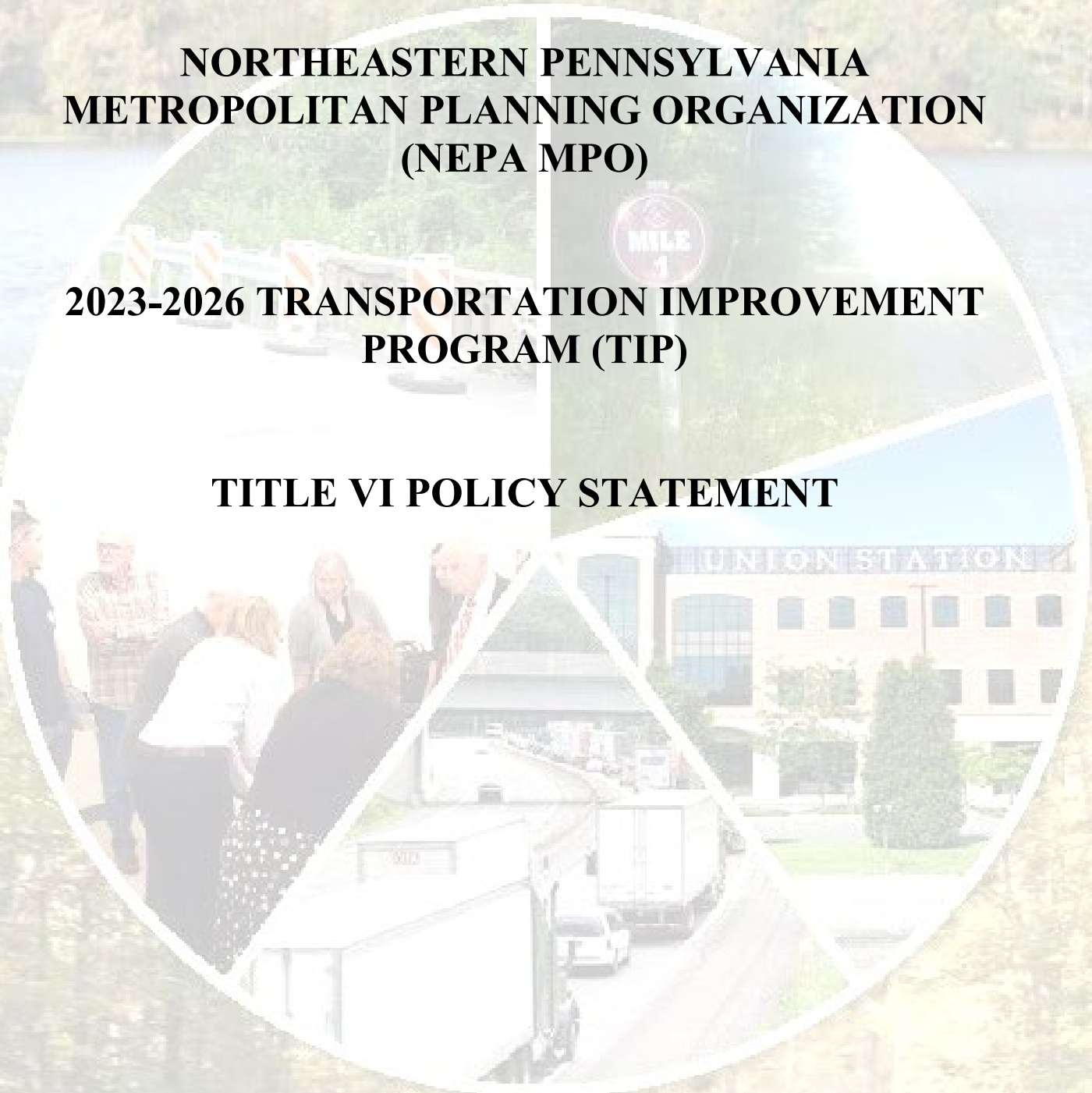


**NORTHEASTERN PENNSYLVANIA  
METROPOLITAN PLANNING ORGANIZATION  
(NEPA MPO)**

**2023-2026 TRANSPORTATION IMPROVEMENT  
PROGRAM (TIP)**

**TITLE VI POLICY STATEMENT**



# **Northeastern Pennsylvania Metropolitan Planning Organization (MPO) Title VI Policy Statement for 2023-2026 TIP Update**

## **INTRODUCTION**

The Northeastern Pennsylvania Alliance (NEPA), in conjunction with the Northeastern Pennsylvania Metropolitan Planning Organization (NEPA MPO) Technical Planning Committee and Policy Board, has developed its Public Involvement Plan and related documents to maintain compliance with the Title VI requirements of the Civil Rights Act of 1964 (42U.S.C. 2000d) as amended by the Civil Rights Restoration Act of 1987 (P.L. 100-209).

It is the NEPA MPO's objective to:

- Ensure that the level and quality of transportation planning and related activities are conducted without regard to race, color, disability, gender, age, low income, national origin, language or limited-English proficiency;
- Identify and address, as appropriate, disproportionately high and adverse human health and environmental effects, including social and economic effects of the MPO's programs and activities on minority populations and low-income populations;
- Promote the full and fair participation of all affected populations in transportation decision-making;
- Prevent the denial, reduction or delay in benefits related to programs and activities that benefit minority populations or low-income populations;
- Ensure meaningful access to programs and activities by persons with Limited-English Proficiency (LEP).

## **BACKGROUND**

The Northeastern Pennsylvania Alliance (NEPA), as a Local Development District (LDD), encompasses all of Carbon, Lackawanna, Luzerne, Monroe, Pike, Schuylkill, and Wayne counties. NEPA is also designated as a Metropolitan Planning Organization serving as the coordinating agency for transportation planning and programming in Carbon, Monroe, Pike, and Schuylkill counties. Since 1991, the Alliance has had an annual work program with PennDOT. This work program requires that NEPA convene a transportation planning committee on a regular basis. This committee has evolved over the years into Northeastern Pennsylvania Metropolitan Planning Organization Technical Planning Committee and Northeastern Pennsylvania Metropolitan Planning Organization Policy Board.

The NEPA MPO Technical Planning Committee is comprised of sixteen (16) voting members that include two (2) representatives from each of the four MPO counties, three (3) transit representatives, a representative from the Urbanized Area, the planning and programming engineer from PennDOT Districts 4-0 and 5-0, a PennDOT Central Office representative, and a representative from NEPA. The NEPA MPO Policy Board is comprised of 5 voting members that include one representative from each of the four MPO counties, appointed by the NEPA Alliance Board of Directors and a transportation professional from PennDOT Central Office. The NEPA MPO Technical Planning Committee and NEPA MPO Policy Board are guided by Operational Procedures, which were adopted in October 2013.

The NEPA MPO Technical Planning Committee and NEPA MPO Policy Board review the area's TIP, which is the primary funding source for the counties' highway and bridge projects, and transit system improvements. Through the TIP, transportation projects are identified and advanced to provide for the restoration and development of a multi-modal transportation infrastructure, which supports economic development by creating a safer and more efficient travel environment for the movement of people and goods.

### **TITLE VI PLAN AND RELATED DOCUMENTS**

In 2015, the NEPA MPO revised its Public Involvement Plan, Limited English Proficiency Plan and Title VI Plan to ensure compliance with statutes and reflect the transition from an RPO to an MPO. Following an extensive demographic analysis of the region's communities and cultural attributes, a draft of the Public Involvement Plan, Limited English Proficiency Plan and Title VI Plan were provided to the NEPA MPO Technical Committee in early September 2015. The plan provides specific actions to be taken by the MPO depending upon the type of outreach and critical actions the MPO is considering, as it relates to the potential impacts upon specific communities or the public at-large. A conference call to review the draft plans was held on September 9, 2015. The draft plans were put out for public comment beginning on September 16, 2015. Notice of the Public Comment Period was placed in six newspapers. Copies of the plans were available at 10 locations and on the NEPA website.

A public meeting to receive comment on the plans was held on October 22, 2015 at the Monroe County Transportation Authority in Swiftwater. Remote access to the meeting in Swiftwater was setup at locations in Jim Thorpe Borough, Pottsville and Milford to accommodate the public in the other MPO counties. The public comment period closed on October 30<sup>th</sup>.

On November 17, 2015, the NEPA MPO Technical Committee recommended the adoption of the Public Involvement Plan, Limited English Proficiency Plan and Title VI Plan to the NEPA MPO Policy Board. The Policy Board followed with their approval of the plans at the November 18, 2015 Policy Board meeting.

Final versions of the NEPA MPO's Title VI Plan, Public Involvement Plan and Limited English Proficiency Plan are available on the NEPA website at:

<http://www.nepa-alliance.org/transportation>

## **NEPA MPO TITLE VI POLICY STATEMENT**

The Northeastern Pennsylvania Metropolitan Planning Organization does not discriminate on the grounds of race, color, or national origin in its programs or activities. Furthermore, the Northeastern Pennsylvania Metropolitan Planning Organization will not, directly or through contractual arrangements:

- Engage in intentional discrimination because of race, color, or national origin;
- Use criteria or methods of administration which have the effect of subjecting persons to discrimination because of their race, color, or national origin; or,
- Intimidate, threaten, coerce, or discriminate against any individual in retaliation for exercising a right or privilege.

In addition to the aforementioned covered Title VI basis, the Northeastern Pennsylvania Metropolitan Planning Organization does not discriminate against individuals on the basis of disability in its services, programs or activities. All complaints that allege exclusion from participation in, denial of benefits or discrimination on the grounds of race, color, or national origin from a program, service or activity administered by the Northeastern Pennsylvania Metropolitan Planning Organization shall be forwarded to the Northeastern Pennsylvania Metropolitan Planning Organization Title VI Coordinator for intake and disposition consistent with the appropriate operating administration's complaint resolution process.

Members of the public may file Title VI Complaints via email to [abaranski@nepa-alliance.org](mailto:abaranski@nepa-alliance.org) or via mail at:

Northeastern Pennsylvania Alliance  
1151 Oak Street  
Pittston, PA 18640

Complaints that a program, service, or activity of the Northeastern Pennsylvania Metropolitan Planning Organization or one of its member municipalities is not accessible to persons with disabilities should be directed to:

Alan S. Baranski, AICP  
Vice-President, Transportation Planning Services  
Northeastern Pennsylvania Alliance  
1151 Oak Street  
Pittston, PA 18640  
[abaranski@nepa-alliance.org](mailto:abaranski@nepa-alliance.org)

The Northeastern Pennsylvania Metropolitan Planning Organization will not place a surcharge on an individual with a disability to cover the costs of providing auxiliary aids/services or reasonable modifications of policy.

## **PENNDOT TITLE VI PROGRAM COMPLAINT PROCEDURES**

### **PennDOT Title VI Program Notice to the Public**

PennDOT complies with all applicable civil rights statutes and authorities and it is the policy of the Department to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Executive Order 12898, and related statutes and regulations in all programs and activities. Title VI of the Civil Rights Act requires that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which PennDOT receives Federal financial assistance. Furthermore, PennDOT's Title VI Program incorporates protections listed in related statutes, regulations and authorities and will not discriminate based on an individual or group's sex, age, religious creed or disability.

Any person who believes they have been aggrieved by a discriminatory practice under the Title VI Program has a right to file a formal complaint with PennDOT. Any such complaint must be in writing and filed with the Department Title VI Program Specialist or Coordinators within 180 days following the date of the alleged discriminatory occurrence. The Title VI Program Discrimination Complaint Form can be obtained from the Bureau of Equal Opportunity by dialing 1-800-468-4201 or visiting <http://www.dot.state.pa.us/public/PubsForms/Forms/EO-478.pdf>.

Complaints may be submitted to FHWA, PennDOT and its subrecipients, the United States Department of Transportation (USDOT), and the United States Department of Justice (USDOJ).

### **PennDOT Americans with Disabilities Act and Reasonable Accommodations**

PennDOT complies with Title II of the Americans with Disabilities Act of 1990 (ADA), Section 504 of the Rehabilitation Act of 1973, and the Pennsylvania Human Relations Act of 1955. PennDOT routinely upgrades or requires upgrades to existing non-compliant pedestrian facilities that are altered as part of all PennDOT-sponsored, or PennDOT-overseen, new construction and alteration projects in the public right-of-way. PennDOT continues to improve access by improving existing pedestrian facilities that have not been altered.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of PennDOT, should contact Ryan VanKirk at (717) 787-1338, or the Bureau of Equal Opportunity at (800) 468-4201 as soon as possible but no later than 7 days before the scheduled event.

This non-discrimination program does not require PennDOT to take any action that would fundamentally alter the nature of its programs or services or impose an undue financial or administrative burden.

Complaints that a program, service, or activity of PennDOT is not accessible to persons with disabilities should be directed to:

Equal Opportunity ADA Coordinator/Title VI Specialist  
400 North Street, 5th Floor  
Harrisburg, PA 17120-0094  
Phone: 717-934-4199  
Fax: 717-772-4026  
Email: [jbartash@pa.gov](mailto:jbartash@pa.gov)

Questions and concerns relating to right-of-way and ADA Accessibility should be directed to:  
Highway Administration ADA Coordinator  
400 North Street, 7th Floor  
Harrisburg, PA 17120-0094  
Phone: 717-787-1338  
Fax: 717-705-2379  
E-mail: [rvankirk@pa.gov](mailto:rvankirk@pa.gov)

If you are unsure which Department is responsible for your reasonable accommodation request, modification request, complaint, concern or inquiry, please contact PennDOT's Bureau of Equal Opportunity at 800-468-4201. PennDOT will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services as reasonable accommodations or reasonable modifications of policy.

#### PennDOT Limited English Proficiency Information

The Title VI prohibition of discrimination based on national origin has been interpreted to mean that no person shall be denied access to services due to Limited English Proficiency (LEP). LEP is a term that refers to a person who is not fluent in the English language, often because it is not their native language. This law applies to PennDOT services and programs as well as those provided by its municipal partners and organizations that receive funding through PennDOT.

PennDOT is committed to ensuring that all individuals requesting services provided by the Department, including those with LEP, have meaningful access to services. PennDOT works to ensure that LEP individuals are not excluded from programs and activities by providing free interpretation and translation services to the public in a number of languages. In many cases, customers requesting LEP assistance must do so in advance of any public event or meeting implemented by PennDOT. [PennDOT's Language Access Plan for Limited English Proficiency Individuals](#) outlines the Department's policies and procedures that have been instituted to ensure compliance with the law and guarantee access to programs, services and activities for PennDOT's LEP customers and members of the public.

For further information on LEP or other aspects of Title VI, please contact PennDOT's Bureau of Equal Opportunity by telephone at 717-787-5891 or 800-468-4201 or via email at [penndot\\_eoreports@pa.gov](mailto:penndot_eoreports@pa.gov).