

City of Salem

Salem, MA

Title VI Program

FTA Approved:

Prepared by: Elizabeth Rennard, Esq.

Telephone Number: 978-619-5633

Web URL: <http://www.salemma.gov/mobility-services/pages/salem-skipper>

## INTRODUCTION

### Overview of the Salem Skipper Mobility Service

Salem Skipper is a ridesharing service that meets riders wherever they are within the service area. Riders book a ride in the mobile app and are matched with other passengers heading in the same direction. Rides are shared based on an established maximum number of riders per vehicle.

Service is available from 7:00 a.m. until 10:00 p.m. Monday through Thursday, from 7:00 a.m. until 12:00 a.m. on Friday, 10:00 a.m. until 12:00 a.m. on Saturday, and 10:00 a.m. until 8:00 p.m. on Sunday. Trips are \$2 per trip until 7:00 p.m. daily and \$3 per trip after 7:00 p.m.

### Salem's Commitment to Civil Rights

This Title VI Program has been prepared to ensure that the level and quality of the Salem Skipper's operation are provided in a nondiscriminatory manner and that the opportunity for full and fair participation is offered to Salem Skipper riders and other community members. Additionally, through this program, Salem has examined the need for services and materials for persons for whom English is not their primary language and who have a limited ability to read, write, speak, or understand English.

Salem is committed to ensuring that no person is excluded from participation in, denied the benefits of, or subjected to discrimination in the receipt of any of Salem's services on the basis of race, color, or national origin. The contents of this program have been prepared in accordance with Section 601 of Title VI of the Civil Rights Act of 1964 and Executive Order 13116 (Improving Access to Services for Persons with Limited English Proficiency). "No person 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 assistance." —Civil Rights Act of 1964 activity receiving federal assistance."

—Civil Rights Act of 1964

Under the Civil Rights Act of 1964, and as a recipient of federal funding under the programs of the Federal Transit Administration (FTA) of the U.S. Department of Transportation (US DOT), Salem Skipper has an obligation to ensure that:

- The benefits of its services are shared equitably throughout the service area; and
- The level and quality of services are sufficient to provide equal access to all riders in its service area; and
- No one is precluded from participating in Salem's service planning and development process; and
- Decisions regarding service changes or facility locations are made without regard to race, color or national origin and that development and urban renewal benefiting a community as a whole not be unjustifiably purchased through the disproportionate allocation of its adverse environmental and health burdens on the community's minority population; and
- A program is in place for correcting any discrimination, whether intentional or unintentional.

Salem has engaged the public in the development of this program. To develop a system to provide services to those with limited English proficiency, Salem engaged community organizations and riders.

“Federal agencies are to examine the services they provide, identify any need for services to those with limited English proficiency, and develop and implement a system to provide those services so LEP persons can have meaningful access to them.” —Executive Order 13166

## **GENERAL REQUIREMENTS**

### Notice to the Public

To make Salem Skipper’s riders aware of its commitment to Title VI compliance, and of their right to file a civil rights complaint, Salem Skipper has presented notices, in both English and Spanish, on its website <http://www.salemma.gov/mobility-services/pages/salem-skipper> and in its vehicles used in Salem Skipper service. The notices are available in Appendix 1.

### Discrimination Complaint Procedures

Salem Skipper has established a process for riders to file a complaint under Title VI. Any person who believes that they have been discriminated against on the basis of race, color, or national origin by Salem Skipper may file a Title VI complaint by completing and submitting Salem Skipper’s Title VI Complaint form, available at our Solicitor’s Office at City Hall, 93 Washington St., Salem, MA, or on our website. Notices provide the following information:

### Your Civil Rights

Salem Skipper operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes they have been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with Salem Skipper. For more information on Salem Skipper’s Title VI program and the procedures to file a complaint, please contact 978-619-5633; email [brennard@salem.com](mailto:brennard@salem.com) or visit our Solicitor’s office at 93 Washington Street, Salem, MA. For more information, visit <http://www.salemma.gov/mobility-services/pages/salem-skipper>. A complainant may file a complaint directly with the Federal Transit Administration’s Office of Civil Rights at:

Federal Transit Administration  
Office of Civil Rights  
Attention: Title VI Program Coordinator  
East Building, 5th Floor-TCR  
1200 New Jersey Ave., SE  
Washington, DC 20590

Para mas informacion acontacte Laura Assade @ 978-619-5603.

### The Complaint Procedure

Title VI complaints should be filed immediately however, Salem Skipper will investigate complaints up to 180 days after the alleged incident. The designated Title VI complaint coordinator will review it and the complainant will receive an acknowledgement letter informing

them whether the complaint has been determined to be a Title VI complaint. Salem Skipper will respond to the complaint within thirty days of its receipt. If additional information to adequately investigate the complaint is needed from the complainant, the complainant will be contacted by Salem Skipper's designated complaint investigator. The complainant will have thirty days from the date of the letter requesting additional information to send the requested information to the investigator assigned to the complaint. If Salem Skipper's investigator is not contacted by the complainant or does not receive the additional Information within thirty days, Salem Skipper may administratively close the complaint. A complaint may also be administratively closed if the complainant no longer wishes to pursue their complaint.

After Salem Skipper's assigned investigator reviews the complaint, one of two letters will be issued to the complainant: a closure letter or a letter of finding (LOF). A closure letter will summarize the allegations, state that the Title VI violation was not substantiated, and that the complaint will be closed. A LOF will summarize the allegations and the interviews regarding the alleged incident and will indicate if any disciplinary action, additional training of the staff member, or other action will occur. If the complainant wishes to appeal the determination, she/he has ten days from the date of the letter or the LOF in which to do so. An individual may also file a complaint directly with the Federal Transit Administration, at: Federal Transit Administration, Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5<sup>th</sup> Floor – TCR, 1200 New Jersey Avenue SE, Washington, DC 20590.

#### Title VI Complaint Form

The complaint form may be found at <http://www.salemma.gov/mobility-services/pages/salem-skipper>. If you need assistance completing this form, you may contact the Solicitor's office at 978-619-5633. (The complaint form is attached as Appendix 2.)

#### Active Lawsuits, Complaints or Inquiries

Salem Skipper maintains a list of investigations, including lawsuits and complaints naming Salem Skipper, that allege discrimination on the basis of race, color or national origin. This list includes the date that the transit-related Title VI investigation, lawsuit, or complaint was filed; a summary of the allegation(s); the status of the investigation, lawsuit, or complaint; and actions taken by Salem Skipper in response, or final determinations made related to the investigation, lawsuit, or complaint. See Appendix 3.

### **SALEM SKIPPER PUBLIC PARTICIPATION PLAN**

#### Key Principles

Salem Skipper's Public Participation Plan (PPP) has been prepared to ensure that no one is precluded from participating in Salem Skipper's service planning and development process. It ensures that:

- Potentially affected community members will have an appropriate opportunity to participate in decisions about a proposed activity that will affect their environment and/or health; and
- The public's contribution can and will influence Salem Skipper's decision making; and
- The concerns of all participants involved will be considered in the decision-making process; and

- Salem Skipper will seek out and facilitate the involvement of those potentially affected. Through an open public process, Salem Skipper has developed a public participation plan to encourage and guide public involvement efforts and enhance access to Salem Skipper's decision-making process by minority and Limited English Proficient (LEP) populations. The public participation plan describes the overall goals, guiding principles, and outreach methods that Salem Skipper uses to reach its riders. Limited English Proficient (LEP) refers to persons for whom English is not their primary language and who have a limited ability to read, write, speak, or understand English. It includes people who reported to the U.S. Census and American Community Survey (ACS) that they speak English less than very well, not well, or not at all.

### Early, Continuous and Meaningful

The steps outlined in the public participation plan offer early (in the planning process), continuous and meaningful opportunities for the public to be involved in the identification of social, economic, and environmental impacts of proposed transportation decisions by Salem Skipper. It is a guide for how Salem Skipper engages its diverse community. Salem Skipper may continue to improve its public participation methods over time based on feedback from all of its riders and community members including low-income, minority and LEP populations as well as customer and community-based organizations.

### Goals of the Public Participation Plan

Clarity in Potential for Influence – The process clearly identifies and communicates where and how participants can have influence and direct impact on decision making.

- **Consistent Commitment:** Salem Skipper communicates regularly, develops trust with riders and our community, and builds community capacity to provide public input.
- **Diversity:** Participants represent a range of socioeconomic, ethnic and cultural perspectives, with representative participants including residents from low-income neighborhoods, ethnic communities, and residents from Limited English Proficiency.
- **Accessibility:** Every reasonable effort is made to ensure that opportunities to participate are physically, geographically, temporally, linguistically, and culturally accessible.
- **Relevance:** Issues are framed in such a way that the significance and potential effect is understood by participants.
- **Participant Satisfaction:** People who take the time to participate feel it is worth the effort to join the discussion and provide feedback.
- **Partnerships:** Salem Skipper develops and maintains partnerships with communities through the methods described in its public participation plan.
- **Quality Input and Participation:** That comments received by Salem Skipper are useful, are relevant and constructive, contributing to better plans, projects, strategies and decisions.

### Objectives of the Public Participation Plan

Salem Skipper's Public Participation Plan is based on the following principles:

- Flexibility: The engagement process will accommodate participation in a variety of ways and be adjusted as needed.
- Inclusiveness: Salem Skipper will proactively reach out to and engage low income, minority and LEP populations from Salem Skipper's service area.
- Respect: All feedback will be given careful and respectful consideration.
- Proactive and Timeliness: Participation methods will allow for early involvement and be ongoing.
- Clear, Focused and Understandable: Participation methods will have a clear purpose and use for the input and will be described in language that is easy to understand.
- Responsiveness: Salem Skipper will respond and incorporate appropriate public comments into transportation decisions.
- Accessibility: Meetings will be held in locations which are fully accessible; currently all meetings are held at City ADA accessible facilities. Salem Skipper will use its public participation plan when considering changes to its services.

## **SALEM SKIPPER's PUBLIC PARTICIPATION PROCESS (PPP)**

### Outreach Efforts – Alerting Riders and Encouraging Engagement

Salem Skipper's PPP includes many new mediums extending beyond legal notices and social media. Salem Skipper has availed itself of the communication methods more widely used by members of our community and riders. Salem Skipper's process for public participation will be as follows:

1. A service/fare change proposal is developed internally or as a result of public comment;
2. A Title VI review of the proposal is conducted;
3. Public outreach venues, dates and times are determined with consideration of the proposed changes and their impact on specific locations/populations within the Salem Skipper service area;
4. Bilingual (English and Spanish) public outreach materials and a program are developed;
5. Outreach In advance of public information sessions is released;
6. An Email is transmitted to Salem Skipper community partners;
7. Local radio station interviews may be conducted (if available);
8. The public comment period ends; and
9. Salem Skipper considers all public comment received regarding the proposed service/fare change; and
10. The final service/fare changes and dates are set.

### Selection of Meeting Locations

When determining locations and schedules for public meetings, Salem Skipper will:

- Schedule meetings at times and locations that are convenient and accessible for minority and LEP communities;
- Employ different meeting sizes and formats including town hall type meeting formats;
- Coordinate with community organizations, educational institutions, and other organizations to implement public engagement strategies that reach out specifically to members of affected minority and/or LEP communities;
- Consider radio, television, or newspaper ads; and
- Provide opportunities for public transportation to all meetings.

#### Salem Skipper Mediums (Bi-lingual)

- Print: Newspapers
- Website: Salem Skipper has assembled a comprehensive website with automatic alerts
- Social Media: Salem Skipper uses Facebook and Twitter
- Public Information Sessions
- Public Hearings
- Legal Notices

#### Addressing Comments

All comments received through the public participation plan are given careful, thoughtful consideration. Because there are a number of different ways riders or members of the community can comment on proposed service or fare changes (mail, email, social media, public meetings and others), all comments are assembled into a single document for consideration by Salem Skipper.

#### Public Outreach Efforts

This is Salem Skipper's first Title VI program. As such, there have been no public outreach activities completed yet. All public outreach efforts to occur over the next three years will follow the public participation process outlined on page 6. A list of these efforts that have taken place will be included in subsequent updates to the Title VI program as required.

#### Identification of Stakeholders

Stakeholders are those who are either directly or indirectly affected by a plan, or the recommendations of that plan. Those who may be adversely affected, or who may be denied benefit of a plan's recommendation(s), are of particular interest in the identification of specific stakeholders. Stakeholders can come from a number of groups including general citizens/residents, minority and low-income persons, public agencies, and private organizations and businesses. While stakeholders may vary based on the plan or program being considered, Salem has stakeholders with whom we regularly communicate through email and direct mail.

## Governing Board

Salem Skipper is governed by Salem City Council, a board of local elected officials. There are currently no other boards, committees, or commissions that govern or provide direction on Salem Skipper's services or design.

## **LANGUAGE ASSISTANCE PLAN - Improving Access for People with Limited English Proficiency**

In order to ensure meaningful access to programs and activities, Salem uses the information obtained in a Four Factor Analysis to determine the specific language services that are appropriate. This analysis helps Salem to determine if it communicates effectively with LEP persons and informs language access planning. The Four Factor Analysis is a local assessment that reviews the following:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by Salem Skipper;
2. The frequency with which LEP persons come into contact with Salem Skipper services and programs;
3. The nature and importance of the Salem Skipper service in people's lives; and
4. The resources available to Salem Skipper for LEP outreach, as well as the costs associated with that outreach.

### **Factor 1 - Number of LEP Persons in Service Region**

The first step in determining the appropriate components of a Language Assistance Plan is understanding the proportion of LEP persons who may encounter Salem Skipper services, their literacy skills in English and their native language, the location of their communities and neighborhoods and, more importantly, if any are underserved as a result of a language barrier. To do this, Salem Skipper evaluated the level of English literacy and to what degree people in its service area speak a language other than English and what those languages are. Data for this review is sourced from the current census and American Community Survey (ACS). Per table L-1, the Limited English proficient population of Salem comprises 6.85% of the total population. Of this population subset, only Spanish meets the threshold requiring translation within Salem. Tables L-2 and L-3 show the Limited English proficient population breakdown in the cities of Danvers and Beverly, both of which will soon be served by the Salem Skipper. Although Spanish Limited English proficient persons make up the largest portions of the LEP population in both cities, there are no languages that meet the threshold requiring translations in either Danvers or Beverly. Salem Skipper will translate identified materials in Spanish as identified in the Factor 1 Analysis.



Table L-1: Salem LEP Population		
	Number of Persons	Percent of Total
Total Population	19,745	100%
LEP Population	1,353	6.85%
Language Group	Number of Persons	Percent of Total
Spanish LEP	1,058	5.35%

Table L-2: Danvers LEP Population		
	Number of Persons	Percent of Total
Total Population	10,964	100%
LEP Population	186	1.69%
Language Group	Number of Persons	Percent of Total
Spanish LEP	15	0.13%

Table L-3: Beverly LEP Population		
	Number of Persons	Percent of Total
Total Population	16,717	100%
LEP Population	476	2.86%
Language Group	Number of Persons	Percent of Total
Spanish LEP	117	0.69%

## Factor 2 – Frequency of LEP Use

There are many places where Salem Skipper riders and members of the LEP population can come into contact with Salem Skipper services including the use of online booking of trips and information.,

An important part of the development of Salem Skipper's Language Access Plan is the assessment of major points of contact, including:

- Communication with the Salem Skipper's customer service staff;
- Printed outreach materials;
- Web-based outreach materials;
- Local news media (print and radio);

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#### Community Partners

As part of this assessment, Salem Skipper also contacted many of its community partners to assess the extent to which they come into contact with LEP populations. Salem Skipper asked the partner agencies to estimate the percent of clients they interact with who would have limited English proficiency using the following questionnaire:

*Do you encounter non-English speaking/reading people who need your services?*

Of the respondents, many noted that they did encounter clients with limited English proficiency ranging from one or two to as many as half of their overall client base. Most of the respondents noted that the many of the clients spoke Spanish.

*If so, what are the top three languages that you encounter?*

The twelve respondents noted the following languages: Spanish, Portuguese, and French.

*How do you address language barriers?*

Respondents use a variety of processes to address language barriers including bi-lingual staff, translation services and family members.

*Do you find language to be a barrier in preventing you from providing service?*

While some agencies expressed mild difficulty in dealing with limited English skills, none of the agencies were prevented from providing their services as a result of a language barrier.

#### Community Partners

- Salem Community Life Center
- Destination Salem
- Salem Main Streets

### **Factor 3: The Importance of Salem Skipper Service to People's Lives**

Access to the service provided by the Salem Skipper is important to people's lives as it makes alternative transportation available within Salem. If limited English is a barrier to using the

Salem Skipper services, then the consequences for the individual could limit their access to travel to Boston for work, health care or education.

**Factor 4: The resources available to Salem for LEP outreach, as well as the costs associated with that outreach.**

Salem Skipper service has committed resources, at a cost absorbed by existing funds budgeted by the for such resources, to improving access to its services and programs for LEP persons including:

1. Bilingual information (English/Spanish) distributed at the.
2. Translation option on website.
3. The following documents are available in Spanish and can be found at <http://www.salemma.gov/mobility-services/pages/salem-skipper>:
  - Title VI Notice to the Public
  - Any other materials will be translated upon request

**OUTCOMES**

Tools and alerting riders of language assistance

Salem Skipper has Spanish versions of all relevant documents and forms available on its website. While the Spanish speaking LEP population of the service area is well served, additional services are in place to assist other LEP populations regardless of the total population in the region.

Salem Skipper currently addresses this in the following ways:

- Salem provides translation services on its website.
- Google Translate is also available to customers and staff. Google Translate enables passengers to speak into the software and communicate in their preferred language with staff.
- Salem verifies translations are correct through bilingual staff persons

## **APPENDIX 1**

### **Notice to Public of Rights Under Title VI**

#### **SALEM SKIPPER, SALEM, MASSACHUSETTS**

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A complainant may file a complaint directly with the Federal Transit Administration's Office of Civil Rights at:

Federal Transit Administration  
Office of Civil Rights  
Attention: Title VI Program Coordinator  
East Building, 5th Floor-TCR  
1200 New Jersey Ave., SE  
Washington, DC 20590

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## APPENDIX 2

### SALEM SKIPPER TITLE VI COMPLAINT FORM

#### **Section I**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone (Home): \_\_\_\_\_

Telephone (Work): \_\_\_\_\_

Electronic Mail Address: \_\_\_\_\_

Do you have Accessible Format Requirements?    Yes ☐    No ☐

If yes, what are they:

Large Print ☐    Audio Tape ☐    TDD ☐    Other ☐

If other, please list: \_\_\_\_\_

#### **Section II**

Are you filing this complaint on your own behalf?    Yes\* ☐    No ☐

\*If you answered "yes" to this question, go to Section III.

If not, please supply the name of and your relationship to the person for whom you are filing this complaint: \_\_\_\_\_

Please explain why you have filed for a third party: \_\_\_\_\_

Please confirm that you have obtained the permission of the aggrieved party if you are filing on their behalf.    Yes ☐    No ☐

#### **Section III**

I believe the discrimination I experienced was based on (check all that apply):

☐ Race ☐ Color ☐ National Origin

Date of Alleged Discrimination (Month, Day, Year): \_\_\_\_\_

Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all person(s) who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form.

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#### **Section IV**

Have you previously filed a Title VI complaint with this agency?    Yes ☐    No ☐

#### **Section V**

Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court? ☐ Yes ☐ No

If yes, check all that apply:

☐ Federal Agency

☐ Federal Court

☐ State Agency

☐ State Court

☐ Local Agency

Please provide information about a contact person at the agency/court where the complaint was filed.

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Agency: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

**Section VI**

Name of agency complaint is against: \_\_\_\_\_

Contact person: \_\_\_\_\_

Title: \_\_\_\_\_

Telephone number: \_\_\_\_\_

You may attach any written materials or other information that you think is relevant to your complaint.

Signature and date required below:

\_\_\_\_\_

Signature

Date

**Please submit this form in person at the address below or mail this form to:** City of Salem  
Legal Department, 93 Washington St., Salem, MA 01970.



## APPENDIX 3

### List of Investigations, Lawsuits and Complaints

<b>Date (Month, Day, Year)</b>	<b>Summary (include basis of complaint: race, color, or national origin)</b>	<b>Status</b>	<b>Action(s) Taken</b>
<b>Investigations</b>	<b>None</b>		
<b>1.</b>			
<b>2.</b>			
<b>Lawsuits</b>	<b>None</b>		
<b>1.</b>			
<b>2.</b>			
<b>Complaints</b>	<b>None</b>		
<b>1.</b>			
<b>2.</b>			

## **APPENDIX 4**

### **Selected list of City, State and Federal Nondiscrimination statutes and Ordinances**

#### **State Law**

MGL c.151B Unlawful discrimination because of race, color, religious creed, national origin, ancestry or sex  
MGL c.151B, § 4(1E) Pregnant workers fairness act  
MGL c.149, §§ 105A-C Discriminatory wage rates based on sex  
MGL c.272, § 92A Advertisement, book, notice or sign relative to discrimination; definition of place of public accommodation, resort or amusement  
MGL c.272, § 98 Discrimination in admission to, or treatment in, place of public accommodation; punishment; forfeiture; civil right  
Massachusetts regulations  
804 CMR Mass. Commission Against Discrimination  
804 CMR 1 MCAD Rules

#### **City Ordinance**

Sec. 2-2056. - Policy.

It is the policy of the City of Salem to uphold the human rights of all persons in Salem and the free exercise and enjoyment of any and all rights and privileges secured by the Constitutions, Laws, Ordinances and Regulations of the United States, the Commonwealth of Massachusetts and the City of Salem. As such, actions that may deny or tend to deny to an individual equal access or opportunity in matters of housing, employment, education, municipal services, contracts, purchasing or public accommodations on the basis of: age, ancestry, color, disability, family status, gender identity or expression, military status, marital status, national origin, race, religion, sex or sexual orientation, are hereby prohibited.

#### **Federal Nondiscrimination Statutes**

- Title VI of the 1964 Civil Rights Act, 42 U.S.C. 2000, provides in section 601 that: “No person in the United States shall, on the ground of race, color,
- The Age Discrimination Act of 1975, as amended 42 U.S.C. 6101, provides:  
“No person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” Prohibits discrimination based on age.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 U.S.C. 4601, provides:

“For the fair and equitable treatment of persons displaced as direct result of programs or projects undertaken by a Federal agency or with Federal financial assistance.” Provides for fair treatment of persons displaced by federal and federal -aid programs and projects.

- The Federal-aid Highway Act, 49 U.S.C. 306

Outlines the responsibilities of the U.S. Department of Transportation and, at (c) outlines the Secretary’s authority to decide whether a recipient has not complied with applicable Civil Rights statutes or regulations, requires the Secretary to provide notice of the violation, and requires necessary action to ensure compliance.

- The 1973 Federal-aid Highway Act, 23 U.S.C 324, provides:

“No person shall on the ground of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal assistance under this Title or carried on under this title.” Prohibits discrimination on the basis of sex.

- The Civil Rights Restoration Act of 1987, P.L. 100-209, provides:

Clarification of the original intent of Congress in Title VI of the 1964 Civil Rights Act, Title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973. Restores the broad, institution-wide scope and coverage of the nondiscrimination statute to include all programs and activities of federal-aid recipients, sub recipients and contractors, whether such programs and activities are federally assisted or not.

- The Uniform Relocation Act Amendments of 1987, P.L 101-246, provides:

“For fair, uniform, and equitable treatment of all affected persons; ...(and) minimizing the adverse impact of displacement...(to maintain)...the economic and social well-being of communities; and...to establish a lead agency and allow for State certification and implementation.” Updated the 1970 Act and clarified the intent of congress in programs and project which cause displacement.

- The Americans with Disabilities Act, P.L. 101-336, provides: “No qualified individual with a disability shall, by reason of such disability, be excluded from the participation in, be denied benefits of, or be subjected to discrimination by a department, agency, special purpose district, or other instrumentality of a State or a local government.” Provided enforceable standard to address discrimination against people with disabilities.
- The Civil Rights Act of 1991, in part, amended Section 1981 of 42 U.S.C. by adding two new sections that provided: “(b) For the purposes of this section, the term ‘make and enforce contracts’ includes the making, performance, modification, and termination of contracts and the enjoyment of all benefits, privileges, terms, and conditions of the contractual relationship.”
- “(c) The rights protected by this section are protected against impairment by non-governmental discrimination and impairment under color of State law.”

- Title VIII of the 1968 Civil Rights Act, 42 U.S.C. 3601, provides that: “(I) It shall be unlawful...to refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny a dwelling to any person because of race, color, religion or national origin.” Prohibits discrimination in the sale or rental of housing. HUD is the primary interest agency, but FHWA and states under Title VI are responsible for preventing discrimination in the function of Right-of-Way)
- The National Environmental Policy Act of 1969, 42 U.S.C. 4321 Requires the consideration of alternatives, including the “no-build” alternative, consideration of social, environmental and economic impacts, public involvement, and use of a systematic interdisciplinary approach at each decision making stage of Federal-aid project development.

### **Federal Nondiscrimination Executive Orders**

- E.O. 12250 -DOJ Leadership and Coordination of Nondiscrimination Laws
- E.O. 12259 -HUD Leadership and Coordination of Federal Fair Housing Programs
- E.O. 12292 -Amended E.O. 12259, in part and addressed leadership and coordination in Federal Fair Housing Programs. It affirmatively furthers fair housing in all Federal programs and activities relating to housing and urban development throughout the United States.
- E.O. 12898 -Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations
- E.O. 13160 -nondiscrimination on the basis of race, sex, color, national origin, disability, religion, age, sexual orientation, and status as a parent in federally conducted education and training programs
- E.O. 13166 -August 11, 2000-requires Federal agencies and their recipients to improve access to federally sponsored programs for persons with limited English proficiency
- E.O. 13175 – Consultation and Coordination with Indian Tribal Governments