



## **POLICY AND PROCEDURE NOTICE: PPPN-036 TITLE VI COMPLIANCE**

**Summary and Purpose of PPN:** To guide the administration of the Ryan White Part A Program in ensuring compliance with Title VI of the Civil Rights Act of 1964.

### **Authority:**

- Title VI of the Civil Rights Act of 1964 as amended and the Civil Rights Restoration Act of 1987 (P.L. 100.259) and all related regulations and directives.

### **Overview:**

The Fulton County Board of Commissioners is committed to compliance with Title VI of the Civil Rights Act of 1964 as amended and all related regulations and directives. In this regard, Fulton County assures that no person shall on the basis of race, color or national origin, as provided by Title VI of the Civil Rights Act of 1964, as amended and the Civil Rights Restoration Act of 1987 (P.L. 100.259) be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. Fulton County further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether or not those programs and activities are federally funded. In addition, Fulton County will take reasonable steps to provide meaningful access to services for persons with Limited English Proficiency.

### **Policy and Procedure:**

Subrecipients shall comply with Title VI.

1. Subrecipient shall designate at its own expense the individual to serve as the contractor's Title VI Coordinator. The Title VI Coordinator shall be the agency's representative who is responsible for the development and implementation of contractor's Title VI Program.
2. Subrecipients shall implement policies and procedures to comply with regulations relative to nondiscrimination in federally assisted programs of, Title 49, Code of Federal Regulations, part 21, as they may be amended from time to time.
3. Subrecipients shall implement policies and procedures prohibiting discrimination on the grounds of race, color, sex, or national origin in the selection and retention of subcontractors, including procurement of materials and leases of equipment.
4. Client Rights and Responsibilities shall include at a minimum:

- Fulton County Non Discrimination Policy
  - Title VI Non Discrimination Statement
5. Subrecipient, with regard to the work performed by it under the Ryan White Part A Contract/Agreement, shall not discriminate on the grounds of race, color, sex, or national origin in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The subrecipient shall not participate either directly or indirectly in discrimination prohibited by Section 21.5 of the Regulations, including employment practices.
  6. In all solicitations either by competitive bidding or negotiations made by the subrecipient for work to be performed under a subcontract, including procurement of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the subrecipient of the subrecipient's obligations under this contract and the Regulations relative to nondiscrimination on the ground of race, color, sex, or national origin.
  7. The subrecipient shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information and its facilities as may be determined by Fulton County to be pertinent to ascertain compliance with such Regulations, orders, and instructions. Where any information required of a subrecipient is in the exclusive possession of another who fails or refuses to furnish this information, the subrecipient shall so certify to Fulton County as appropriate, and shall set forth what efforts it has made to obtain the information.
  8. Subrecipient shall provide the following language services to inform persons with Low English Proficiency (LEP) of free services that are available. This information will be provided in a notice in a language that LEP persons will understand:
    - Posting signs in areas where the public is likely to read them. These signs will be posted at the front-desk reception area to notify LEP individuals of available services and how to obtain these services.
    - Stating in outreach documents (brochures, booklets, pamphlets, and flyers) that language services are available.
    - Working with community-based organizations to inform LEP persons of the language assistance availability.
    - Including notices in local newspapers in languages other than English.
    - Providing notices in non-English language radio and television stations about the availability of language assistance services for important events.
    - Using a telephone voice mail menu (if available) in the most common languages.
    - The vital documents that need to be translated are public involvement, financial information, public information and local assistance. The county will also consider these other vital documents that may require translation/interpretation:
      - Applications or instructions on how to participate in a program or activity or to receive benefits or services.

- Consent forms.
- Client rights and responsibilities.
- Grievance procedures.
- Fee structure.

#### Verification:

- Review of policies and procedures.
- Review of subcontracts.
- Review of vital documents.

#### Other Resources

- To serve persons most in need and to comply with Federal law, services must be widely accessible. Services must not discriminate on the basis of age, disability, sex, race, color, national origin or religion. The HHS Office for Civil Rights provides guidance to grant and cooperative agreement recipients on complying with civil rights laws that prohibit discrimination on these bases. Please see <http://www.hhs.gov/ocr/civilrights/understanding/index.html>
- HHS also provides specific guidance for recipients on meeting their legal obligation under Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color or national origin in programs and activities that receive Federal financial assistance (P. L. 88-352, as amended and 45 CFR Part 75). In some instances a recipient's failure to provide language assistance services may have the effect of discriminating against persons on the basis of their national origin. To learn more about the Title VI requirement for grant and cooperative agreement recipients to take reasonable steps to provide meaningful access to their programs and activities by persons with limited English proficiency please see <http://www.hhs.gov/ocr/civilrights/resources/laws/revisedlep.html>

Approved: May 2016

Reviewed: January 2021