

**ENSURING THAT YOUR STATE PROJECT
COMPLIES WITH TITLE VI OF THE CIVIL RIGHTS ACT OF 1964
PART II.**

Meeting the Letter and Spirit of Title VI of the Civil Rights Act of 1964

Recipients of Federal funds have a fiduciary responsibility to ensure that individuals with limited English proficiency are not discriminated against and have access to programs funded by the Federal Government. Many institutions fall under the auspices of this law including, but not limited to:

- State, county, and local health agencies;
- Universities or other entities with health or social services research programs;
- Programs for families, youth, and children;
- Head Start Programs;
- Public and private contractors, sub-contractors, and vendors; and
- State, county, and local welfare agencies.

Step by step guidance on how Title VI applies to the work of your State Team is accessible by clicking the following link.³

<http://www.hhs.gov/ocr/civilrights/resources/laws/revisedlep.html>

While the State Teams do not directly receive funding from the Association of State Public Health Nutritionists, as listed above, the larger entities of which the teams are a part do receive funds from the Federal Government. State Teams should follow the policies and practices of the entities of which they are a part. If there is uncertainty about each State Team's responsibility, it is recommended that member seek guidance from the 1) appropriate staff of their health department or university, or 2) the Association of State Public Health Nutritionists as the primary recipient of Federal funding for this grant.

**Title VI of the Civil Rights Act of 1964
Section 601**

Ensures –nondiscrimination in Federally Assisted programs and states that “No person in the United States 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.”¹

Providers that must provide language assistance services in order to comply with Title VI should implement policies and procedures to provide information in appropriate languages and ensure that LEP persons are effectively informed of and have meaningful access to covered programs [68 Fed. Reg. 153 at 47320].²

REFLECTION QUESTIONS

How has your State Team met the letter and spirit of Title VI of the Civil Right Act

What are the obligations of your State Team to comply with Title VI in the implementation of the HPKE Project?

How have constituencies that speak languages other than English been involved in planning and implementing your State Project?

To what extent have the needs of linguistically diverse populations been considered in the implementation of your State Project thus far?

NCCC Guiding Values and Principles for Language Access

The NCCC developed the following values and principles for language access.⁴ Review and discuss with your State Team to determine the extent to which these values and principles are relevant to your State Project.

- Services and supports are delivered in the preferred language and/or mode of delivery of the population served.
- Written materials are translated, adapted, and/or provided in alternative formats based on the needs and preferences of the populations served.
- Interpretation and translation services comply with all relevant Federal, state, and local mandates governing language access.
- Consumers are engaged in evaluation of language access and other communication services to ensure for quality and satisfaction.

REFERENCES

¹U.S. Department of Health and Human Services, Office for Civil Rights, Laws and Regulations Enforced by OCR, Title VI of the Civil Rights Act of 1964 as amended. Retrieved on 5/10/15 from <http://www.hhs.gov/ocr/civilrights/resources/laws/index.html>

²Limited English Proficiency. A Federal Interagency Website. Frequently Asked Questions. Retrieved on 5/10/15 from <http://www.lep.gov/faqs/faqs.html#OneQ7>

³U.S. Department of Health and Human Services, Office for Civil Rights, Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons. Retrieved on 5/10/15 from <http://www.hhs.gov/ocr/civilrights/resources/laws/reviselep.html>

⁴National Center for Cultural Competence. Conceptual Frameworks/Models, Guiding Values and Principles, Guiding Values and Principles for Language Access. Retrieved on 5/10.15 from <http://nccc.georgetown.edu>

SELECTED RESOURCES

U.S. Department of Education. Office for Civil Rights. Title VI and Education. Retrieved on 5/10/15 from <http://www2.ed.gov/about/offices/list/ocr/docs/hq43e4.html>

Association of State and Territorial Health Officials. Health Equity. Retrieved on 5/10/15 from <http://www.astho.org/Programs/Health-Equity/>

Public Health Accreditation Board. Public Health Accreditation Board Standards and Measures. Retrieved on 5/10/15 from <http://www.phaboard.org/wp-content/uploads/PHAB-Standards-and-Measures-Version-1.0.pdf>

Youdelman, Mara (2011). National Health Law Program. The Affordable Care Act and Language Access – Short Paper # 5. Retrieved on 5/10/15 from <http://www.healthlaw.org/publications/aca-and-language-access#.VVA0BI66cdU>

Youdelman, M. The Medical Tongue: U.S. Laws And Policies On Language Access. Health Affairs, March 2008, Vol 27, No. 2424-433. Retrieved on 5/10.15 from <http://content.healthaffairs.org/content/27/2/424.full>

Think Cultural Health. What are the National CLAS Standards. Retrieved on 5/10/15 from <https://www.thinkculturalhealth.hhs.gov/Content/clas.asp>