

## **Title VI/nondiscrimination and Related Authorities**

Federal statutes and implementing regulations relating to nondiscrimination:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq., 78 stat 252), prohibits discrimination on the basis of race, color, national origin) and 49 CFR part 21;
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. 4601), prohibits unfair treatment of persons displaced or whose property as been acquired because of Federal or Federal-aid programs and projects;
- Federal-Aid Highway Act of 1973, (23 U.S.C. 324 et seq.), and Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683 and 1685-1686) prohibit discrimination on the basis of sex;
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. 794 et seq), as amended, and 49 CFR Part 27 prohibits discrimination on the basis of disability;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. 6101 et seq.), prohibits discrimination on the basis of age;
- The Civil Rights Restoration Act of 1987, broadens scope, coverage, and applicability of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq., 78 stat. 252). The Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.) and Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794 et seq.), by expanding the definition of the terms “programs or activities” to include all of the programs or activities of the Federal aid recipients, subrecipients and contractors, whether such programs are federally funded or not;
- Titles II and III of the Americans with Disabilities Act (42 U.S.C. 12131 – 12189) and 49 CFR Part 37 and 38; prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing;
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations. Prevents discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations; and

- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency (LEP). Guards against Title VI national origin discrimination/discrimination because of limited English proficiency by ensuring that funding recipients take reasonable steps to ensure that LEP persons have meaningful access to programs (70 FR 74087-74100).

State statutes and implementing regulations relating to nondiscrimination:

- Cal. Const. Art. I, § 31, prohibiting discrimination in the operation of public employment, public education, or public contracting based on race, sex, color, ethnicity, or gender national origin;
- Gov. Code § 11135 et seq., prohibiting recipients of state funding from discriminating in their activities or programs because of sex, gender (including pregnancy, childbirth, breastfeeding or related medical conditions), race, color, gender identity, gender expression, religion, creed, ancestry, national origin, ethnic group identification, age, physical disability, mental disability, medical condition, genetic information, marital status, or sexual orientation;
- Gov. Code, § 12900 et seq., California Fair Employment and Housing Act (FEHA) prohibiting discrimination based on race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or veteran or military status;
- Civ. Code, § 51, Unruh Civil Rights Act, declares “All persons within the jurisdiction of this state are free and equal, and no matter what their sex, race, color, religion, ancestry, national origin, disability, medical condition, genetic information, marital status, sexual orientation, citizenship, primary language, or immigration status are entitled to the full and equal accommodations, advantages, facilities, privileges, or services in all business establishments of every kind whatsoever.”;
- Civ. Code, § 54 et seq., Disabled Persons Act provides protection for persons with a mental or physical disability or a medical condition;
- Civ. Code, § 51.7, Ralph Civil Rights Act of 1976 provides protection “...from any violence, or intimidation by threat of violence, committed against their persons or property because of political affiliation, or on account of any characteristic listed or defined in subdivision (b) or (e) of § 51;

- 2 California Code of Regulations, § 11105 provides nondiscrimination clauses to be included in each state contract and subcontract.