

# Title VI of the Civil Rights Act of 1964 for K-12 District Leaders

This summary aims to provide **K-12 district leaders**, including school board members and district staff, a brief introduction to the prohibitions of race, color, and national origin discrimination in Title VI of the Civil Rights Act of 1964, so that they can understand how this law should inform their work. A more detailed explanation of Title VI may be found in [A Primer on Title VI of the Civil Rights Act of 1964](#) by the Education Rights Institute (ERI). The page numbers throughout point you to where in the report you can find more detailed information.

## Understanding Title VI

### What is Title VI?

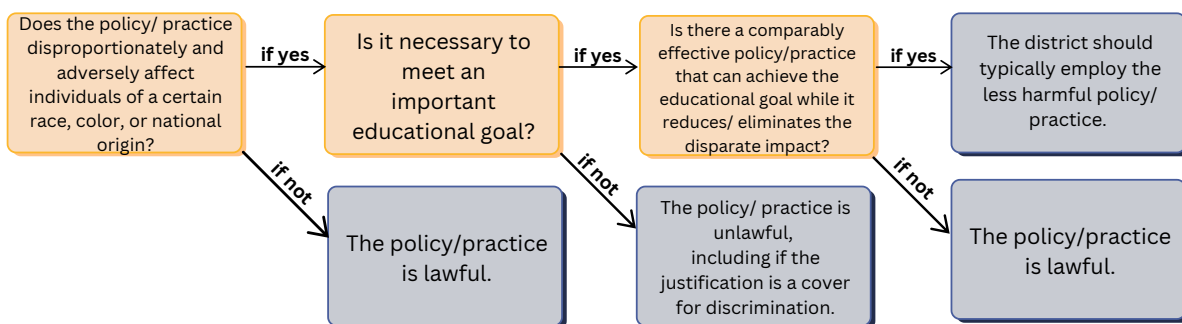
Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in any program or activity that receives federal funding. School districts are required to comply with Title VI. The Office for Civil Rights (OCR) of the U.S. Department of Education and the Department of Justice have traditionally enforced Title VI. Private plaintiffs may also sue in federal court when they allege intentional discrimination occurred in violation of Title VI (pp. 5-6).

**What Does “Discrimination” Under Title VI Look Like?** There are two types of discrimination that are prohibited under Title VI.

**Disparate Treatment (pp. 11-13):** Intentional discrimination, where someone is treated differently *because of* their race, color, or national origin.

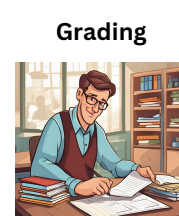
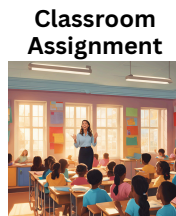
**Disparate Impact (pp. 14-16):** A neutral policy or practice has a disproportionate negative effect on individuals of a certain race, color, or national origin.

To identify an unlawful disparate impact, courts created a three-part test that asks:



Disparate impact can exist even if not malicious. Title VI also prohibits retaliation for raising a Title VI issue.

**What Programs or Activities Are Subject to Title VI?** They include but are not limited to:



# Identifying and Remediating Discrimination

## Why Should K-12 Leaders Aim to Understand Title VI?

School district leaders should be aware of what Title VI requires so that they can assist in assessing whether district and school policies and practices serve all students well and what reforms could and should be made when they do not. For example, consider whether your district:

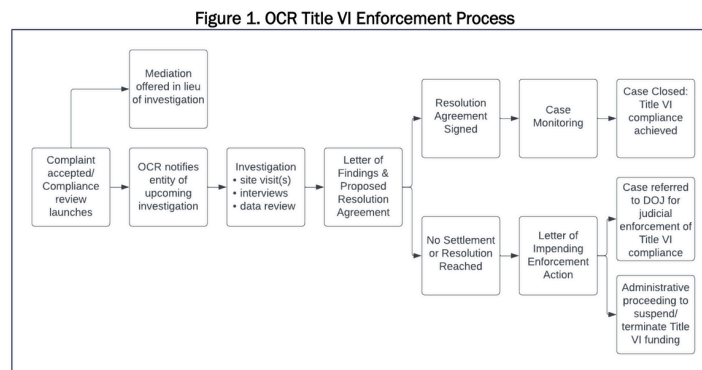
- Ensures that multilingual learners receive equal, meaningful access to school programming and services.
- Imposes disciplinary policies consistently and fairly. Schools or districts may unknowingly impose harsher penalties for students of a certain race, color, or national origin.
- Supports equal educational opportunity through access to gifted and talented and advanced courses.
- Fosters and maintains a school and district environment that signals that race, color, or national origin harassment is unacceptable and immediately investigates, remedies, and prevents its recurrence.

## What are the Benefits of Complying with Title VI?

- Each student thrives when equal educational opportunity serves as a guiding principle.
- All students benefit from supportive school environments that prevent and remedy discrimination.
- School districts avoid lawsuits and lengthy and costly investigations by OCR (pg. 21-22).

## What Happens When a District Violates Title VI?

OCR has historically processed complaints through the process outlined in Figure 1 (pp. 17-19). The district under investigation may request to settle the matter by entering into a Resolution Agreement at any time prior to the conclusion of the investigation if OCR deems such an agreement appropriate.



**Fact:** In 2023, OCR received 19,201 complaints, over double the number received in 2021. Over 12,500 complaints were K-12 related and 18% of all complaints (3,526) implicated Title VI.

## How is OCR Interpreting Title VI in 2025?

On February 14, 2025, OCR released a [Dear Colleague Letter](#) with guidance on the interpretation of Title VI and released [Frequently Asked Questions](#) to further explain this guidance on February 28, 2025. For more information, see our response, [Understanding the Dear Colleague Letter](#). We also recommend watching [this](#) webinar hosted by the Brookings Institution for education leaders in response to the Dear Colleague letter.



The Education Rights Institute provides videos and resources that aim to increase the understanding of and compliance with Title VI. You may access our resources at [law.virginia.edu/education](http://law.virginia.edu/education) and sign up for our newsletter to receive new resources as we publish them.