



PAT McCrory
Governor

NICHOLAS J. TENNYSON
Secretary

Title VI Nondiscrimination Policy Statement

It is the policy of the North Carolina Department of Transportation (NCDOT) to ensure that no person shall, on the ground of race, color, national origin, sex, age, or disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any NCDOT program or activity, including, where applicable, religion, as provided by Title VI of the Civil Rights Act of 1964, United States Department of Transportation (DOT) Order 1050.2A, Title 49 Code of Federal Regulations (CFR) Part 21, the Civil Rights Restoration Act of 1987, and other pertinent nondiscrimination authorities.¹

The following practices are hereby prohibited throughout NCDOT to comply, at a minimum, with Title VI and related requirements:

- Denying to an individual any standard service, financial aid, or other program benefit without good cause;
- Providing any service, financial aid, or other benefit to a person which is distinct in quantity or quality, or is provided in a different manner, from that provided to others under the program;
- Subjecting a person to segregation or separate treatment in any part of a program;
- Restrictions in the enjoyment of any advantages, privileges, or other benefits enjoyed by others;
- Methods of Administration which, directly or through contractual relationships, would defeat or substantially impair the accomplishment of effective nondiscrimination;
- Different standards, criteria, or other requirements for admission, enrollment, or participation in planning, advisory, contractual or other integral activities;
- Acts of intimidation or retaliation, including threatening, coercing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by any pertinent nondiscrimination law, or because s/he has made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing;
- Discrimination in any employment resulting from a program, the primary purpose of which is to provide employment.

To assure that appropriate program measures are implemented and monitored, I have designated Marcena Wright, Office of Civil Rights Director, as the Department's Title VI Coordinator; 919-508-1886; mlwright4@ncdot.gov. As an expression of my commitment to and support of the Department's Title VI Nondiscrimination Program, below is my signature as Secretary of North Carolina DOT.

Nicholas J. Tennyson, Secretary

Date

¹ Pertinent Nondiscrimination Authorities

a. Race, Color, National Origin – Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d; DOT Order 1050.2A, "Standard Title VI/Non-Discrimination Assurances;" 49 CFR 21 (DOT); 23 CFR 200 (FHWA); FTA C 4702.1B (FTA); 49 CFR 303 (FMCSA); DOT Order 1000.12. *Sex* – 1973 Federal-Aid Highway Act, 23 U.S.C. 324; Title IX of the Education Amendments of 1972, 20 U.S.C. 1681. *Age* – Age Discrimination Act of 1975, as amended, 42 U.S.C. 6101. *Disability* – Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 790; The Americans with Disabilities Act of 1990, as amended, P.L. 101-336; Section 508 of the Rehabilitation Act of 1973, 29 U.S.C. 794d. The 1987 Civil Rights Restoration Act, P.L. 100-259, clarified and restored the original intent of Title VI by expanding coverage to include all "programs and activities" of federal-aid recipients, subrecipients, and contractors, whether or not such programs and activities are federally-assisted.

b. Other nondiscrimination authorities include, but are not limited to: Religion – Title VIII of the 1968 Civil Rights Act, 42 U.S.C. 3601 (Fair Housing Act); 49 U.S.C. 47123 (Nondiscrimination). Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 U.S.C. 4601. *Environmental Justice* – Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations;" DOT Order 5610.2a; FHWA Order 6640.23A; FTA Circular 4703.1. *Limited English Proficiency* – Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency;" DOT Policy Guidance Concerning Recipient's Responsibilities to Limited English Proficient (LEP) Persons, 74 FR 74087.

