critical issues implicating disparate impact analyses.
- Proposing [legislation](#) to facilitate enforcement by private parties of Title VI's non-discrimination guarantees.
- Reviewing and pursuing additional options for clarifying disparate impact and intentional discrimination, including upcoming updates to the Department's Title VI Legal Manual.

CONTACT INFORMATION

Amicus Practice and Appeals

The Division's Appellate Section can be reached at (202) 514-2195.

<http://www.justice.gov/crt/about/app/>



Discrimination by Recipients of Department of Justice Financial Assistance

- The Office of Justice Programs Office for Civil Rights: To begin the process of filing a discrimination complaint with the Office of Justice Programs Office for Civil Rights against a recipient of Justice Department financial assistance, aggrieved parties, or their representatives, may download the appropriate forms at the website of the Office for Civil Rights, Office of Justice Programs. See <http://www.ojp.usdoj.gov/about/ocr/complaint.htm>. One may contact the Office for Civil Rights by telephone at (202)307-0690, by TTY at (202) 307-2027, and by email at askOCR@usdoj.gov. The mailing address is Office for Civil Rights; Office of Justice Programs; U.S. Department of Justice; 810 7th Street, NW; Washington, DC 20531.
- For more information about the Civil Rights Division's work to investigate allegations of discrimination by recipients of Department of Justice grants and other assistance, contact the Federal Coordination and Compliance Section at (202) 307-2222 or toll free at: (888) 848-5306. <http://www.justice.gov/crt/about/cor/> Complaint forms for FCS may be downloaded at: <http://www.justice.gov/crt/about/cor/complaint.php>.

Education

If you believe you have been discriminated against in the educational context, please contact the Educational Opportunities Section at (202) 514-4092 or (877) 292-3804.

<http://www.justice.gov/crt/about/edu/>

Language Access

For more information about the Division's work to ensure access for limited English proficient individuals, contact the Federal Coordination and Compliance Section at (202) 307-2222 or toll free at (888) 848-5306.

<http://www.lep.gov>

Leadership and Coordination of Federal Agency Civil Rights Enforcement

For more information about the Division's work to ensure coordinated enforcement and compliance with Title VI of the Civil Rights Act of 1964, contact the Federal Coordination and Compliance Section at (202) 307-2222 or toll free at: (888) 848-5306.

<http://www.justice.gov/crt/about/cor/>

Legislative and Policy Issues

The Division's Policy and Strategy Section can be reached at (202) 307-6211.

<http://www.justice.gov/crt/about/pol/>

Police Misconduct

For more information about the Division's work to investigate patterns or practices of law enforcement misconduct, contact the Special Litigation Section at (202) 514-6255, or toll free at (877) 218-5228.

<http://www.justice.gov/crt/about/spl/>

