

# M-1 RAIL Non-Discrimination Policy Statement

It is the policy of M-1 RAIL that 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 in any operation of M-1 RAIL as provided by Title VI of the Civil Rights Act of 1964 and related statutes.

This policy applies to all operations of M-1 RAIL, including its contractors and anyone who acts on behalf of M-1 RAIL. In the event M-1 RAIL distributes Federal aid funds to any other entity, such entity will include Title VI language in all written agreements and will be monitored by M-1 RAIL for compliance. Federal financial assistance includes grants, training, use of equipment, donations of surplus property, and other assistance.

Discrimination refers to any action or inaction, whether intentional or unintentional, in any program or activity of a Federal aid recipient, subrecipient, or contractor that results in disparate treatment, disparate impact, or perpetuating the effects of prior discrimination based on race, color, or national origin. Disparate impact refers to a facially neutral policy or practice that disproportionately affects members of a group identified by race, color, or national origin, where the recipient's policy or practice lacks a substantial legitimate justification and where there exist one or more alternatives that would serve the same legitimate objectives but with less disproportionate effect on the basis of race, color, or national origin.

Disproportionate burden refers to a neutral policy or practice that disproportionately affects low- income populations more than non-low-income populations. A finding of disproportionate burden requires the recipient to evaluate alternatives and mitigate burdens where practicable. Disparate treatment refers to actions that result in circumstances where similarly situated persons are intentionally treated differently (i.e., less favorably) than others because of their race, color, or national origin. Examples of prohibited types of discrimination based on race, color, or national origin include: Denial to an individual any service, financial aid, or other benefit; Distinctions in the quality, quantity, or manner in which a benefit is provided; Segregation or separate treatment; Restriction in the enjoyment of any advantages, privileges, or other benefits provided; Discrimination in any activities related to highway and infrastructure or facility built or repaired; and Discrimination in employment. Title VI compliance is a condition of receipt of federal funds. The Title VI Coordinator is authorized to ensure compliance with this policy, Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq.; Federal Transit Laws, Title 49, United States Code, Chapter 53; 49 CFR § 1.51; 49 CFR part 21; 28 CFR § 42.401 et seq.; and the guidelines provided by FTA C 4702.1B.