



Larry Hogan, *Governor*
Boyd K. Rutherford, *Lt. Governor*

Pete K. Rahn, *Secretary*
Gregory C. Johnson, P.E., *Administrator*

Administrator's Title VI Policy Statement

I. Purpose

To ensure that no person shall, on the grounds of race, color, national origin, sex, age, English proficiency, income level, or disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination in the operations of the Maryland State Highway Administration (SHA) or of any department, agency, or entity to which SHA extends federal financial assistance.

II. Authority

As a recipient of federal funds, SHA is required to adhere to Title VI of the Civil Rights Act of 1964 (42 USC 2000d *et. seq.*), which includes and is not limited to, the following Acts, Regulations, and statutes:

- Federal-Aid Highway Act of 1973 Section 162(a);
- Age Discrimination Act of 1975;
- Section 504 of the Rehabilitation Act of 1973/Americans With Disabilities Act of 1990;
- Civil Rights Restoration Act of 1987;
- Executive Order #12898-Environmental Justice;
- Executive Order # 13166 –Limited English Proficiency;
- Executive Order #12250-U.S. Department of Transportation Leadership and Coordination of Nondiscrimination Laws;
- US DOT Order 1050.2;
- 49 CFR Part 21; and
- 23 CFR Part 200.

III. Applicability

This Title VI Policy Statement applies to all SHA operations to include: all offices, divisions, districts, shops, and locations. As applicable, this statement includes SHA contractors, consultants, and anyone who acts on SHA's behalf. Additionally, this Policy Statement applies to the operations of any department, agency, or entity to which SHA extends federal financial assistance.

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IV. Definitions

Federal financial assistance is defined as any federal dollars designated to SHA which supports any program, activity or service by way of grant, loan or contract, other than a contract of insurance or guaranty. This includes use of equipment, donations of surplus property, and other forms of assistance.

V. Policy

It is SHA's policy to commit to compliance with Title VI of the Civil Rights Act of 1964, 49 CFR Part 21, and all related regulations and directives. SHA assures that no person shall on the grounds of race, color, national origin, sex, age, English proficiency, income-level or disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any SHA program, activity or service. SHA further assures every effort will be made to ensure non-discrimination in all of its programs, activities and services, whether those programs, activities and services are federally funded or not.

Specific Forms of Discrimination Prohibited

- The denial of services, financial aid, or other benefits provided under a program.
- Distinctions in the quality, quantity, or manner in which the benefit is provided.
- Segregation or separation of persons in any part of the program.
- Restriction in the enjoyment of any advantages, privileges, or other benefits provided to others.
- Different standards or requirements for participation.
- Methods of administration which directly or indirectly or through contractual relationships would defeat or impair the accomplishment of effective nondiscrimination.
- Discrimination in any activities or services related to a highway, infrastructure or facility built or repaired in whole or in part with federal funds.
- Discrimination in any employment resulting from a program or services, the primary purpose of which is to provide employment.

Environmental Justice

SHA is also committed to assure every effort will be made to prevent the discrimination of low-income and minority populations as a result of any impact of its programs or activities in accordance with Executive Order 12898, Federal Actions to Address Environmental Justice in minority populations and in low-income populations. SHA assures fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies SHA will meaningfully engage all sectors of the public, including low-income and minority populations, potentially affected by SHA projects. To help ensure the fair distribution of the benefits and burdens associated with SHA programs, activities, and projects, SHA is guided by the following Environmental Justice Principles:

- To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority and low-income populations;
- To ensure the full and fair participation by all potentially affected communities in SHA's decision making process; and
- To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority or low-income populations.

Limited English Proficiency

Individuals that have limited ability to read, write, speak or understand English are considered limited English proficient. SHA assures every effort will be made to provide meaningful access to persons that have Limited English Proficiency (LEP), in accordance with Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency. SHA will provide translation services to individuals that have limited ability to read, write, speak or understand English. SHA will seek to communicate with LEP populations and provide LEP individuals meaningful access to SHA programs and activities.

Americans with Disabilities Act

SHA provides access to persons with disabilities in accordance with Section 504 of the Rehabilitation Act of 1973/Americans with Disabilities Act of 1990. SHA is committed to ensuring that no qualified disabled person shall, solely, by reason of his or her disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination.

Disadvantaged Business Enterprise Program

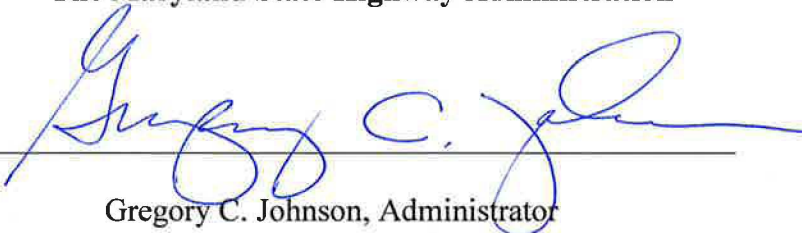
As a participant in the Disadvantaged Business Enterprise (DBE) Program, SHA is committed to fair competition for federally funded contracts. The objectives of SHA's DBE Program are to:

- Ensure nondiscrimination in the award and administration of federally-assisted contracts in SHA's highway construction, maintenance, consultant programs;
- Create a level playing field on which DBEs can compete fairly for federally-assisted contracts;
- To help remove barriers to the participation of DBEs in federally-assisted contracts;
- Ensure that SHA's DBE Program is in accordance with applicable law;
- Ensure that only firms that fully meet the requirements of the DBE program and are certified are permitted to participate as DBEs; and
- Assist with the development of firms that can compete successfully in the marketplace outside of the DBE Program.

VI. Program Implementation

- A. The Office of Equal Opportunity (OEO) within SHA shall implement this Policy Statement and will coordinate Title VI education and training to ensure compliance with this statement. All SHA employees, SHA contractors, consultants, and anyone who acts on SHA's behalf including any department or agency to which SHA extends federal financial assistance, shall be responsible for assuring that the proscribed discrimination does not occur. Should the potential for discrimination be discovered, action to eliminate the potential for discrimination shall be taken.
- B. Notices informing individuals of their obligations and rights under this statement will be posted on SHA's internal and external web pages.
- C. As required by Federal Law, OEO shall with assistance from other divisions within SHA be responsible for acquiring non-discrimination Assurances 1050.2A, investigating discrimination complaints, conducting program area reviews, and preparing required reports.

The Maryland State Highway Administration

By  _____
Gregory C. Johnson, Administrator

Date 10/1/2015