



KNOW YOUR RIGHTS: Title VI of the Civil Rights Act

Title VI of the Civil Rights Act of 1964 prohibits discrimination based on **race, color, or national origin** in programs or activities that receive federal financial assistance. Educational institutions that receive federal funding (whether public or private) are obligated to ensure a learning environment free from unlawful discrimination and harassment. The U.S. Department of Education’s Office for Civil Rights (OCR) enforces Title VI.

Since 2010, the OCR and the Department of Justice (DOJ) have clarified that Title VI also applies when members of a religious group are targeted based on their shared ancestry or ethnic characteristics, rather than purely their religious practices. OCR’s webpage on “Discrimination Based on Shared Ancestry or Ethnic Characteristics” notes that Title VI protects students who are or are perceived to be Jewish, Christian, Muslim, Sikh, Hindu, Buddhist or other groups that share ancestry/ethnic traits when discrimination is based on those traits.

Types of Discrimination Prohibited Under Title VI

Harassment that Creates a Hostile Environment: Under Title VI, harassment that creates a hostile environment constitutes unlawful discrimination when it is based on race, color, or national origin—including shared ancestry or ethnic characteristics—and when a school also knows, or reasonably should know, about it and responds with deliberate indifference.

Conduct rises to the level of a hostile-environment violation if it is so severe, pervasive, and objectively offensive that it effectively denies or limits a student’s ability to participate in or benefit from an educational program or activity.

Examples of conduct that may create a hostile environment *when they are so severe, pervasive, and objectively offensive that they interfere with a student’s right to an education* include:

- **Racial, ethnic, or ancestral slurs**, name-calling, stereotypes, or derogatory comments about someone’s background, culture, or accent.
- **Physical assault, threats, intimidation, or vandalism**, including graffiti or symbols associated with hate or exclusion.
- **Mocking or targeting** someone because of appearance, language, manner of speaking, or cultural or national traits.
- **Harassing individuals or groups** because of their actual or perceived ancestry, ethnic background, or national origin—even when that identity overlaps with a religion or cultural tradition.

Not every offensive remark or isolated incident listed above constitutes a Title VI violation. The First Amendment protects expression, even if it is unpopular or offensive. If conduct is only severe (a single awful comment) but not pervasive, it usually does not meet the legal threshold. As the OCR notes, “[n]othing in Title VI or regulations implementing it requires or authorizes a school to restrict

any rights otherwise protected by the First Amendment to the U.S. Constitution. OCR enforces the laws within our jurisdiction consistent with the First Amendment.” The University, however, must act promptly and effectively when they know that severe, pervasive, and objectively offensive conduct is interfering with a student’s equal access to education.

Different Treatment: Treating individuals differently based on race, color, or national origin—for example, assigning unequal grades, disciplinary action, or access to opportunities, or holding certain student organizations to different standards than others.

Retaliation: Taking adverse action against a student or employee for reporting discrimination or harassment, filing a complaint, or participating in an investigation under Title VI.

Reporting and Filing a Complaint Under Title VI

Individuals who believe they have experienced or witnessed discrimination or harassment based on race, color, or national origin are encouraged to report their concerns promptly. Reports may be made by students, employees, or others participating in university programs or activities.

UW’s Office of Equal Opportunity Report and Response (EORR) receives and reviews complaints. Reports can be made online at <https://www.uwyo.edu/reportit/index.html>, in writing to report-it@uwyo.edu, or in person at Hill Hall 240. The university will review the information, take steps to address the concern, and, when appropriate, investigate and resolve the matter in accordance with university policy and state and federal law.

If a person believes the issue has not been resolved at the institutional level, they may also file a complaint directly with the **U.S. Department of Education’s Office for Civil Rights (OCR)**.

- **How to file:** Complaints can be submitted through the OCR Complaint Assessment System at <https://ocrcas.ed.gov/>.
- **Time limit:** Complaints must generally be filed within **180 days** of the alleged discrimination.
- **Contact:**
U.S. Department of Education, Office for Civil Rights
400 Maryland Avenue, SW
Washington, D.C. 20202-1100
Phone: 1-800-421-3481
Email: OCR@ed.gov

Both the university and the Office of Civil Rights prohibit retaliation against anyone who makes a good-faith complaint or participates in a related investigation.