**Equity Today: The Region VIII EAC Podcast**  
**Episode 107 – “What Happened to Title VI?”**

The Region VIII Equity Assistance Center at Metropolitan Statue University of Denver is guided by its vision to provide, upon request, technical assistance, training, and staff development for school boards, school districts, tribal education agencies, charter schools, and other responsible government agencies. We strive to promote equitable education opportunities and access for all students. We seek to improve equity, access, and participation and high quality, research-based opportunities for all students. We work to reduce disparities between and among groups where they may arise.

Tyler: Hello, and welcome to Equity Today, the EAC Region VIII podcast. I’m Tyler, and earlier this week, I sat down with Charles Beatty, the Associate Director for the office of Equal Opportunity here at Metro, and we discussed Title VI, and why it has stopped being a point of discussion in the field of education equity. So, the next voice you will hear will be Charles.

Charles: I don’t find very much discussion or attention on Title VI of the Civil Rights Act of 64. Title VI is similar to Title IX; it focuses on discrimination, including discrimination within educational institutions on the basis of race and national origin. So, I was once a Title VI compliance officer, years and years and years ago, with the office for Civil Rights, and that’s the main federal administrative agency that administers anti-discrimination laws with respect to educational services. And I’m not at all, I’m not suggesting at all that Title IX is not important; it’s very important. Unfortunately, we continue to have incidents of sexual discrimination, sexual harassment, in employment and education, in our society. So Title IX is very much needed. It very much needs the attention that it’s been given, and so forth. But my concern is, what happened to Title VI? And I was reading this morning, and I thought about our coming together; this is a book, “Racial Justice in the Age of Obama.” This was written by a distinguished professor of law at the University of San Diego. I was there for one year, a few short years ago, and he and I developed a good relationship, and one of the things he’s talking about is Affirmative Action specifically. And he’s really focusing on what happened in California several years ago. OK, this is what he writes in part: “The records on college enrollment rates show that black and Hispanic college enrollment sharply increased in the years preceding, and steadily declined in the years after, the Supreme Court’s controversial decision on ‘Regents of the University of California vs. Bakke,’ the Bakke case. Bakke curtailed the widespread use of Affirmative Action. In California, we have the Bakke case curtailed the enrollment blacks and Hispanics at the institutions in California, and thus, subsequent to the Bakke case, we have what is called the Proposition 209, where regents at the University of California Berkeley matter. And these two incidents, Prop 209 and Bakke, have curtailed college enrollment of black and Hispanic students, at least in the public institutions in California. And that’s just one example. It’s one state, it’s the largest state in the nation, but it’s a good example. People in this line of work are familiar with the
Bakke case, they’re familiar with prop 209 in California, the so-called elimination of Affirmative Action. And I just bring these two incidents in our discussion, because, according to this scholar and to other people I’ve talked to, these incidents have curtailed the college enrollment of black and Hispanic, not Asian, interestingly enough, but black and Hispanics at public institutions in California. In layperson’s terms, the institutions, the University of California Davis, and now the University of Texas and Michigan, a few short years ago, have “Affirmative Action,” quote-unquote, programs which involve the consideration of race in addition to other factors for admission. The Michigan case, there were two parts to it. One was undergraduate, the other part was graduate, the graduate program. The law school Affirmative Action program was OK, according to the Supreme Court. The Affirmative Action program, with respect to undergraduate school, was not OK, because the program included some versions of quotas, and quotas are unlawful. Goals are one thing, quotas are unlawful, OK. So, the Michigan case involving admissions in undergraduate schools, that involved what was considered or interpreted as quotas, that case, Michigan lost that case, that part of the case. But the other part, the admission, undergraduate program relative to the admission to law school, that was OK according to the Supreme Court, because it did not involve quotas, OK? Now, the current Texas case, it’s very similar to the Michigan case. Affirmative Action program at the University of Texas, which considers race in addition to other factors for admission to undergraduate programs, so it’s going to be interesting how this Supreme Court handles, interprets that program, so we have a current, US Supreme Court case that’s going to be determined in a few short months or very soon, and it’s Title VI related, but generally speaking, people in higher ed, including yourself, never heard of Title VI!

T: Yeah, totally!

C: You know, so I’m puzzled, I’m saying to myself, now wait a minute, we hear quite a bit on Title IX, and we should, but why are we not hearing about Title VI? Except, in this case, a Supreme Court decision. But I mean just in general, you know.

T: Yeah, and I mean, it’s an issue that long preceded Obama becoming President;

C: Oh yeah.

T: But do you feel like having a black President has kind of made some people feel like race has stopped being an issue, maybe?

C: That’s a very good question. I think, my feeling is that, if people don’t hear about Title VI or race discrimination, the matter of race discrimination, or maybe discrimination is a strong word, let’s just say limited employment opportunity, let’s put it that way, based on race, OK. My concern is that if people don’t hear about that matter, then the assumption is made on the part of a lot of people, we don’t have this problem. Or this is not an issue. This is not a matter. If they don’t hear about it, it’s not a matter, not an issue. They hear about Title IX, because Title IX, including
sexual harassment, sexual assault, all of that stuff within an education context, is a matter, is an issue. I mentioned earlier that the Bakke case, and that goes back a lot of years, and then subsequent to the Bakke case, the proposition 209 in California curtailed the enrollment of persons of color in our public institutions. That’s the last damn thing that we need right now.

T: Yeah.

C: Companies are sending products overseas, you know, because we have a limited number of technical people, workers, OK. I remember, I worked for the Adolph Coors company, and I remember, for some of the highly specialized positions, and I was working in the employment office, we had a tough time finding the people that we wanted. We – Coors had a tough time finding the highly technical people that the company needed. So, we can’t be curtailing Latinos, Latinas, African-Americans, from enrolling in college. So these Affirmative Action programs are more than just social, more than civil rights programs. They’re really addressing the serious matter of our manpower. You know, the employer needs, one big purpose of a learning institution, of a higher ed institution, is to produce, to come up with products for industry, for business. Texas is just like any other large flagship institution. Wants to come up with, produce the products that business and industry need. More individuals, more people, bottom line.

T: Yeah, more manpower.

C: Especially in the STEM areas. OK, especially in the STEM areas. And the employers, are just, you know, they’re telling the institutions, “you’re not producing enough for us.” I remember when I was at the University of Wisconsin, Whitewater, and I’d developed a good relationship with the dean of the College of Business. And he had a relationship with some of the principal employers headquartered in Milwaukee. And he introduced me to some of the employer representatives. And he said that same damn thing, this was years ago, “you all are not producing enough people for us.” That’s an economic issue, that’s a business issue, that’s not a civil rights issue, OK. And one was Harley Davidson. And I remember that one because I was so intrigued, I was impressed with their headquarters, their plant in Milwaukee. You’re not producing enough people for us! For our needs. Not enough white people, brown people, or black – people! OK? And we’ve got, unfortunately because history, social, civil rights history, we have too many incidents of the curtailing of minority enrollment in colleges, and so schools like Texas are trying to offset that, they say race in addition to other factors. The other factors are qualifications. Race may be considered in addition to other factors. We have to, we don’t have the luxury of limiting or curtailing enrollment in colleges, universities, especially in the STEM disciplines. We’re just shooting ourselves in the foot if we do.

T: Yeah. And, for people unaware, STEM is Math, Science..

C: Science, Technology, Engineering, Math.
T: Architecture, math, that kind of stuff.

C: Mmhmm.

T: Yeah, very good.

C: That's why I was so pleased with the program yesterday, because there was a, at least financed by your center – the girls--

T: Yeah, some people working at it and stuff.

C: And the examples of programs, activities and even one high school in the Boulder area, that focus on STEM, girls being exposed to STEM disciplines at an early age, including girls of color, and some of the stats that came out including the keynote speaker, the STEM coordinator for the Department of Education; I was just so very pleased with that, that is very, very important. And, I'm saying all this to say, and I'm going about it in a very, not backwards way, but um, what I'm really getting at is that, and I think what I was thinking about when I got the little message from the Center about, if you have any ideas about a story, blah blah blah, my thing is I want to compliment the Equity Assistance Center. Because they're doing some Title VI related stuff. They're educating schools, the educational leadership, both K-12 and secondary ed. About Title VI related stuff. And that's my whole point. Thank goodness we have the Center, because if we didn't have the Center, I don't think even many education administrators, K-12, and post-secondary people, at least in this region, region VIII, would know squat about Title VI. Of course, they know about Title IX, but –

T: Yeah, it's incorporated into the meme, everybody..

C: Media, yeah, you got it. So, I just, I guess in a roundabout way, I'm saying, “Thank You, Center, for your work.” And again, I worked in a similar center with the State Department of Education, so I know you know, I know a lot of what they do, and it comes down to informing, educating, K-12 leadership and post-secondary leadership.

T: Yeah, just getting that information out there to people. Um, well yeah, we're trying our hardest!

C: Yeah! I think we're going, you know, I've attended several of the events, so far, that the Center has put on, and you know, they keep going with the quality of events they're putting on, including yesterday's event, I'm pretty sure their grant is going to be renewed.

T: Yeah, I hope so. I think so and I hope so!
C: Yeah!

T: Um, are there any kind of resources you might direct any of our listeners to if they kind of want to brush up on Title VI, figure out ways to bring it back into their curriculum, or their personal, you know...

C: Yeah, um let me see. Yeah, maybe I could even submit some statements from this – this is a very good book. Because it’s very contemporary, “Racial Justice in the Age of Obama,” obviously. It’s written by, again, a guy named Professor Brooks, Roy Brooks, he is the distinguished professor of law at the University of San Diego. He has written a number of books and journals and articles on Affirmative Action, Civil Rights as pertains to education, and as pertains to employment. And because he’s in higher ed, a lot of his stuff is geared toward the higher ed environments. Here’s one, this is an older sourcebook. This is going back a lot of years, but it’s still very good. Yeah, so I can use these two, I think these are going to be the best, quite frankly.

T: OK, cool. And, what’s the second one titled again?

C: Affirmative Action and Higher Education.

T: Good! Any final thoughts or words?

C: No. Well again, I guess my comments directly, or indirectly, compliment the Center. I just think that the Center that the education community has in understanding the issues pertaining to Title VI. I think the education community has a lot of information, a lot of sources, pertaining to Title IX, and that’s important, that’s good, but I don’t want these same education community leaders and organizations to not understand Title VI.

T: Yeah, well I’d say they’re equally important issues, and they’re not treated as equally important, and it’s not that Title IX is less important, or needs to be taken down at all, it’s just Title VI needs to be brought up to the forefront.

C: There you go.

T: Awesome, that is what the EAC is here for. So anybody listening who has any questions or comments, or just thinks that they have a Title VI related issue in their own schools, please don’t hesitate to email or call or facebook or twitter, or any of that stuff. We are just here to help.

C: OK.

T: Awesome, well thank you so much!

C: Thank you for coming over!
T: This was good and informative.

C: Tell the group that I'm very much appreciative of the programs.

T: If you would like to contact the Region VIII Equity Assistance Center, you may do so at our website, metrostate-eac.org, phone 303-556-6065, or via email, at eac@msudenver.edu. Listeners are also invited to join the conversation by following us on twitter @EACRegion8, or by liking the Equity Assistance Center Region VIII facebook page. Special thanks to the band Northbound for the use of their song Forward in this podcast. Thank you.