



# Your Rights Under Title VI of the Civil Rights Act of 1964

*"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 any program or activity receiving Federal financial assistance."*

## NEBRASKA

Good Life. Great Journey.

DEPARTMENT OF TRANSPORTATION

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## Title VI

### What is Title VI?

Title VI of the Civil Rights Act of 1964 is the Federal law that protects individuals and groups from discrimination on the basis of their race, color and national origin in programs and activities that receive Federal financial assistance. This also includes other civil rights provisions of Federal Statutes and related authorities to the extent that they prohibit discrimination in programs and activities receiving Federal financial aid.

### NDOT's Non-Discrimination Statement

In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, the Nebraska Department of Transportation ensures that no person shall, on the grounds of race, color, or national origin, be excluded from participation in, denied the benefits or services of, or be otherwise subjected to discrimination in all programs, services, or activities administered by the Nebraska Department of Transportation.



## Discrimination

### What discrimination is prohibited by the US DOT Title VI Program?

Discrimination under our Title VI Program is an act (action or inaction), whether intentional or unintentional, through which a person or group, solely because of race, color, national origin, disability, sex, age or income status has been otherwise subjected to unequal treatment or impact, under any program or activity receiving financial assistance.

Many forms of illegal discrimination based on the grounds identified above do exist that can limit the opportunity for individuals and groups to gain equal access to services and programs. In operating Federally assisted programs, a recipient cannot discriminate either directly or through contractual or other means by:



Denying programs, services, financial aid or other benefits.



Providing different programs, services, financial aid or other benefits, or providing them in a manner different from that provided to others.



Segregating or separately treating individuals or groups in any matter related to the receipt of any program, service, financial aid or benefit.



Denying person(s) the opportunity to participate as a member of a planning, advisory or similar body.



Denying person(s) the opportunity to participate in the program through the provision of services, or affording the opportunity to do so differently from those afforded others.

# Environmental Justice

In 1994, President Clinton signed *Executive Order 12898: Federal Action to Address Environmental Justice in Minority Populations and Low-income Populations*, which 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.”

## Title VI & Limited English Proficiency (LEP)

The Federal government, and those receiving assistance from the Federal government, must take reasonable steps to ensure that persons of LEP have meaningful access to the programs, services and activities of those entities. This will require recipients to create solutions that address the needs of those who primarily speak languages other than English.

## Who is a person with LEP?

Persons who do not speak English as their primary language and have a limited ability to read, speak, write or understand English may be considered LEP. These individuals may be entitled to language assistance with respect to a particular type of service, benefit or encounter. Anyone requiring assistance may contact the NDOT Civil Rights Office.

# Title VI Complaints

## Who may file a Title VI complaint?

A complaint may be filed by any individual or group that believes they have been subjected to discrimination or retaliation based on their race, color, national origin, sex, age, disability and/or income level. The complaint may be filed by the affected party or representative and must be received in writing.

## How can I file a complaint?

You may file a written complaint within 180 days from the date of the alleged discrimination.

The complaint should include:

- 1 Your name, address, telephone number and signature. If you are filing on behalf of another person, include their name, address, telephone number and your relation to the person (e.g. friend, attorney, parent, etc.).
- 2 The name and address of the agency, institution or department you believe discriminated against you.
- 3 A description of how, why and when you believe you were discriminated against. Include as much background information as possible about the alleged acts of discrimination.
- 4 The names of individuals whom you allege discriminated against you, if you know them.
- 5 The names of any persons, if known, that NDOT could contact for additional information to support or clarify your allegations.

Your complaint must be signed, dated and submitted to the NDOT Civil Rights Office.

## What will happen if the recipient retaliates against me for asserting my rights or filing a complaint?

A recipient is prohibited from retaliating against you or any person because he or she reported an unlawful policy or practice, or made charges, testified or participated in any complaint action under Title VI.

## What is a recipient?

Any state, territory, possession, the District of Columbia, Puerto Rico, or any political subdivision, or instrumentality thereof, or any public or private agency, institution, or organization, or other entity, or any individual, in any state, territory, possession, the District of Columbia, or Puerto Rico, to whom Federal Assistance is extended either directly or through another recipient, for any program. A recipient includes any successor, assignee, or transferee thereof. The term recipient does not include any ultimate beneficiary under any such program.

