

# INTRODUCTION

The Massachusetts Department of Transportation (MassDOT), as a recipient of federal financial assistance, has developed this Title VI Program to ensure full compliance with Title VI of the Civil Rights Act of 1964, as amended (Title VI) and related nondiscrimination statutes, Executive Orders, and regulations in all MassDOT programs and activities. Title VI of the Civil Rights Act of 1964 provides that “no person in the United States shall, on the ground 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.” To fulfill this basic civil rights mandate, each federal agency that provides financial assistance for any program is authorized and directed by the United States Department of Justice to apply provisions of Title VI to each program by issuing applicable rules, regulations, or requirements. The Federal Transit Administration’s (FTA’s) Title VI Circular 4702.1B provides guidelines for implementing a compliant Title VI program.

Title VI and its related statutes prohibit two types of discrimination: intentional discrimination and disparate impact. The first, intentional discrimination, is the result of inconsistent application of rules and/or policies to one group of people compared to another. This form of discrimination results when rules and policies are applied in such a way as to intentionally treat a person or persons differently because of race, color, national origin.

The second type of discrimination, disparate impact, results when rules and laws have a different and more negative effect on a protected group defined by race, color, or national origin than on nonmembers of that group. This type of discrimination occurs when a neutral procedure or practice results in fewer services or benefits, inferior services or benefits, or greater burdens for members of a protected group. With disparate impact, the focus is on the consequences of a decision, policy, or practice rather than on the intent.

Under Title VI, MassDOT’s efforts to prevent both types of discrimination must address, but need not be limited to:

- Unequal access to services, financial aid, or other benefits provided under its programs

- Distinctions in the quality or quantity of a benefit or in the manner in which it is provided
- Segregation or separate treatment
- Restriction in the enjoyment of any advantages, privileges, or other benefits provided without that restriction to others
- Different standards or requirements for participation
- Methods of administration which, directly or through contractual relationships, would defeat or substantially impair the accomplishment of effective nondiscrimination
- Discrimination in any activities related to a highway or other infrastructure or facility built or repaired, in whole or in part, with federal funds
- Discrimination in any employment resulting from a program, the primary purpose of which is to provide employment

MassDOT has developed this Title VI/Nondiscrimination Program to help ensure that all of its services, programs, and activities, whether federally assisted or not, are offered, conducted, and administered in a nondiscriminatory manner.

## ***MASSDOT TITLE VI POLICIES***

MassDOT has incorporated Title VI principles throughout the operations and functions of the agency. This includes instituting a number of policies that inform staff, subrecipients, contractors, and members of the public of Title VI obligations and rights. Internal activities are reached by MassDOT's Nondiscrimination Policy (Appendix 00-A) as well as the Secretary & CEO's "Corporate Message" on Title VI (Appendix 00-B). External stakeholders are reached through MassDOT's Memorandum to Subrecipients (Appendix 00-C) and Notice to Beneficiaries (Appendix 02-A). This array of policies frames MassDOT's understanding of and commitment to Title VI compliance and gives staff and members of the public a clear understanding of Title VI obligations. For those interested in or responsible for specific Title VI activities, this full Title VI Program is available for reference.