

## Discrimination Prohibited by Title VI



There are many forms of illegal discrimination based on race, color, or national origin that limit the opportunity of minorities to gain equal access to services and programs. Among other things, in operating a federally assisted program, a recipient cannot, on the basis of race, color, or national origin, either directly or indirectly:

- » Deny program services, aids, or benefits
- » Provide a different service, aid, or benefit, or provide them in a manner different than they are provided to others; or
- » Segregate or separately treat individuals in any matter related to the receipt of any service, aid, or benefit

## Programs or Services Include (but are not limited to)

- » Transportation
- » Construction
- » The distribution of benefits and services
- » Tax benefits enjoyed by private agencies, fraternal and non-profit organizations (i.e. 501(c)3) as well as educational institutions
- » Location of facilities
- » Law enforcement
- » Program effects on people in applicable communities
- » Healthcare (i.e. Medicare, Medicaid, Mainecare), social services and public welfare
- » Natural resources and the environment
- » Employment and job training
- » Housing and community development
- » Agriculture



## Title VI Federal-Aid Contract Provisions

All Federal-Aid contracts must include Title VI contract assurance language which requires compliance with Title VI of the Civil rights Act of 1964. Federal-Aid contractors may not discriminate in selection and retention of first-tier subcontractors; subcontractors may not discriminate in the selection and retention of second-tier subcontractors who participate in Federal-Aid Highway construction; and contractors and subcontractors cannot discriminate in their employment practices in connection with highway construction projects or projects assisted by Federal Highway Administration.

# TITLE VI PROGRAM

## *Of the Civil Rights Act of 1964*

### How to file a complaint

You may file a signed, written complaint 180 days to the date of the alleged discrimination. The complaint should include:

- » Your name, address and telephone number.
- » The name and address of the agency, institution, or department you believe discriminated against you.
- » How, why, and when you believe you were discriminated against. Include as much specific, detailed information as possible about the alleged acts of discrimination, and any other relevant information.
- » The names of any persons, if known, who the MaineDOT Title VI Division could contact for clarity of your allegations.

**Your complaint must be signed and dated**

### Please submit your complaint to:

Civil Rights Office  
Maine Department of Transportation  
16 State House Station  
Augusta, Maine 04333-0016

Telephone 207-624-3042  
TTY Users Dial Maine Relay 711

**For a printable complaint form  
visit our website:**

[www.maine.gov/mdot/civilrights/](http://www.maine.gov/mdot/civilrights/)



## Civil Rights Office



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## Title VI Program Commitment

MaineDOT is committed to ensuring that discrimination does not occur within our programs, services and contracts. We work with staff, sub-recipients, contractees and service beneficiaries to promote awareness for the provisions of Title VI of the Civil

Rights Act of 1964 and

the responsibilities associated with that Act. We are readily available to assist you with technical assistance, resources, guidance and information on Title VI.

Please do not hesitate to contact our office for further assistance.



## What is Title VI of the Civil Rights Act of 1964?

It is the policy of the MaineDOT to ensure 42, U.S.C. 2000d, "No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under a program or activity receiving federal financial assistance from the MaineDOT. "Title VI covers all forms of federal aid except those federally funded contracts of insurance and guaranty. It does cover employment practices resulting in discrimination against program beneficiaries or where the purpose of federal assistance is to provide employment".



"Simple Justice requires that public funds, to which all taxpayers of all races contribute, not be spent in any fashion which encourages, entrenches, subsidizes, or results in racial discrimination."

~ President John F. Kennedy

## Title VI and Environmental Justice

On February 11, 1994, President Clinton signed Executive Order 12898: **Federal Action to Address Environmental Justice in Minority Populations and Low-Income Populations.** The Executive Order focused attention on Title VI by providing that "each agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority and low-income populations." In support of Executive Order 12898, the US DOT issued an Order on Environmental Justice (DOT Order 5610.2). This order clarifies and reinforces Title VI responsibilities as well as addresses the effects on low-income populations.



## Adverse Impacts may include

- » Bodily impairment, infirmity, illness, or death
- » Air, noise, and water pollution and soil contamination
- » Destruction or disruption of man-made or natural resources
- » Destruction or diminution of aesthetic values
- » Destruction or disruption of community cohesion or a community's economic vitality
- » Destruction or disruption of the availability of public and private facilities and services
- » Vibration
- » Adverse employment effects
- » Displacement of persons, businesses, farms, or nonprofit organizations
- » Increased traffic congestion, isolation, exclusion, or separation of minority or low-income individuals within a given community or from the broader community
- » The denial of benefits of DOT programs, policies, or activities



## Public Involvement

Public involvement is an integral part of transportation planning and project development decision making. The DOT Order (5610.2) on Environmental Justice directs the department to provide minority populations and low-income populations greater access to information on, and opportunities for public participation in matters that may impact human health and the environment.



## Title VI and Limited English Proficiency (LEP)

The federal government and those entities receiving assistance from the federal government must take reasonable steps to ensure that LEP persons have meaningful access to the programs, services, and information those entities provide. This will require agencies to think "outside the box" for creative solutions to address the needs of this ever growing population of individuals, for whom English is not their primary language.



## Who is a Limited English Proficient Person?

Persons who do not speak English as their primary language and who have a limited ability to read, speak, write or understand English can be Limited English Proficient, or "LEP." These individuals may be entitled to language assistance with respect to a particular type of service, benefit, or encounter.

## Who Must Comply and Who Can be Found in Violation?

All programs and operations of entities that receive assistance from the federal government must comply.