



Policy 8100 Title VI of the Civil Rights Act of 1964 Compliance Plan

Version: 1.0

Effective Date: 06/20/2023

Board or Administrative: Board

Policy Statement

It is the policy of Dakota County that no person shall on the grounds of race, color, or national origin, be excluded in, denied benefits of, or be subjected to discrimination in any operation, program, or activity receiving federal funding, or other financial assistance from the federal government, as provided by the Title VI of the Civil Rights Act of 1964.

Dakota County (County) is subject to Title VI as it receives financial assistance from several federal government departments.

The County created a plan coordinating and outlining its efforts to comply with Title VI of the Civil Rights Act of 1964 (Plan). The Plan will be periodically updated to reflect changes in the law and interpretations.

Definitions

- “The County” refers to the officers, employees, agencies, and facilities of Dakota County government.
- “Discrimination” refers to any unfair treatment because of a protected class status.
- “The County Board” refers to the Dakota County Board of Commissioners.
- “Title VI” refers to Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq. (“Title VI”). Title VI prohibits discrimination on the basis of race, color, or national origin in any program or activity that receives Federal funds or other Federal financial assistance.
- “Protected Classes” include race, color, religion, sex, national origin, creed, age, disability, pregnancy, marital status, familial status, sexual orientation, membership or activity in a local human rights commission, status with regard to public assistance, and any other category protected by federal, state, or local law.

Source

Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq. (“Title VI”)

Legal Authorities

In preparation of the Plan, the County is governed by the following legal authorities:

1. Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d *et seq.*
2. 28 C.F.R. Part 42.401 *et seq.*, & § 50.03
3. Civil Rights Restoration Act of 1987, Pub. L. No. 100-259, 102 Stat. 28 (1988)
4. Leadership and Coordination of Nondiscrimination Laws Order (Exec. Order No. 12250, 45 Fed. Reg. 72995 (Nov. 2, 1980).)
5. Limited English Proficiency Executive Order (Exec. Order No. 13166, 65 Fed. Reg. 50121 (Aug. 11, 2000).)

General

A. TITLE VI POLICY AND SCOPE

The Dakota County Board of Commissioners is committed to complying with Title VI as amended and all accompanying federal laws, regulations, and directives.

The County is committed to ensure that no person will be denied the benefits or otherwise be subjected to discrimination in any of its programs or activities within the County on the basis of race, color, or national origin. This Plan also serves as a source of information for County staff and the public. The Plan sets out the County's civil rights administrative policies and procedures, identifying key contacts within the County. In addition, the County will take reasonable steps to provide meaningful access to services for persons with Limited English Proficiency (LEP) as outlined below.

When the County distributes federal aid funds to an outside entity, the County will include Title VI language in all written agreements and will monitor the entity for compliance. This policy and procedure apply to all the County's departments, agencies, contractors, and elected officials.

Prohibited discrimination may be intentional or unintentional. Seemingly neutral acts that have disparate impacts on individuals of a protected group and lack a substantial legitimate justification are a form of prohibited discrimination. Harassment and retaliation are also prohibited forms of discrimination.

Examples of prohibited types of discrimination based on race, color, or national origin include: denial to an individual of any service, financial aid, or other benefit; distinctions in the quality, quantity, or manner in which a benefit is provided; segregation or separate treatment; restriction in the enjoyment of any 3

advantages, privileges, or other benefits provided; discrimination in any activities related to highway and infrastructure or facility built or repaired; and discrimination in employment.

B. TITLE VI COORDINATOR

The County Manager is responsible for assuring full compliance with the provisions of Title VI and related statutes, laws, and rules and has directed that non-discrimination is required of all agency employees, contractors, and agents pursuant to 23 C.F.R. Part 200 and 49 C.F.R. Part 21. The County has created the position of Title VI Coordinator, who is responsible for providing leadership, direction, and policy, to ensure compliance with Title VI. The Title VI Coordinator plans, develops, monitors, and enforces standards for compliance in Dakota County's programs, services, and benefits.

The County has assigned the position of Diversity Equity & Inclusion Administrator to perform the duties of the Title VI Coordinator and ensure implementation of the County's Title VI program under the Employee Relations Department's programs and activities. The position of Diversity Equity & Inclusion Administrator is located within the Employee Relations Department.

The following is contact information for the Dakota County Title VI Coordinator:

Diversity Equity and Inclusion Administrator
1590 Highway 55
Hastings, MN 55033
(651)-438-4495
idemanager@co.dakota.mn.us

The Title VI Coordinator's responsibilities include, but are not limited to, the following:

1. Provide guidance and technical assistance on Title VI matters and be responsible for the overall program, review required for Title VI compliance, develop procedures, and monitor for:
 - prompt processing and resolution of Title VI complaints.
 - Collection of statistical data (race, color, and national origin,) on participants in, and beneficiaries of the County's programs, activities, and services.
 - Identification of discrimination.
 - Elimination of discrimination when discrimination is found to exist.
 - Prompt resolution in deficient areas.
 - Regular review of County functions to ensure compliance with Title VI requirements.
2. Ensure Title VI requirements are included in policy directives and that procedures used have built-in safeguards to prevent discrimination.
3. Correct Title VI problems, discriminatory practices, or errant policies found when conducting self-monitoring and compliance review activities.
4. Ensure discrimination complaints are fully investigated and allow for a formal review of the investigation.
5. Assure that Title VI information for public dissemination is developed in languages other than English, where appropriate.

6. Provide information to any complainant about where to file a discrimination complaint and refer discrimination complaints to the Minnesota Human Rights Division, the United States Department of Justice Civil Rights Division, or other applicable entity when appropriate.

C. DAKOTA COUNTY'S COMPLAINT PROCESS

Every individual has the right to equal access to services, whether they are an applicant, client, or member of the public. The County has implemented this civil rights complaint procedure to provide prompt and thorough resolution of Title VI complaints.

Title VI complaints allege discrimination against an individual's race, color, or national origin. Individuals have a right to file a Title VI complaint if they believe they, or an individual they care for, has been discriminated against because of their race, color, or national origin.

It is against the law for anyone who works for the County to retaliate against a person who files a complaint or who cooperates in the investigation of a Title VI complaint.

If the complainant believes that the complainant has been discriminated against based on their race, color, or national origin by someone working for the County, then a civil rights complaint form will be provided. The contact information below can be used to file a complaint. Individuals may also contact the Title VI Coordinator's office at Dakota County with additional questions.

Diversity Equity & Inclusion Administrator
1590 Highway 55
Hastings, MN 55033
(651)-438-4495
idemanager@co.dakota.mn.us

Title VI complaints **must** be submitted to the Title VI Coordinator within 180 days of the date the alleged discrimination occurred. A complaint **must** be in writing and contain the name and address of the person filing it.

1. Use Appendix A – Complaint Form
2. Provide a telephone number or relay service number if deaf or hard of hearing.
3. Provide an email address if possible.
4. The complaint **must** state the problem or action alleged and the relief desired. If assistance is needed, the Title VI Coordinator will contact the individual.
5. The County **must** investigate the complaint. The Title VI Coordinator will conduct the investigation; or some other qualified person as designated by the County Manager.

The Complainant must be informed that they can file a discrimination complaint **directly** with the Federal agency that provides federal financial assistance to the County for the program or service for which the Complainant was working with. The Title VI Coordinator will provide that information to the Complainant. If that information is not provided, the Complainant may file their complaint with:

US Department of Justice
Civil Rights Division
950 Pennsylvania Ave. NW
Washington, D.C. 20530

Filing Complaints with State Agencies: The person filing the complaint must also be informed that he/she/they can file a discrimination complaint directly with the Minnesota Department of Human Rights. The Minnesota Department of Human Rights prohibits discrimination in public services programs because of race, color, creed, religion, national origin, disability, sex, sexual orientation, or public assistance status. Contact the Minnesota Department of Human Rights directly:

Minnesota Department of Human Rights
Freeman Building, 625 N Roberts Street
St. Paul, MN 55155
651-539-1100 (voice)
800-657-3704 (toll free)
711 or 800-627-3529 (MN Relay)

Arrangements for People with Disabilities: Dakota County will make appropriate arrangements to ensure that people with disabilities are provided reasonable modifications or effective communications, if needed, to participate in the complaint process. The Title VI Coordinator or designee is responsible for making these arrangements.

D. LIMITED ENGLISH PROFICIENCY PLAN

Dakota County's various divisions have created tailored plans to ensure compliance with the Limited English Proficiency (LEP) requirements as set forth by Executive Order 13166. The Department plans incorporate local assessment that considers factors, including but not limited to: (1) the number or proportion of LEP persons eligible to be served or likely to be encountered by the County; (2) The frequency with which LEP persons come into contact with County services; (3) The nature and importance of the County's services in people's lives; and (4) The resources available for the County departments to conduct LEP outreach, as well as costs associated with such outreach. The responsive plans are available by contacting the relevant department.

Procedures will be maintained by each Dakota County Division.

Procedures

Procedures will be maintained by each Dakota County Division.

History

Version	Revision Date
1.0	6/20/2023

Related Policies

- None.

Contact

Diversity Equity & Inclusion Administrator
1590 Highway 55
Hastings, MN 55033
(651)-438-4495
ideanager@co.dakota.mn.us

Approval

Resolution No. 23-261; June 20, 2023

Appendix A

Title VI Discrimination Complaint Form

Complete and submit this form if you suspect that you may have experienced discrimination by Dakota County, its sub-recipients, or contractors on the basis of race, color, or national origin, in violation of the Title VI Act of 1964 and related statutes. Requests for additional languages or alternative formats should be directed to the Title VI Coordinator at 651-438-4495 or idedmanager@co.dakota.mn.us

Your Information:

First Name

Last Name

Address

City/State/Zip

Home Phone

Cell Phone

Email

Are you represented by an attorney? Yes No

If yes: Attorney's Name

Attorney's Phone

Attorney's Email

Basis of alleged discrimination (check all that apply):

- Race
- Color
- National Origin
- Other: _____

Agency, business, or contractor that allegedly discriminated: _____

Organization Name

Name of Person(s)/Title

Address

City/State/Zip

Phone

Please explain in detail what happened, when, where, who was involved, and how you or other persons may have been discriminated against. If necessary, provide a copy of written materials pertaining to your complaint:

Other persons who have knowledge of the alleged discrimination:

Name	Organization/Title (if any)	Phone

How would you like to see this complaint resolved?

Have you filed your complaint, grievance, or lawsuit with any other agency or court?

With who

When

Status (pending, resolved, etc.)

Complaint or case number (if known)

Privacy Notice:

Dakota County is asking you to provide information in this complaint form which includes private and/or confidential information under the Minnesota Government Data Practices Act. Dakota County is asking for this private/confidential information so that it can investigate and respond to allegations of discrimination. You are not legally required to provide this information; however, if you do not provide sufficient information Dakota County may not be able to properly investigate your complaint. The information you provide will be used by Dakota County or other required agencies’ employees whose job assignments reasonably require access to the information. Others may also have a legal right to access the information including but not limited to: the Dakota County Attorney’s Office; the Minnesota Attorney General’s Office; the Minnesota Legislative Auditor’s Office; law enforcement agencies and prosecutorial authorities; persons/entities named pursuant to court order; persons/entities whom you authorize; and any other person or entity authorized by state or federal law.

Right to File Complaints:

Dakota County is notifying you that you may file a discrimination complaint **directly** with [division specific information related to the federal agency(ies) that the division is working with]. If requested, the division’s Title VI Coordinator will provide that information to you. If that information is not provided, the Complainant may file their complaint with:

US Department of Justice
Civil Rights Division
950 Pennsylvania Ave. NW
Washington, D.C. 20530

Further, you may file a discrimination complaint **directly** with the Minnesota Department of Human Rights.

The Minnesota Department of Human Rights prohibits discrimination in public services programs because of race, color, creed, religion, national origin, disability, sex, sexual orientation, or public assistance status. Contact the Minnesota Department of Human Rights directly:

Minnesota Department of Human Rights
Freeman Building, 625 N Roberts Street
St. Paul, MN 55155
651-539-1100 (voice)
800-657-3704 (toll free)
711 or 800-627-3529 (MN Relay)

By signing this complaint, I certify the truthfulness of the information provided:

Signature

Date