



# Equity & Opportunity

## TITLE VI COMPLIANCE PLAN

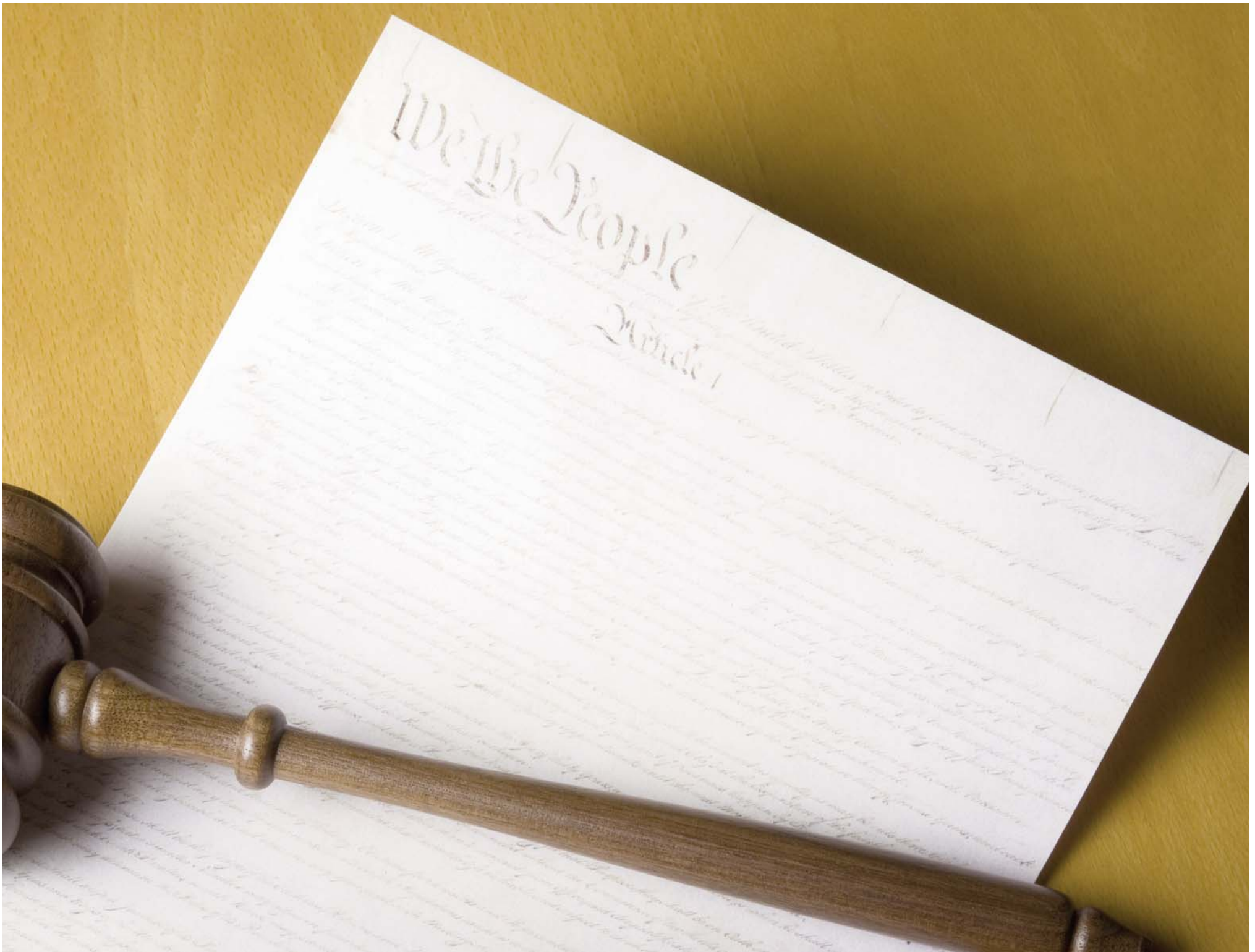
 DELAWARE VALLEY  
**dvrpc**  
REGIONAL  
PLANNING COMMISSION

AUGUST 2010



# We the People

## Article 1



The Delaware Valley Regional Planning Commission is dedicated to uniting the region's elected officials, planning professionals, and the public with a common vision of making a great region even greater. Shaping the way we live, work, and play, DVRPC builds consensus on improving transportation, promoting smart growth, protecting the environment, and enhancing the economy. We serve a diverse region of nine counties: Bucks, Chester, Delaware, Montgomery, and Philadelphia in Pennsylvania; and Burlington, Camden, Gloucester, and Mercer in New Jersey. DVRPC is the federally designated Metropolitan Planning Organization for the Greater Philadelphia Region — leading the way to a better future.



The symbol in our logo is adapted from

the official DVRPC seal and is designed as a stylized image of the Delaware Valley. The outer ring symbolizes the region as a whole while the diagonal bar signifies the Delaware River. The two adjoining crescents represent the Commonwealth of Pennsylvania and the State of New Jersey.

DVRPC is funded by a variety of funding sources including federal grants from the U.S. Department of Transportation's Federal Highway Administration (FHWA) and Federal Transit Administration (FTA), the Pennsylvania and New Jersey departments of transportation, as well as by DVRPC's state and local member governments. The authors, however, are solely responsible for the findings and conclusions herein, which may not represent the official views or policies of the funding agencies.

DVRPC fully complies with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities. DVRPC's website ([www.dvrpc.org](http://www.dvrpc.org)) may be translated into multiple languages. Publications and other public documents can be made available in alternative languages and formats, if requested. For more information, please call (215) 238-2871.

SERVING THE  
PHILADELPHIA,  
CAMDEN,  
TRENTON,  
METROPOLITAN  
AREAS

August 2010



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# Introduction



**he Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) have**

**had a longstanding policy of actively ensuring nondiscrimination in federally funded activities under Title VI of the 1964 Civil Rights Act. In recent years, a renewed emphasis on Title VI issues and environmental justice has become a more integral focus of the transportation planning and programming process. This document establishes a framework for DVRPC's efforts to ensure compliance with Title VI and related statutes regarding nondiscrimination and environmental justice.**

**Serving the Greater Philadelphia-Camden-Trenton region for more than 40 years, DVRPC is the federally designated Metropolitan Planning Organization (MPO) for the region. Established in 1965, DVRPC provides comprehensive, coordinated planning for the orderly growth and development of the bi-state region. The Commission works to foster regional cooperation within a nine-county area that includes Bucks, Chester, Delaware, Montgomery and Philadelphia**

*A renewed commitment to Title VI has, and continues to be, reflected in the Delaware Valley Regional Planning Commission's (DVRPC's) Work Program, publications, communications, public involvement effort, and general way of doing business.*

**counties in Pennsylvania; and Burlington, Camden, Gloucester and Mercer counties in New Jersey. As an interstate, intercounty, and intercity agency, DVRPC advises on regional policy and capital funding issues concerning transportation, economic development, the environment, and land use.**

**DVRPC's mission is to proactively shape a comprehensive vision for the region's future growth. We do so by providing technical assistance and services; conducting high priority studies that respond to the requests and demands of member states and local governments; fostering cooperation among various constituencies to forge a consensus on diverse regional issues; determining and meeting the needs of the private sector; and continuing public outreach efforts that promote two-way communication and enhance public awareness of regional issues and DVRPC.**

# Governance & the Board

**D**VRPC's Board and Executive Committee govern the Commission. The Board is an 18-member body having the authority and responsibility to make decisions affecting the entire organization as well as the nine-county region; creates and defines the duties of the Office of the Executive Director and the various DVRPC committees; and approves and adopts the Annual Planning Work Program. In its capacity as the MPO for the region, DVRPC and its Board establish regional transportation policies, determine the allocation of available transportation funds, prioritize transportation projects for the region and develop a long-range plan for the region. In addition to transportation planning for highways, transit, airports and freight, the Commission develops plans and policies for other regional planning elements such as land use, air quality, housing, water supply and water quality.



The Board oversees two specific committees: The **Work Program Committee (WPC)** and the **Board Policy Analysis Committee (BPAC)**. The WPC is responsible for the development of the Unified Planning Work Program for each fiscal year and makes recommendations to the DVRPC Board concerning its adoption. The Interstate Compact, which created DVRPC, requires that the Annual Work Program be adopted by March of each year.

The BPAC was created to identify and guide staff research and analysis of critical issues facing the region. The BPAC provides a forum to address current and emerging high priority regional issues not included in the Annual Work Program and reports its recommendations to the DVRPC Board for appropriate action.

The **DVRPC Executive Committee** is the 10-member body charged with managing the administrative and fiscal affairs of the Commission, including the awarding of contracts and the adoption of the annual budget. Both the Board and the Executive Committee meet ten times per year.

## Committees

**D**VRPC committees advise the Board on specific regional issues while ensuring that all interested parties, including member governments and concerned citizens, have an opportunity to participate in the planning process. Meeting dates are published on the DVRPC website at [www.dvrpc.org](http://www.dvrpc.org). While all committee memberships, with the exception of the Regional Citizens Committee, are by appointment, all committee meetings are open to the general public for attendance. DVRPC's committees include the following:

### **Regional Citizens Committee (RCC)**

The only DVRPC committee open for membership to the public, the RCC provides citizen access to, and participation in, the regional planning and decision-making process. This committee acts as an advisory group to DVRPC's Board and meets monthly. The RCC Chair has a nonvoting seat at the Board level.

### **Regional Transportation Committee (RTC)**

The RTC advises the Board on issues concerning the long-range and short-range transportation plan, the Transportation Improvement Program (TIP), the Transportation Planning Work Program, and other transportation planning issues.

### **Planning Coordinating Committee (PCC)**

The PCC meets jointly with the RTC to review regional plans, programs, and policies as they relate to budget and work program implications.

### **Regional Aviation Committee (RAC)**

This committee conducts aviation system planning activities by providing technical and policy guidance to the Federal Aviation Administration, the State of New Jersey, the Commonwealth of Pennsylvania, and the DVRPC planning program.

### **Delaware Valley Goods Movement**

#### **Task Force (GMTF)**

The GMTF works to maximize the region's goods movement capability by sharing information and technology among public and private freight interests. The group also promotes the region's intermodal capabilities and capacity, and develops and implements a regional goods movement strategy.







#### **Regional Safety Task Force**

The Regional Safety Task Force brings together a multi-disciplinary group of professionals to reduce the number of crashes and the resultant casualties in the region.

#### **Regional Community and Economic Development Forum (RCEDF)**

The RCEDF meets on a quarterly basis to address current issues in land use, housing, economic development and transportation in the Delaware Valley.

#### **Information Resource Exchange Group (IREG)**

IREG was formed in 1991 to provide a forum for the exchange of ideas and experiences among regional data managers. The group also promotes knowledge sharing in the methods and technology for data analysis, synthesis and presentation.

#### **Transportation Operations Task Force (TOTF)**

The TOTF is the focal point of regional Intelligent Transportation Systems (ITS) coordination.

#### **Urban Waterfront Action Group (UWAG)**

The UWAG meets as needed, to provide a pre-permit application service whereby potential waterfront developers and regulatory agencies can meet to identify and resolve potential permitting issues.

#### **Tri-County Water Quality Management Board (WQMB)**

Maintaining the Tri-County Water Management Plan and coordinating water supply and wastewater treatment plans for Burlington, Camden, and Gloucester counties, the WQMB establishes priorities for the implementation of the adopted 208 program and directs the lead agency's 208

role in the Tri-County area within the regional framework established by DVRPC.

#### **Central Jersey Transportation Forum**

Created in 1999 by DVRPC and the New Jersey Department of Transportation, the Forum works to develop appropriate planning strategies to address critical transportation issues in an area comprised of 21 municipalities in Middlesex, Somerset and Mercer counties. The Forum, consisting of federal, state and local public officials, accomplishes its goals through the implementation of an action plan.



# Policy Statement & Authorities

## **Title VI Policy Statement**

The Delaware Valley Regional Planning Commission (DVRPC) assures that no person shall on the grounds of race, color, or national origin, as provided by Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 (P.L. 100.259), be excluded from participation in, be denied the benefits of or be otherwise subjected to discrimination under any agency-sponsored program or activity. Nor shall sex, age or disability stand in the way of fair treatment of all individuals.

DVRPC further assures that every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not.

In the event that DVRPC distributes Federal aid funds to another entity, DVRPC will include Title VI language in all written agreements and will monitor for compliance. Title VI compliance is a condition of the receipt of Federal funds. DVRPC's Executive Director and Title VI Compliance Manager are authorized to ensure compliance with provisions of this policy and with the law, including the requirements of Title 23 Code of Federal Regulation (CFR) 200 and Title 49 CFR 21.

DVRPC acknowledges its responsibility for initiating and monitoring Title VI activities, preparing required reports and other responsibilities as required by Title 23 CFR 200 and by Title 49 CFR 21.



Barry Seymour  
Executive Director

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## **Authorities**

Title VI of the 1964 Civil Rights Act provides that no person in the United States shall, on the grounds of race, color, national origin, sex, age or disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance. The Civil Rights Restoration Act of 1987 broadened the scope of the Title VI coverage by expanding the definition of terms "programs or activities" to include all programs or activities of Federal Aid recipients, sub-recipients and contractors, whether such programs and activities are federally assisted or not.

## **Additional Citations**

Other Title VI-related statutes include, but are not limited to: 42 USC 4601 to 4655; 23 USC 324; DOT Order 1050.2; EO 12250; EO 12898; EO 13166; 23 CFR 200; 23 CFR 1235; 28 CFR 35; 28 CFR 36; 28 CFR 41; 28 CFR 42, Subpart C; 28 CFR 50.3.

See Appendix 2 for definitions of these Title VI and environmental justice statutes.



# Organization & General Responsibilities

**D**VRPC's Executive Director is authorized to ensure compliance with provisions of DVRPC's policy of nondiscrimination and with the law, including the requirements of Title 23 CFR 200 and Title 49 CFR 21. DVRPC's grants compliance function and Title VI coordination shall be performed under the authority of the Executive Director.

## Title VI Program Areas

These program areas from DVRPC's Work Program have been identified as applicable to Title VI regulations:

- Communications & Public Involvement
- Planning & Technical Services
- Consultant Contracts
- Human Resources, Education & Training

The Commission's Title VI-related responsibilities fall into two main categories: "General Responsibilities," applicable to all Title VI Program Areas; and "Program Area Responsibilities" that are specific to each Title VI Program Area. It is important to note that communications, public involvement, planning, and technical services are interrelated - they have been treated separately for purposes of clarity and correspond to the Commission's organization. For example, the Communications & Public Involvement Program Area applies to and affects the Commission's Work Program as a whole, particularly DVRPC efforts and responsibilities related to planning, programming, and environmental affairs.

## Title VI General Responsibilities

The following is a list of general Title VI Commission responsibilities that are applicable to all four Title VI Program Areas. The Title VI Compliance Manager is responsible for ensuring that these elements of the plan are appropriately implemented and maintained; Title VI Liaisons are responsible for implementing and maintaining these elements in their assigned Program Areas, as appropriate.

### 1.

#### Data Collection

Statistical data on race, color, national origin, language spoken, and sex of participants in, and beneficiaries of, federally funded programs is to be gathered and maintained by each Title VI Liaison for his or her program area, as described in the "Program Area Responsibilities" section of this document. The data gathering process will be reviewed regularly to ensure sufficiency of the data in meeting the requirements of the Title VI program.

### 2.

#### Annual Report & Update to State Departments of Transportation

An Annual Report and Update is to be submitted by the end of October of each year, to the state departments of transportation's (DOT's) Bureau of Equal Opportunity. The Title VI Compliance Manager is responsible for preparing the document. The document is to include a report on the previous year's Title VI-related activities and efforts, including accomplishments and program changes, and an update on Title VI-related goals and objectives for the upcoming year.



### **3.**

#### **Annual Review of Title VI Program**

Each year, while preparing for the Annual Report and Update, the Title VI Compliance Manager and Liaisons will review the Commission's Title VI Program to assure compliance with the law. In addition, they will review Commission operational guidelines and publications, including those for contractors, to ensure that Title VI language and provisions are incorporated, as appropriate.

### **4.**

#### **Dissemination of Information Related to the Title VI Program**

Information on the Commission's Title VI program is to be disseminated to staff, contractors, and beneficiaries, as well as to the public. This information will be distributed as described in the "Program Area Responsibilities" section of this document.

### **5. Procedures Manual**

A procedures manual, or Planner's Methodology, for the Commission's Title VI, environmental justice and public participation programming, has been developed as a resource for staff. The manual will incorporate the day-to-day procedures necessary to inform the Commission's Title VI compliance and other public outreach standards. The manual will be updated regularly to incorporate changes and additional responsibilities.

### **6.**

#### **Yearly Audit by State DOTs on Title VI Compliance**

Each year, the Title VI Compliance Manager and Liaisons will prepare for and participate in DVRPC's yearly audit, which will be conducted by the state DOTs. This audit covers DVRPC's Title VI and Environmental Justice activities, and monitors progress and compliance in these areas.

### **7. Complaints**

Any individual may exercise his or her right to file a complaint with DVRPC, or have a legal representative file a claim on his / her behalf, if that person believes that she or he or any other program beneficiaries have been subjected to unequal treatment or discrimination on the grounds of race, color, national origin, income, sex, or disability in any program administered by DVRPC and / or its sub-recipients, consultants or contractors. DVRPC's Complaint Procedure is outlined in Appendix 6.



## Responsibilities of Title VI Compliance Manager

**D**VRPC has created a position of Title VI Compliance Manager to manage the overall administration of the Title VI Program, Plan and Assurances. The Title VI Compliance Manager is responsible for supervising the Title VI Liaisons in implementing, monitoring, and reporting on DVRPC's compliance with Title VI regulations.

### *The Title VI Manager will:*

- Meet with Liaisons as needed, but at least two times per year, and discuss progress, implementation, and compliance issues.
- Periodically review the Commission's Title VI program to assess if administrative procedures are effective, staffing is appropriate, and adequate resources are available to ensure compliance.
- Work with Liaisons to develop and submit the Annual Title VI Report and Update to the state DOTs and prepare for the Title VI Audit.
- Review important Title VI-related issues with the Executive Director, as needed.

- Log and forward all Title VI Complaints received to the appropriate federal agency.
- Assess communications and public involvement strategies to ensure adequate participation of impacted Title VI-protected groups and address additional language needs, as necessary.

## Responsibilities of Title VI Liaisons

**O**ne staff member has been assigned to each Title VI Program Area as that area's Title VI Liaison. Staff assigned as Title VI Liaisons generally have prime responsibility for that area of the Commission's work. Title VI Liaisons, under supervision of the Title VI Compliance Manager, are responsible for the day-to-day administration of the Title VI program, including implementation of the Plan and Title VI compliance, program monitoring, reporting, and education within the assigned program area, as described in the "Program Area Responsibilities" section of this document.

As of Fiscal Year 2010, the Commission has designated the following individuals to be responsible for the various units within DVRPC and to act as Liaisons with the Title VI Manager:

### *Communications and Public Involvement*

#### **Candace Snyder**

Director, Office of Public Affairs  
& Communications

### *Planning & Technical Services*

#### **Richard Bickel**

Director, Planning Division

#### **Meghan Weir**

Transportation Planner

#### **Elizabeth Schoonmaker**

Manager, Office of Capital Programs

### *Consultant Contracts*

#### **Thomas McGovern**

Comptroller

#### **John Griffies**

Contracts Manager

### *Human Resources, Education & Training*

#### **Phyllis Robinson**

Director, Office of Human Resources

See the chart of Title VI responsibilities under Appendix 7.

# Program Area Responsibilities

## Communications & Public Involvement

The goal of DVRPC's Communications and Public Involvement Program is to ensure early and continuous public notification about, and participation in, major actions and decisions by the Commission. In seeking public comment and review, DVRPC makes a concerted effort to reach all segments of the population, including people from minority and low-income communities, and organizations representing these and other protected classes. DVRPC utilizes a broad range of public information and participation opportunities, including dissemination of proposals and alternatives, a process for written comments, public meetings after effective notice, settings for open discussion, communication programs, information services, and consideration of and response to public comments.

## Operational Guidelines

*DVRPC's guidelines for public involvement are comprehensive and include:*

### **DVRPC's Public Participation Plan**

DVRPC adopted its Public Participation Plan in 2001, and was last updated in 2007, as a means of establishing guidance for our staff and Board on the important issue of public engagement.

### *The Plan establishes a Public Participation philosophy that states:*

*DVRPC believes that effective public involvement is a dynamic and ongoing process that is essential to meeting the future needs of all citizens in the Delaware Valley. We assert that good government cannot be achieved without the consideration, cooperation and consent of citizens throughout the region.*

*We respect and promote the rich diversity that exists throughout this area. And further, we encourage opportunities to involve many and various audiences. Therefore, the Commission commits to promote and sustain a responsive public participation program that supports citizen input and timely response at all levels of planning.*

### **DVRPC's Planner's Methodology**

The *Planner's Methodology* is provided as a means of directing staff in meeting Title VI and environmental justice mandates at the project or study level, as defined by the DVRPC Work Program. The *Planner's Methodology* offers background on Title VI and environmental justice, and provides a protocol for DVRPC staff to meet standards set by the federal mandates. Information is also included on utilizing DVRPC's *Degrees of Disadvantage Methodology*.

In addition, the document offers suggestions for meeting the Commission's goals and objectives for public participation, as set forth in the *DVRPC Public Participation Plan: A Strategy for Citizen Involvement*. The *Planner's Methodology* establishes a framework for developing individual public participation plans for Work Program projects and offers a "tool kit" of public participation strategies.

### **DVRPC's Policy for Engaging Individuals with Limited English Proficiency (LEP)**

See Appendix 4.

## *Elements of DVRPC's Communications & Public Involvement Program*

### **Regional Citizens Committee (RCC)**

The RCC is an advisory arm of the agency that has been established to provide citizen access to the regional planning and decision-making process.

#### ***The purpose of the RCC is to:***

- Promote two-way communication to enhance public awareness of DVRPC.
- Educate the general public about regional issues.
- Monitor the ongoing projects and activities of DVRPC.
- Keep the DVRPC staff and Board apprised of emerging citizen concerns.
- Investigate and propose new initiatives.
- Discuss environmental justice and other issues facing the region.
- Work cooperatively with the DVRPC staff and Board to increase public participation.

Comprised of over 100 individuals and representatives of various local organizations, the RCC meets monthly to review issues and make recommendations to the DVRPC Board. The RCC is open to anyone who wishes to join.

### **Environmental Justice Work Group**

The Environmental Justice Work Group provides planners, environmental justice advocates, and regional stakeholders the opportunity to discuss regional environmental justice issues, and provides an opportunity for DVRPC to connect with environmental justice organizations across the region. Members of DVRPC's Environmental Justice Work Group act as a resource for DVRPC staff in identifying environmental justice concerns as they relate to transportation and regional planning.

### **Regional Student Forum**

The Regional Student Forum provides undergraduate and graduate university students the opportunity to discuss regional planning issues with planners, advocates and government officials, as well as with other students from the Greater Philadelphia area.

### **Website**

DVRPC maintains an extensive website, [www.dvrpc.org](http://www.dvrpc.org), which is updated almost daily. The site includes information on the Commission's responsibilities, programs, publications; media releases; staff contact information; a calendar of events and meetings; the DVRPC newsletter; all materials related to Environmental Justice and Title VI; and a search function. The website is translatable into a variety of languages.

### **Resource Center**

DVRPC houses a comprehensive Regional Information Resource Center that is open to the public five days a week. The Resource Center staff can be reached by phone or e-mail, and contact information is included in every publication produced by DVRPC.

The Center staff regularly answers questions and responds to requests for information from citizens, private sector businesses, and staff from other communities and agencies throughout the Delaware Valley region.

### **Publications**

Each year, DVRPC issues a multitude of publications, reports and maps as part of the



Commission's Work Program, and processes a large number of data requests. The information is used by planning departments and public agencies throughout the region, and can be accessed by the public through DVRPC's website and viewed and / or purchased at the Resource Center. All publications include the following statement: *"DVRPC fully complies with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities. DVRPC's website may be translated into multiple languages. Publications and other public documents can be made available in alternative languages and formats, if requested. For more information, please call 215.238.2871."*

#### **Media Releases**

Media releases are routinely sent to more than 100 media outlets, which include daily and weekly newspapers, TV stations, and radio stations. They are often directly e-mailed or faxed to about 50 individual reporters and other contacts throughout the Delaware Valley region. These include numerous Title VI protected groups. All media releases include the abbreviated Title VI Notice to the Public and contact information for agency staff.

#### **Meetings Open to the Public**

All DVRPC Board and committee meetings are open to the public to attend. Meeting dates and times are posted well in advance on the DVRPC website and all meeting agendas contain the following statement: *"DVRPC fully complies with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities. DVRPC public meetings are always held in ADA - accessible facilities and in transit-accessible locations when possible. Auxiliary services can be provided to individuals who submit a request at least seven days prior to a meeting. For more information please call 215.238.2871."*

#### **Events**

Events such as workshops, open houses and forums are held regularly, as needed. Notification is provided well in advance. Such events are often coordinated with partner agencies throughout the region, which greatly enhances DVRPC's ability to spread the word to as many groups, organizations and citizens as possible.

#### **Accessible Staff**

Staff is accessible in person, on the phone, by mail, fax, and e-mail. Contact information for staff is provided on the agency's website and in its publications.

#### **Mailings**

DVRPC routinely uses direct mail to keep the public informed of the agency's programs, public comment periods, meetings and publications. More detail is provided in the next section.

#### **DVRPC Newsletter**

DVRPC maintains comprehensive mailing lists (both e-mail and US mail lists) that are used to keep the public informed about the Commission and its ongoing activities. DVRPC's newsletter is distributed free-of-charge each quarter to almost 3,000 households, organizations, citizen groups and businesses throughout the Delaware Valley region. The newsletter announces public comment and review periods; lists dates and times for upcoming meetings; covers major work being done by DVRPC; and highlights reports, publications, and other topics that may be of interest to the public. DVRPC is continually adding to and updating the newsletter mailing lists and makes a concerted effort to include groups representing Title VI-relevant populations.

Anyone can request to be added to the mailing list. The abbreviated Title VI Notice to the Public is included in the newsletter, with contact information for more

information on Title VI. Back issues of the newsletter are available on the Commission's website, and visitors can search for past articles.

### **Opportunities for Public Comment**

DVRPC routinely offers several different ways for people to comment on activities, programs and decisions made at the Commission. Comments are accepted at any time via phone, fax, e-mail, US mail, and in person at any Board or committee meeting. Citizen comments are requested at Commission meetings. All DVRPC Board and committee meetings are open to the public to



attend. Each project manager is responsible for posting meeting dates well in advance. Board meeting dates are listed in legal notices that run each January and are available on DVRPC's website.

Formal public comment and review periods are used to solicit comments on major planning and programming activities; for example, the proposed distribution of funds, major amendments to the Transportation Improvement Program (TIP) and the Long-Range Plan, and changes to important DVRPC policies (such as the Public Participation Plan). The comment period is highlighted in the DVRPC newsletter, in other agency publications, and on the home page of the website, and media releases are distributed throughout the region.

In addition, legal notices announce comment periods and direct mailings are sent to all interested parties. Special efforts are made to have these documents translated into other languages and the underserved are identified, as much as possible, and included in notification. Comments can be made in person at the corresponding DVRPC meeting, by e-mail, by US mail, fax, or telephone. DVRPC responds to all comments received, and forwards comments to other agencies for a response when appropriate.

## *Communications & Public Involvement Title VI Liaison's Responsibilities*

The Communications & Public Involvement Liaison is responsible for evaluating and monitoring compliance with Title VI requirements in all aspects of the agency's public involvement process.

### *The Liaison will:*

- Ensure that all communications and public involvement efforts comply with Title VI.
- Develop and distribute information on Title VI and agency programs to the general public.
- Provide information in languages other than English, as needed.
- Disseminate information to minority media and ethnic / gender related organizations, to help ensure all social, economic, and ethnic interest groups in the region are represented in the planning process.
- Include the abbreviated Title VI Notice to the Public (see Appendix 3) in all media releases, the newsletter and on the agency website.

- Notify affected, protected groups of public hearings regarding proposed actions, and make the hearings accessible to all residents. This includes the use of interpreters when requested, or when a strong need for their use has been identified.
- Collect statistical information on attendees of public meetings using an "Attendance Form" to track how well different segments of the population are represented.
- Ensure that any DVRPC-created Citizen Advisory Committee for any plan or study has representation from Title VI-relevant populations.



## Planning & Technical Services

**D**VRPC is responsible for developing long- and short- range plans to provide efficient transportation services, smart growth practices, and sustainable environmental practices to the Delaware Valley region. A comprehensive planning process is used, which entails the monitoring and collection of varied data pertaining to transportation, land use and environmental issues. DVRPC coordinates with the appropriate federal agencies, the state of New Jersey and the Commonwealth of Pennsylvania, the counties and municipal governments, and seeks citizen input through public participation. Refer to “Program Area: Communications & Public Involvement” for a description of how interaction with the public is handled in regards to this Program Area and the Commission in general.

## Operational Guidelines

*Primary guidance is provided by:*

- The Metropolitan Planning Organization (MPO) Regulations 23 CFR 450
- RCW 47.80 Regional Transportation Planning Organization (RTPO)
- Delaware Valley Urban Area Compact
- Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)
- State and Federal Clean Air Acts and Amendments
- Americans with Disabilities Act
- DVRPC Annual Planning Work Program



## Major Programs

### Annual Planning Work Program

A complete listing of all DVRPC projects and programs can be found in the Commission's Annual Planning Work Program which incorporates the planning programs and support activities of DVRPC and its member governments within the nine-county DVRPC region. The Work Program is developed annually by the DVRPC Board with its planning partners to reflect the region's short-range planning needs. Federal laws and regulations require the formation of a Metropolitan Planning Organization (MPO) for each urbanized area with a population of more than 50,000 to facilitate a comprehensive, coordinated and continuing transportation planning program. Listed below are some of the major areas that reflect Title VI and Environmental Justice issues most clearly.

### Transportation Improvement Program (TIP)

The Transportation Improvement Program (TIP), the agreed-upon list of priority projects for the region, manages funding for the reconstruction, improvement, and expansion of the region's transportation system. The TIP lists all capital projects that are federally and state funded. It includes traditional highway and public transit projects, as well as bicycle, pedestrian, and freight-related projects. Required by federal law, the TIP is the culmination of a transportation planning process that represents a consensus among state and regional officials as to what improvements to pursue. The TIP shows estimated costs and schedule by project phase, including preliminary engineering, final design, right-of-way acquisition, and construction, and may be changed monthly after it is adopted. In Pennsylvania, the TIP covers a four-year period and is updated every other year. The TIP covers four years for the New Jersey portion of the region and is updated annually.



### Long-Range Plan

One of the most important documents prepared by DVRPC is the Long-Range Plan (LRP) for the region. The LRP provides a vision of the region's future growth and development; determines regional plan consistency in order to locate and implement future transportation facilities and services; provides guidance and direction for municipal, county and state agencies to make infrastructure and conservation protection investments; and serves as the foundation for developing the region's TIP. The LRP must maintain at least a twenty-year planning horizon.

As the region's MPO, DVRPC has a mandated responsibility to determine how federal transportation funds will be spent. *Connections: The Regional Plan for a Sustainable Future*, the most recent LRP, sets the framework and priorities for distribution of federal funds and ensures that recommended projects are consistent with defined long-term goals for the transportation system. *Connections* was adopted in July 2009, and was developed through an extensive public outreach effort and coordination among other agencies.



The Plan addresses land use, environmental, economic competitiveness and transportation policies, and includes a set of fiscally constrained transportation projects. *Connections* sets regional policy and agenda. It reviews long-term and recent development trends and considers future land use scenarios, along with extensive public input, as the basis for creating a regional vision to guide future development in the nine-county DVRPC region. The Plan is organized around four key Plan principles: Create Livable Communities; Manage Growth and Protect Resources; Build an Energy-Efficient Economy; and Establish a Modern, Multimodal Transportation System. The Plan includes a 26-year needs assessment for maintaining existing transportation infrastructure with limited new capacity expansion. Reasonably expected available revenue is used to constrain the identified need in the financial plan, including a list of major regional projects. To fully achieve the vision beyond the constrained Plan, the region needs to consider alternatives, such as



local funding options or public-private partnerships.

The Commission also works to enhance its analytical capabilities to ensure that the LRP and the TIP comply with Title VI. DVRPC identifies residential, employment and transportation patterns of low-income and minority populations so that their needs can be identified and addressed, and the benefits and burdens of transportation can be fairly distributed; and evaluates and, where necessary, improves the public involvement process to eliminate barriers and

engage minority and low-income populations in regional decision-making. For this reason, DVRPC has utilized its geographic information systems (GIS) capabilities to identify and map low-income and minority populations. With this information available, our public outreach has been targeted to specific communities as well as to the region as a whole.

#### **Air Quality**

The Commission recognizes its responsibility to preserve the quality of the air in the region. The Clean Air Act Amendments of 1990 require that federally supported highway and transit project activities must “conform to” state air quality goals. The DVRPC transportation conformity process examines the region’s transportation investments and subsequent activities, and



determines consequential air quality impacts as a whole. It is a region-wide analysis, and does not in any way encourage, entrench, subsidize or result in discrimination on the basis of race, color, or national origin. In practice, this is achieved by testing the set of projects found in the Long-Range Plan and TIP with computer models to confirm that the associated vehicle emissions are equal to or less than budgets established by the states.

Air quality impacts and mitigation, as well as any EJ-related issues generated by regional transportation projects, are investigated via the Environmental Impact Statement (EIS) process. DVRPC is not responsible for the EIS but coordinates with the state DOTs to provide support as required by federal mandates.

### **Transportation & Community Development Initiative (TCDI)**

Begun in 2002, the Transportation and Community Development Initiative (TCDI) is a DVRPC program designed to support local development and redevelopment efforts in the individual municipalities of the Delaware Valley that implement municipal, county, state, and regional planning objectives. The TCDI program is targeted to various identified census tracts within core

cities, first generation suburbs and other targeted communities of the region to support local initiatives and improve the efficiency of the regional transportation network.

TCDI grants are intended to support growth or redevelopment in socially or economically disadvantaged Delaware Valley communities. Specific disadvantages that are examined include poverty rates, minority population, Hispanic population, elderly concentration, transit dependency, disabled population, limited English proficiency, and female head of household. These factors are analyzed for each census tract in the region to determine those areas with two or more of these “degrees of disadvantage” relative to the region as a whole.

The communities, or parts of communities that are eligible for TCDI grants are thus consistent with the long range plan, *Connections*, as well as with DVRPC’s policy to proactively support the disadvantaged communities and population of the region in the context of environmental justice. DVRPC has been using the TCDI program to provide additional resources and targeted investments in those communities as identified through the EJ analysis. To date,

there have been over 100 TCDI grants awarded within the region. DVRPC’s \$9 million investment has leveraged over \$2 billion in private and public dollars for redevelopment throughout the core cities and developed communities in the region.

### **Coordinated Human Services**

#### **Transportation Planning**

The Coordinated Human Service Transportation Plan (CHSTP), as required by the Federal Transit Administration, includes existing regional non-traditional services, goals, and strategies for providing additional services to low income, elderly, and disabled residents in the Delaware Valley. DVRPC is responsible for coordinating CHSTP for the Delaware Valley.



CHSTP contains three programs must be coordinated through the regional plan:

- **Job Access and Reverse Commute (JARC) Program (Section 5316):** The JARC Program The Job Access and Reverse Commute (JARC) program was established to address the unique transportation challenges faced by welfare recipients and low-income persons seeking to obtain and maintain employment.
- **New Freedoms Initiative (Section 5317) :** The New Freedom formula grant program aims to provide additional tools to overcome existing barriers facing Americans with disabilities seeking integration into the work force and full participation in society.
- **Transportation for Elderly Persons and Persons with Disabilities (Section 5310):** This program (49 U.S.C. 5310) provides formula funding to States for the purpose of assisting private nonprofit groups in meeting the transportation needs of the elderly and persons with disabilities when the transportation service provided is unavailable, insufficient, or inappropriate to meeting these needs.



Since its inception, this grant program has resulted in more than \$32.2 million of federal funds to support rail, bus and van service initiatives, including non-traditional hour service, reverse commute routes and traditional services in the DVRPC region.

#### **Technical Assessment of Environmental Justice**

At its most basic level, the concept and intent of environmental justice seems quite simple: federal funds should not be used to support intentional and willfully discriminatory practices or effects on low income and minority persons. In reality, the circumstances of policy and project implementation, and the degree of negative

impacts that form the basis for EJ challenges can be quite subtle. A more complete understanding requires the investigation and evaluation of "disparate impact" circumstances: "to prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations." This kind of impact can include failure to take action, as well as the relative degree or effects of a neutral action, regardless of the initial intentions or motivations.

To implement environmental justice concerns, agencies must enhance their public involvement programs to "ensure the full and fair participation by all potentially affected communities in the transportation decision-making process." Environmental justice also applies at the project level (such as the construction of an interchange, for example) and has been institutionalized as part of the environmental assessment and impact statement process governed by the National Environmental Policy Act (NEPA) of 1969. Demographic analysis of the geographic area affected by a proposed project needs to be undertaken to determine the socioeconomic and racial composition of the neighborhood or area, and whether there will be direct or disparate impacts on the defined groups. Mitigation or avoidance actions can then be



proposed to ameliorate any potential negative impacts.

DVRPC annually prepares a report entitled *Environmental Justice at DVRPC* that is intended to: (1) provide background information about environmental justice issues; (2) explain DVRPC's mission and roles; (3) summarize pertinent agency plans, programs and projects; (4) introduce DVRPC's assessment methodology and the outcome of its application to the long-range plan and Transportation Improvement Program (TIP); (5) explain current agency public involvement activities; and (6) define recommended policies and action strategies to achieve environmental justice compliance.



A methodology was established in DVRPC's 2001 report, *...and Justice for All: DVRPC's Strategy for Fair Treatment and Meaningful Involvement of All People*, to help ensure that disadvantaged groups in the Delaware Valley region are being addressed in the projects approved and studies conducted by the Commission. Subsequent annual reports have provided updates and refinements to the original methodology. The foundation of the Commission's methodology rests on identification of the selected demographic groups that have a history and/or likelihood to be adversely affected in transportation services, programs and policies.

These groups consist of the aforementioned groups cited by the federal government, as well as other pertinent populations that need to be taken into account.



***These demographic groups are:***

- Non-Hispanic minority people
- Hispanic people
- Low income households
- Elderly people (over 75 years old)
- Households without a vehicle
- People with disabilities
- People with limited English proficiency
- Households headed by a female with one or more children

These “degrees of disadvantage” (DOD) are mapped by census tract based on whether they meet or exceed the regional average (the national guidelines from the Department



of Health and Human Services are used for those in poverty). The majority of the maps created, thus far, for the analyses are based on the number of DODs each tract has (e.g., a census tract that meets or exceeds the regional average for Hispanics and car-less households is considered to have two DODs).



### **Congestion Management Process (CMP)**

DVRPC believes that the Congestion Management Process (CMP) and its related projects should not result in direct or disparate negative impacts on any racial, ethnic or socioeconomic group; this is also a requirement as the task is funded with federal dollars.

In assessing the distribution of the CMP corridors as they relate to the identified disadvantaged groups in the region, DVRPC overlaid the combined disadvantaged groups with the CMP corridors. Tracts with five or more DODs were considered to have significance for the CMP. Approximately 27 percent of the DVRPC population lives in tracts where five or more DODs are an issue. Further evaluations will be needed when individual corridor studies are conducted in order to understand the impact of existing conditions on the disadvantaged populations and to provide appropriate recommendations to address any inequities.

### **Technical & Data Services**

Translating the meaning of demographic and economic information into a useable form that can be interpreted for many purposes is a major function at DVRPC.

The Commission takes assorted collections and analyses of Demographic and Economic Data from various sources, including the U.S.



Census Bureau, and the Pennsylvania and New Jersey State Data Centers, and then provides a wealth of data for the nine-counties and 352 municipalities in the DVRPC region. DVRPC's Resource Center also provides data for a 28-county extended data service region.

In addition, DVRPC produces data bulletins on a regular basis. A periodic series of free data bulletins and complementary analytical reports are also available. DVRPC also issues publications that are available for purchase in the following areas of interest: Regional Population and Employment Data, Regional Transportation Data, Housing Data and Policy, Land Use Data and Policy, Environmental Management, Regional Policy Analysis, Land Use Planning Studies, Transportation Policy and Plans, Transportation Research, Travel Demand Studies, and Traffic Counts and Surveys.

### **Affordable Housing**

DVRPC recognizes that owning a home embodies, for many citizens, the American dream. The Commission's work many times focuses on the availability of affordable homeownership opportunities in close proximity to existing and emerging employment centers and in areas that are well-served by public transit. This agency has also analyzed the region's rental housing stock, its supply of public and assisted housing, and homelessness. In each case, staff has considered background housing data and trends, reviewed existing housing policies and legislation, and presented recommendations for improving and expanding the region's stock of affordable housing.

The Commission's work also includes an assessment of housing for the region's aging population. One recent study focused on enhancing and expanding affordable housing opportunities for the region's elderly and near-elderly residents, in locations close to public transit and services.

## *Planning & Technical Services Title VI Liaison's Responsibilities*

The Planning & Technical Services Liaison is responsible for evaluating and monitoring compliance with Title VI requirements in all aspects of the agency's planning process.

### *The Liaison will:*

- Ensure all aspects of the planning and programming process operation comply with Title VI.
- Prepare and update a demographic profile of the region using the most current and appropriate statistical information available on race, income, and other pertinent data and make the document available to the public and member agencies on DVRPC's website and in the Resource Center.
- Develop a process for assessing the distributional effects of transportation investments in the region as part of actions on plan and programming documents.
- Continue to ensure that staff work to help guarantee all social, economic, and ethnic interest groups in the region are represented in the planning process.

## **Consultant Contracts**

**D**VRPC is responsible for selection, negotiation, and administration of its consultant contracts. The Commission operates under its internal contract procedures and all relevant federal and state laws.

## *Operational Guidelines*

### *Primary guidance is provided by:*

- Civil Rights Requirements
- Nondiscrimination in Federal Public Transportation Programs
- Nondiscrimination – Title VI of the Civil Rights Act
- Equal Employment Opportunity
- Equal Employment Opportunity Requirements for Construction Activities
- Disadvantaged Business Enterprise
- Nondiscrimination on the Basis of Sex
- Nondiscrimination on the Basis of Age
- Access for Individuals with Disabilities
- Access to Services for Persons with Limited English Proficiency
- Environmental Justice

## *Contract Procedures*

DVRPC's Contract Procedures comply with all state and federal laws. The details provided below outline general operational procedures.

### **Article 11: Federal Requirements**

#### **11.1 Civil Rights Requirements**

The Recipient agrees to comply with all applicable civil rights laws and implementing regulations including, but not limited to, the following:

#### **a. Nondiscrimination**

##### **in Federal Public Transportation Programs**

The Recipient agrees to comply, and assures the compliance of each third party contractor at any tier and each subrecipient at any tier of the Project, with the provisions of 49 U.S.C. § 5332, which prohibit discrimination on the basis of race, color, creed, national origin, sex, or age, and prohibits discrimination in employment or business opportunity.

#### **b. Nondiscrimination –**

##### **Title VI of the Civil Rights Act**

The Recipient agrees to comply, and assures the compliance of each third party contractor at any tier and each subrecipient at any tier of the Project, with all provisions prohibiting discrimination on the basis of race, color, or national origin of Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 2000d et seq., and with U.S. DOT regulations, "Nondiscrimination in Federally-Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act," 49 C.F.R. Part 21. Except to the extent FTA determines otherwise in writing, the Recipient also agrees to comply with any applicable implementing Federal directives that may be issued.

#### **c. Equal Employment Opportunity**

The Recipient agrees to comply, and assures the compliance of each third party contractor at any tier of the Project and each subrecipient at any tier of the Project, with all equal employment opportunity (EEO) provisions of 49 U.S.C. § 5332, with Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, and implementing Federal regulations and any subsequent amendments thereto. Except to the extent FTA determines otherwise in writing, the Recipient also agrees to comply with any applicable Federal EEO directives that may be issued.







Accordingly:

**(1) General**

The Recipient agrees as follows:

(a) The Recipient agrees that it will not discriminate against any employee or applicant for employment because of race, color, creed, sex, disability, age, or national origin. The Recipient agrees to take affirmative action to ensure that applicants are employed and that employees are treated during employment without regard to their race, color, creed, sex, disability, age, or national origin. Such action shall include, but not be limited to, employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

(b) If the Recipient is required to submit and obtain Federal Government approval of its EEO program, that EEO program approved by the Federal Government is incorporated by reference and made part of the Grant Agreement or Cooperative Agreement for the Project. Failure by the Recipient to carry out the terms of that EEO program shall be treated as a violation of the Grant Agreement or Cooperative Agreement. Upon notification to the Recipient of its failure to carry out the approved EEO program, the Federal Government may impose such remedies as it considers appropriate, including termination of Federal assistance in accordance with Section 11 of this Master Agreement, or other measures that may affect the Recipient's eligibility to obtain future Federal assistance for transportation Projects.

**(2) Equal Employment Opportunity Requirements for Construction Activities**

For activities determined by the U.S. Department of Labor (U.S. DOL) to qualify as "construction," the Recipient agrees to comply and assures the compliance of each third party contractor at any tier or subrecipient at any tier of the Project, with all applicable equal employment opportunity requirements of U.S. DOL regulations, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor," 41 C.F.R. Parts 60 et seq., which implement Executive Order No. 11246, "Equal Employment Opportunity," as amended by Executive Order No. 11375, "Amending Executive Order No. 11246 Relating to Equal Employment Opportunity," 42 U.S.C. § 2000(e) note, and also with any Federal laws, regulations, and directives affecting construction undertaken as part of the Project.



**d. Disadvantaged Business Enterprise**

To the extent authorized by Federal law, the Recipient agrees to facilitate participation by DBEs in the Project and assures that each third party contractor at any tier of the Project and each subrecipient at any tier of the Project will facilitate participation by DBEs in the Project to the extent applicable.

**Therefore:**

(1) The Recipient agrees and assures that it will comply with section 1101(b) of SAFETEA-LU, 23 U.S.C. § 101 note, and U.S. DOT regulations, "Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs," 49 CFR 26.

(2) The Recipient agrees and assures that it shall not discriminate on the basis of race, color, sex, or national origin in the award and performance of any third party contract, or subagreement supported with Federal assistance derived from U.S. DOT in the administration of its DBE program and will comply with the requirements of 49 C.F.R. Part 26. The Recipient agrees to take all necessary and reasonable steps set forth in 49 C.F.R. Part 26 to ensure nondiscrimination in the award and

administration of all third party contracts and subagreements supported with Federal assistance derived from U.S. DOT. As required by 49 C.F.R. Part 26 and approved by U.S. DOT, the Recipient's DBE program, if any, is incorporated by reference and made part of the Grant Agreement or Cooperative Agreement for the Project. The Recipient agrees that implementation of this DBE program is a legal obligation, and that failure to carry out that DBE program shall be treated as a violation of the Grant Agreement or Cooperative Agreement for the Project and the Master Agreement. Upon notification by U.S. DOT to the Recipient of its failure to implement its approved DBE program, U.S. DOT may impose sanctions as provided for under 49 C.F.R. Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. § 1001, and / or the Program Fraud Civil Remedies Act, 31 U.S.C. §§ 3801 et seq.

**e. Nondiscrimination on the Basis of Sex**

The Recipient agrees to comply with all applicable requirements of Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. §§ 1681 et seq., and with implementing Federal regulations that prohibit discrimination on the basis of sex that may be applicable.

**f. Nondiscrimination on the Basis of Age**

The Recipient agrees to comply with all applicable requirements of the Age Discrimination Act of 1975, as amended, 42 U.S.C. §§ 6101 et seq., and with implementing regulations, which prohibit employment and other discrimination against individuals on the basis of age.



**g. Access for Individuals with Disabilities**

The Recipient agrees to comply with 49 U.S.C. § 5301(d), which states the Federal policy that elderly individuals and individuals with disabilities have the same right as other individuals to use public transportation services and facilities, and that special efforts shall be made in planning and designing those services and facilities to implement transportation accessibility rights for elderly individuals and individuals with disabilities. The Recipient also agrees to comply with all applicable provisions of section 504 of the Rehabilitation Act of 1973, as amended, with 29 U.S.C. § 794, which prohibits discrimination on the basis of disability; with the Americans with Disabilities Act of 1990 (ADA), as amended, 42 U.S.C. §§ 12101 et seq., which requires that accessible facilities and services be made available to individuals with disabilities; and with the Architectural Barriers Act of 1968, as amended, 42 U.S.C. §§ 4151 et seq., which requires that buildings and public accommodations be accessible to individuals with disabilities.

In addition, the Recipient agrees to comply with applicable Federal regulations and directives and any subsequent amendments thereto, except to the extent the Federal Government determines otherwise in writing, as follows:

(1) U.S. DOT regulations, "Transportation Services for Individuals with Disabilities (ADA)," 49 C.F.R. Part 37;

(2) U.S. DOT regulations, "Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance," 49 C.F.R. Part 27;

(3) Joint U.S. Architectural and Transportation Barriers Compliance Board (U.S. ATBCB)/U.S. DOT regulations, "Americans With Disabilities (ADA) Accessibility Specifications for Transportation Vehicles," 36 C.F.R. Part 1192 and 49 C.F.R. Part 38;

(4) U.S. DOJ regulations, "Nondiscrimination on the Basis of Disability in State and Local Government Services," 28 C.F.R. Part 35;

(5) U.S. DOJ regulations, "Nondiscrimination on the Basis of Disability by Public Accommodations and in Commercial Facilities," 28 C.F.R. Part 36;

(6) U.S. General Services Administration (U.S. GSA) regulations, "Accommodations for the Physically Handicapped," 41 C.F.R. Subpart 101-19;

(7) U.S. Equal Employment Opportunity Commission, "Regulations to Implement the Equal Employment Provisions of the Americans with Disabilities Act," 29 C.F.R. Part 1630;

(8) U.S. Federal Communications Commission regulations, "Telecommunications Relay Services and Related Customer Premises Equipment for the Hearing and Speech Disabled," 47 C.F.R. Part 64, Subpart F; and

(9) U.S. ATBCB regulations, "Electronic and Information Technology Accessibility Standards," 36 C.F.R. Part 1194;

(10) FTA regulations, "Transportation for Elderly and Handicapped Persons," 49 C.F.R. Part 609; and

(11) Federal civil rights and nondiscrimination directives implementing the foregoing regulations.

**h. Drug or Alcohol Abuse-Confidentiality and Other Civil Rights Protections**

To the extent applicable, the Recipient agrees to comply with the confidentiality and other civil rights protections of the Drug Abuse Office and Treatment Act of 1972, as amended, 21 U.S.C. §§ 1174 et seq., with the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970, as amended, 42 U.S.C. §§ 4581 et seq., and with the Public Health Service Act of 1912, as amended, 42 U.S.C. §§ 290dd-3 and 290ee-3, and any subsequent amendments to these acts.

**i. Access to Services for Persons with Limited English Proficiency**

To the extent applicable and except to the extent that FTA determines otherwise in writing, the Recipient agrees to comply with the policies of Executive Order No. 13166, "Improving Access to Services for Persons with Limited English Proficiency," 42 U.S.C. § 2000d-1 note, and with the provisions of U.S. DOT Notice, "DOT Guidance to Recipients on Special Language Services to Limited English Proficient (LEP) Beneficiaries," 66 Fed. Reg. 6733 et seq., January 22, 2001.

**j. Environmental Justice**

The Recipient agrees to comply with the policies of Executive Order No. 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," 42 U.S.C. § 4321 note, except to the extent that the Federal Government determines otherwise in writing.

**k. Other Nondiscrimination Laws**

The Recipient agrees to comply with all applicable provisions of other Federal laws, regulations, and directives pertaining to and prohibiting discrimination that are applicable, except to the extent the Federal

Government determines otherwise in writing.  
**Contracts Title VI Liaison's Responsibilities**

The Contracts Liaison is responsible for evaluating and monitoring compliance with Title VI requirements in all aspects of the agency's consultant contracts process.

***The Liaison will:***

Include Title VI language in contracts and Requests for Proposals (RFP) as described below:

- Ensure the text in Part A of Appendix One is included in all agency contracts.
- Notify all contractors that the text in Part A of Appendix One (minus section 6) should be included in all subcontracts.
- Ensure the Title VI Notice to the Public is included in all DVRPC RFPs.
- Ensure the abbreviated Title VI Notice to the Public is included in all published announcements of DVRPC's RFPs (such as those published in newspapers).
- Ensure the text in number 2 of the DVRPC Title VI Assurances (Appendix 1) is included in all DVRPC RFPs.

Review consultants for Title VI compliance as described below:

- Ensure the “Title VI Compliance Review” form is given to all consultants as part of the contract signing process.
- At the end of each fiscal year, review for Title VI compliance any consultants that have not been reviewed within the past twelve months using the “Title VI Compliance Review” form.
- Upon receiving a completed form from a consultant, ensure the form was filled out and signed, and review the form for any evidence of noncompliance with Title VI contractual provisions on the part of the consultant.
- If a subrecipient is found to be not in compliance with Title VI, the Title VI Coordinator and Consultant Contracts Liaison will work with the subrecipient to resolve the deficiency status and will write a remedial action if necessary, as described in the next section.

Maintain the Disadvantaged Business Enterprise (DBE) Program as described below:

- Monitor, update, and maintain the agency’s DBE Program.
- Submit annual reports on DBE participation in the Title VI Annual Report and Update.
- Establish and adjust DBE participation goals, as appropriate.
- Annually review and evaluate DBE participation in relation to DBE goals, and continue efforts to “create a level playing field” for DBE and non-DBE consultants when DVRPC does not meet the established goals.

## *Remedial Action Related to Consultant Reviews*

DVRPC will actively pursue the prevention of Title VI deficiencies and violations and will take the necessary steps to ensure compliance with this Title VI program, both within DVRPC and with DVRPC’s contractors. In conducting reviews of subrecipients, if a subrecipient is found to not be in compliance with Title VI, the Title VI Liaison and Title VI Compliance Manager will work with the subrecipient to resolve the identified issues. The Commission will develop a remedial action plan which outlines steps to be taken for Title VI compliance, in cooperation with the state DOTs.





## Human Resources, Education & Training

The mission of the Office of Human Resources is to support DVRPC's goals and meet its challenges by providing services that promote a work environment that is characterized by fair and equitable treatment of staff, open communications, teamwork, personal accountability, trust and mutual respect. It is the responsibility of the Office of Human Resources to ensure a diverse workforce in a safe and discrimination / harassment free environment by: maintaining compliance with employment laws and government regulations; providing management and employee training; and developing policies and procedures. Minorities, women, veterans, individuals with a disability, and other individuals protected by Title VI and federal and state anti-discrimination laws are provided with equal opportunity and fair treatment in all employment-related decisions, including opportunities for education and training.

## Operational Guidelines

**Primary guidance is provided by:**

- DVRPC Employee Policy and Procedures Manual
- DVRPC Affirmative Action Policy and Objectives
- Equal Employment Complaint Procedures
- Employees Encouraged to Participate in Training

All DVRPC employees are encouraged to participate in professional development and training. All materials received by the agency on training and education opportunities are made available to all employees, which includes all information on federally funded training, such as courses provided by the National Highway Institute (NHI) and the National Transit Institute (NTI).



## Human Resources, Education & Training Title VI Liaison's Responsibilities

The Human Resources, Education & Training Liaison is responsible for evaluating and monitoring compliance with Title VI requirements in all aspects of Human Resources programming as well as education and training.

**The Liaison will:**

- Assist in the distribution of information to Commission staff on training programs regarding Title VI and related statutes.
- Ensure equal access to, and participation in, applicable NHI and NTI courses for qualified employees
- Establish, maintain, and update an Employee Policy and Procedures Manual containing all day-to-day administration of the Title VI Program.

## Strategies for Engaging Title VI Protected Groups

**D**

**VRPC uses extensive mailing lists to disseminate information and give notice for public comment**

**opportunities. Both mailing lists include hundreds of community groups that represent Title VI-protected groups throughout the region. DVRPC also sends media releases to newspapers that are published by and for Title VI-protected groups. The Commission uses voluntary attendance forms at Commission meetings that are open to the public to collect statistical data on meeting attendees as a means of meeting federal guidance designed to track representation of all segments of the population. Groups representing Title VI populations are added to the Commission's electronic mailing lists regularly, as they are identified.**

**As described in Appendix 4, DVRPC routinely assesses the need for providing information in languages other than English. DVRPC also evaluates the effectiveness of all communications and public involvement efforts and makes appropriate adjustments to its communication strategy. In addition, the Commission keeps a list of potential interpreters in the event that a need for translation services has been identified or requested. Resources are also identified for the hearing and / or vision impaired.**

### **Additional Information**

For questions on DVRPC's Title VI Plan or procedures, please contact DVRPC's Office of Communications and Public Affairs at 215.238.2871 or [jmeconi@dvrpc.org](mailto:jmeconi@dvrpc.org). For information on DVRPC's Work Program or publications, including reports, data forecasting, maps, or other information, please contact the Regional Information Service Center at 215.238.2828 or the DVRPC Resource Center at 215.238.2817.

For information on all of the above, including current public comment periods and meetings open to the public, visit the DVRPC website at [www.dvrpc.org](http://www.dvrpc.org).



## Appendix I

# DVRPC Title VI Assurances



**The Delaware Valley Regional Planning Commission (hereinafter referred to as the "Recipient"), HEREBY**

**AGREES THAT as a condition to receiving any federal financial assistance from the U.S. Department of Transportation, it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 USC 2000d-42 USC 2000d-4 (hereinafter referred to as the "Act"), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the "Regulations"), and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color, sex, or national origin, be excluded from participation in, be denied the benefits**

**of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives federal financial assistance from the Department of Transportation, including the Federal Highway Administration, and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement.**

**This Assurance is required by Subsection 21.7(a)(1) of the Regulations.**

**More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurances to its Federal Aid Highway Program.**

## **1.**

That the Recipient agrees that each "program" and each "facility," as defined in Subsections 21.23(e) and 21.23(b) of the Regulations, will be (with regard to a "program") conducted or will be (with regard to a "facility") operated in compliance with all requirements imposed by, or pursuant to, the Regulations.

## **2.**

That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations made in connection with the Federal Aid Highway Program, and in adapted form in all proposals for negotiated agreements: "Delaware Valley Regional Planning Commission, in accordance with Title VI of the Civil Rights Act of 1964 and 78 Stat. 252, 42 USC 2000d-42 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21: Nondiscrimination in Federally Assisted Programs of the Department of Transportation Issued Pursuant to Such Act, hereby notifies all bidders that it will affirmatively ensure that any contract entered pursuant to this advertisement will afford minority business enterprises full opportunity to submit bids in response to this invitation, and will not discriminate on the grounds of race, color, sex, or national origin in consideration for an award."

### 3.

That the Recipient shall insert the clauses of Appendix 1 of this Assurance in every contract subject to the Act and the Regulations.

### 4.

That the Recipient shall insert the clauses of Appendix 2 of this Assurance, as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.

### 5.

That where the Recipient receives federal financial assistance to construct a facility, or part of a facility, the Assurance shall extend to the entire facility and facilities operated in connection therewith.

### 6.

That where the Recipient received federal financial assistance in the form, or for the acquisition of real property, or an interest in real property, the Assurance shall extend rights to space on, over, or under such property.

### 7.

That the Recipient shall include the appropriate clauses set forth in Appendix 3 of this Assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Recipient with other parties:

(a) for the subsequent transfer of real property acquired or improved under the Federal Aid Highway Program; and (b) for the construction or use of, or access to space on, over, or under, real property acquired or improved under the Federal Aid Highway Program.



### 8.

That this Assurance obligates the Recipient for the period during which federal financial assistance is extended to the program, or is in the form of personal property, or real property or interest therein or structures or improvements thereon, in which case the Assurance obligates the Recipient or any transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for which the federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or (b) the period during which the Recipient retains ownership or possession of the property.

### 9.

The Recipient shall provide for such methods of administration for the program, as are found by the State Secretary of Transportation or the official to whom she / he delegates specific authority, to give reasonable guarantee that it, other recipients, sub-grantees, contractors, subcontractors, transferees, successors in interest, and other participants of federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations, and this Assurance.



## 10.

The Recipient agrees that the United States has a right to seek judicial endorsement with regard to any matter arising under the Act, the Regulations, and this Assurance.

THIS ASSURANCE is given in consideration of, and for the purpose of obtaining, any and all federal grants, loans, contracts, property, discounts, or other federal financial assistance extended after the date hereof to the Recipient by the Department of Transportation under the Federal Aid Highway Program and is binding on it, other recipients, sub-grantees, contractors, subcontractors, transferees, successors in interest, and other participants in the Federal Aid Highway Program. The person or persons whose signatures appear below are authorized to sign this Assurance on behalf of the Recipient.



Barry Seymour  
Executive Director

01 / 25 / 07

## Part A

The text below, in its entirety, is in all contracts entered into by DVRPC. All of the text except the final section, entitled "Incorporation of Provisions," should be included in any contract entered into by any DVRPC contractor.

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "Contractor"), agrees as follows:

### 1.

#### **Compliance with Regulations**

The Contractor shall comply with the Regulations relative to nondiscrimination in federally assisted programs of the Department of Transportation (hereinafter referred to as DOT), Title 49, Code of Federal Regulations, part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

## 2.

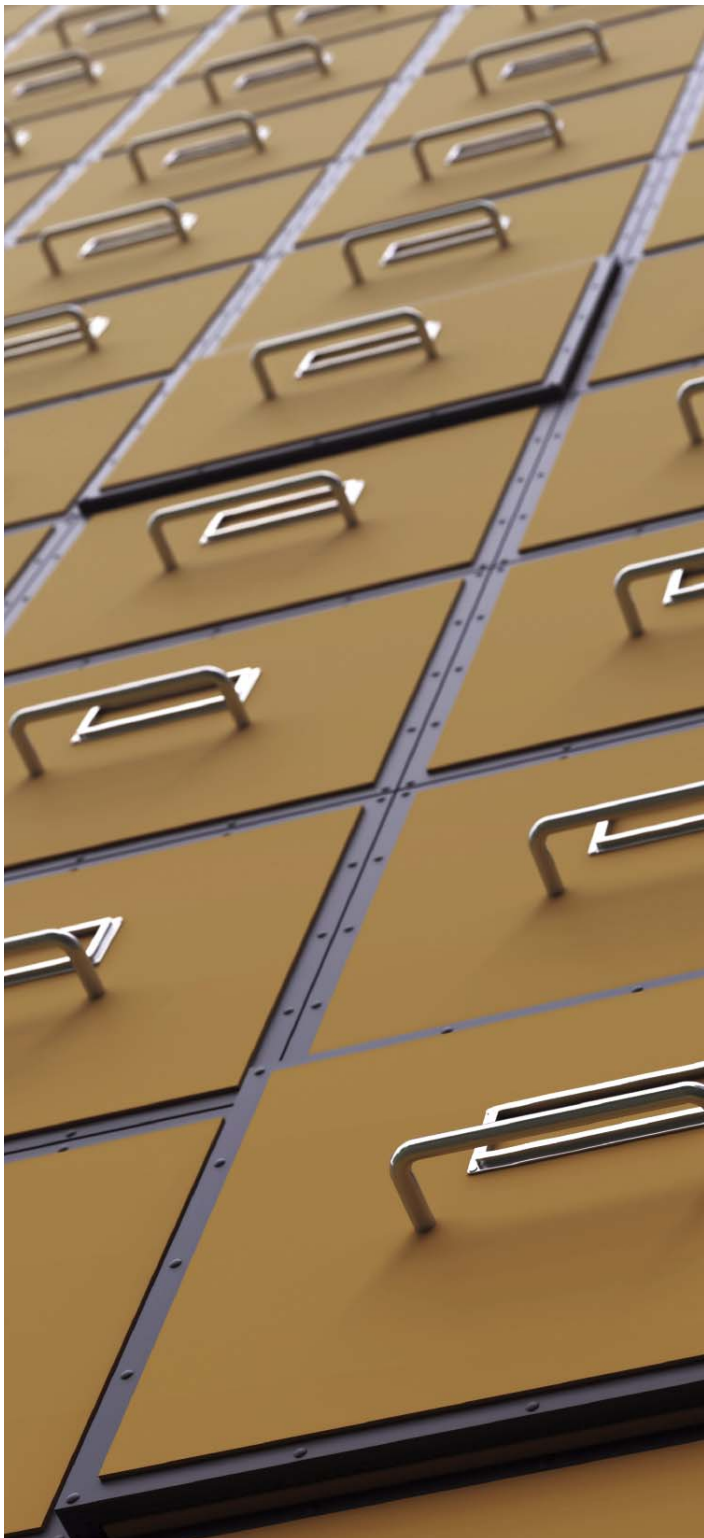
#### **Nondiscrimination**

The Contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, sex, or national origin, age or disability in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The Contractor shall not participate either directly or indirectly in discrimination.

## 3.

#### **Solicitations for Subcontracts, Including Procurement of Materials and Equipment**

In all solicitations either by competitive bidding or negotiations made by the Contractor for work to be performed under a subcontract, including procurement of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the Contractor of the Contractor's obligations under this contract and the Regulations relative to nondiscrimination on the ground of race, color, sex, or national origin.



## 4.

### **Information & Reports**

The Contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Delaware Valley Regional Planning Commission or the Federal Highway Administration to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the Contractor shall so certify to the Delaware Valley Regional Planning Commission, or the Federal Highway Administration as appropriate, and shall set forth what efforts it has made to obtain the information.

## 5.

### **Sanctions for Noncompliance**

In the event of the Contractor's noncompliance with the nondiscrimination provisions of the contract, DVRPC, with state and federal agency concurrence, would initiate sanctions per 49CFR.21.

## 6.

### **Incorporation of Provisions**

The Contractor shall include the provisions of paragraphs (1) through (5) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The Contractor shall take such action with respect to any subcontractor or procurement as the Delaware Valley Regional Planning Commission or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, however, that in the event a Contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the Contractor may request the Delaware Valley Regional Planning Commission enter into such litigation to protect the interests of the state and, in addition, the Contractor may request the United States to enter into such litigation to protect the interests of the U.S.

## Appendix 2

# Glossary of Selected Federal Statutes & Regulations

## Code of Federal Regulations

All Code of Federal Regulations may be found at [www.access.gpo.gov/nara/cfr/cfr-table-search.html#page1](http://www.access.gpo.gov/nara/cfr/cfr-table-search.html#page1)

### **Title 23 Code of Federal Regulation (C.F.R.) 200**

Title 23 CFR 200 provides guidelines for:  
(a) Implementing the Federal Highway Administration (FHWA) Title VI compliance program under Title VI of the Civil Rights Act of 1964 and related civil rights laws and regulations, and (b) Conducting Title VI program compliance reviews relative to the Federal-aid highway program.

### **Title 23 Code of Federal Regulation (CFR) 1235**

The purpose of this part is to provide guidelines to States for the establishment of a uniform system for handicapped parking for persons with disabilities to enhance access and the safety of persons with disabilities that limit or impair the ability to walk.

### **Title 28 Code of Federal Regulation (CFR) 35**

The purpose of this part is to effectuate subtitle A of title II of the Americans with Disabilities Act of 1990 (42 U.S.C. 12131), which prohibits discrimination on the basis of disability by public entities.

### **Title 28 Code of Federal Regulation 36**

The purpose of this part is to implement title III of the Americans with Disabilities Act of 1990 (42 U.S.C. 12181), which prohibits discrimination on the basis of disability by public accommodations and requires places of public accommodation and commercial facilities to be designed, constructed, and altered in compliance with the accessibility standards established by this part.

### **Title 28 Code of Federal Regulation (CFR) 41**

The purpose of this part is to implement Executive Order 12250, non-discrimination on the basis of handicap in federally assisted programs, which requires the Department of Justice to coordinate the implementation of section 504 of the Rehabilitation Act of 1973. This part applies to each Federal department and agency that is empowered to extend Federal financial assistance.

### **Title 28 Code of Federal Regulation (CFR) 42, Subpart C**

The purpose of this part is to effectuate the provisions of Title VI of the Civil Rights Act of 1964 to the end that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance. This subpart refers to nondiscrimination, equal employment opportunity, policies and procedures.

This subpart applies to any program for which Federal financial assistance is authorized under a law administered by the Department. It applies to money paid, property transferred, or other Federal financial assistance extended after the date of this subpart pursuant to an application whether approved before or after such date.

**Title 28 Code of Federal Regulation (CFR) 50.3**

Title 28 CFR 50.3 sets forth guidelines for the enforcement of Title VI, Civil Rights Act of 1964.

(a) Where the heads of agencies having responsibilities under Title VI of the Civil Rights Act of 1964 conclude there is noncompliance with regulations issued under that title, several alternative courses of action are open. In each case, the objective should be to secure prompt and full compliance so that needed Federal assistance may commence or continue.

(b) Primary responsibility for prompt and vigorous enforcement of title VI rests with the head of each department and agency administering programs of Federal financial assistance.

Title VI itself and relevant Presidential directives preserve in each agency the authority and the duty to select, from among the available sanctions, the methods best designed to secure compliance in individual cases. The decision to terminate or refuse assistance is to be made by the agency head or his designated representative. (c) This statement is intended to provide procedural guidance to the responsible department and agency officials in exercising their statutory discretion and in selecting, for each noncompliance situation, a course of action that fully conforms to the letter and spirit of section 602 of the Act and to the implementing regulations promulgated thereunder.

**United States Codes**

All USC codes may be found at [www.gpoaccess.gov/US Code/browse.html](http://www.gpoaccess.gov/US Code/browse.html)

**23 United States Code (USC) 324**

The purpose of this part relates to prohibition of discrimination on the basis of sex.

**42 United States Code (USC) 4601-4655**

These sections refer to uniform relocation assistance and real property acquisition policies for federal and federally assisted programs.

**DOT Order 1050.2**

This nondiscrimination directive refers to standard Title VI assurances.

*Source:*

*<http://www.incog.org/Transportation/Documents/DOTOrder1050.2.pdf>*



### **Executive Order 12250**

Executive Order 12250, issued in 1979, provided for the consistent and effective implementation of various laws prohibiting discriminatory practices on the basis of race, color, national origin, sex, disability, or religion in programs and activities receiving federal financial assistance.

The responsibility for implementing this Executive Order was placed with the Attorney General. This responsibility, except for the authority to approve regulations, was redelegated to the Assistant Attorney General for Civil Rights. The Coordination and Review Section carries out this responsibility on a day to day basis.

*Source:*

*<http://www.usdoj.gov/crt/cor/12250.htm>*

### **Executive Order 12898**

Executive Order 12898, issued in 1994, amplifies Title VI provisions. It states that each Federal agency shall make achieving environmental justice (EJ) part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations.

*Source:*

*<http://www.epa.gov/history/topics/justice/02.htm>*

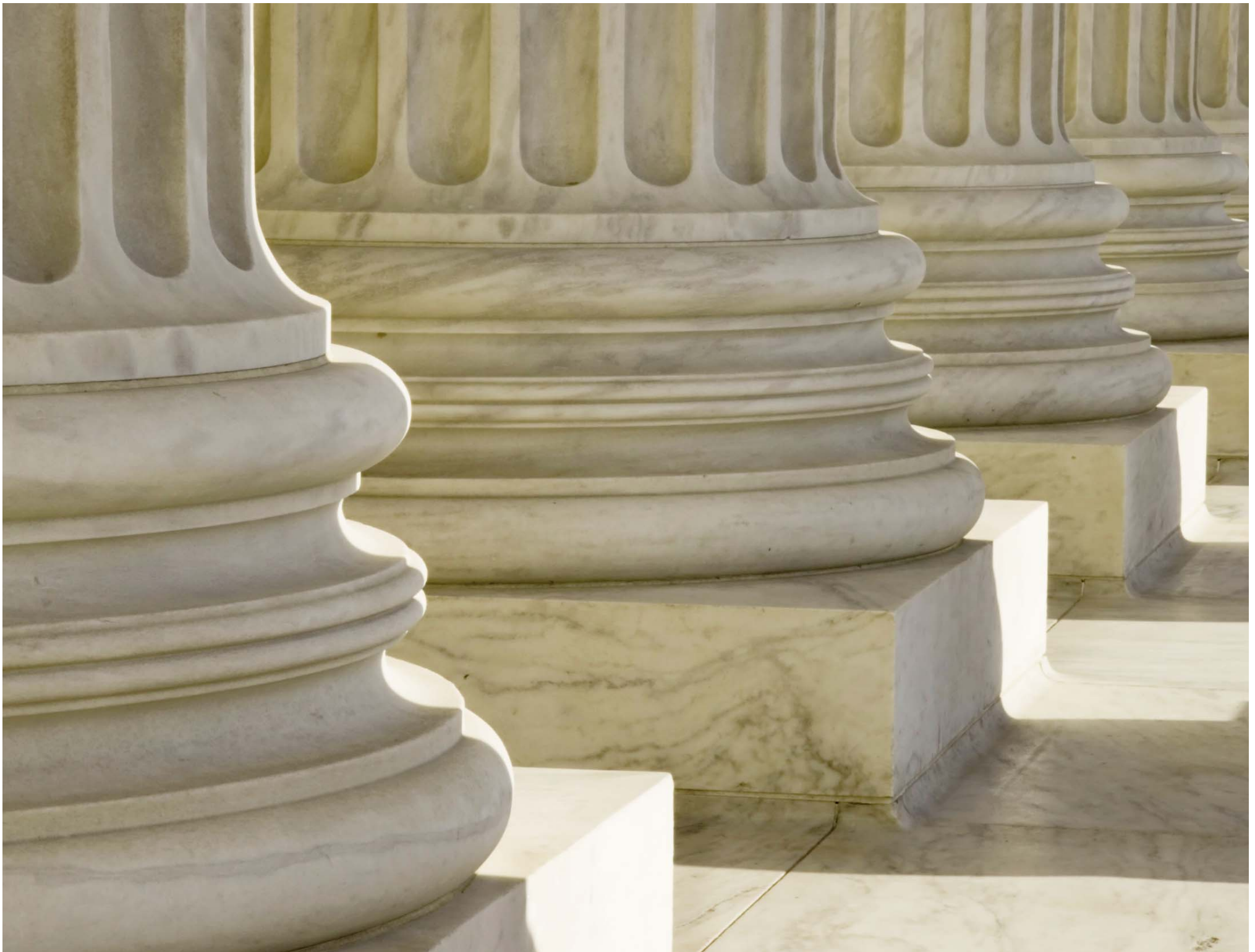
### **Executive Order 13166**

Executive Order 13166, Improving Access for Persons with Limited English Proficiency, was issued in 2000 to improve access to federally conducted and federally assisted programs and activities for persons who, as a result of national origin, are limited in their English proficiency (LEP). It requires Federal agencies to ensure that recipients of Federal financial assistance provide meaningful access to their LEP applicants and beneficiaries.

*Source:*

*<http://www.usdoj.gov/crt/cor/Pubs/eolep.htm>*





## Appendix 3

# DVRPC Title VI Notice to the Public

T

he paragraph below will be inserted in all significant publications that are distributed to the public, such

as the Long Range Plan and Transportation Improvement Program. The text will remain permanently on the agency's website, [www.dvrpc.org](http://www.dvrpc.org) and intranet (available to all staff). The version below is the preferred text, but where space is limited, or in publications where cost is an issue, one of the abbreviated versions can be used in its place.

“The Delaware Valley Regional Planning Commission (DVRPC) hereby gives public notice that it is the policy of the Commission to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Executive Order 12898 on Environmental Justice, and related statutes and regulations in all programs and activities. Title VI requires that no person in the United States of America shall, on the grounds of race, color, sex, national origin, age, or disability, be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which DVRPC receives federal financial assistance. Any person who believes they have been aggrieved by an unlawful discriminatory practice by DVRPC under Title VI has a right to file a formal complaint with the Commission. Any such complaint must be in writing and filed with DVRPC's Title VI Compliance Manager within one hundred eighty (180) days following the date of the alleged discriminatory occurrence. For more information, or to obtain a Title VI Discrimination Complaint Form, please see our website at: [www.dvrpc.org](http://www.dvrpc.org) or call 215.238.2871.”

### *Abbreviated Title VI Notices to the Public:*

1. This first statement is added to any meeting announcement to which the public and/or outside agencies or organizations may attend (such as public meetings and open houses both on-site and off-site, seminars, as well as DVRPC committee meetings). *DVRPC fully complies with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities. DVRPC public meetings are always held in ADA-accessible facilities and in transit-accessible locations when possible. Auxiliary services can be provided to individuals who submit a request at least seven days prior to a meeting. For more information, please call 215.238.2871.*
2. The statement below should be added to all DVRPC public documents (such as meeting minutes) and publications. For publications, the statement can be added at the bottom of the DVRPC page. *DVRPC fully complies with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities. DVRPC's website ([www.dvrpc.org](http://www.dvrpc.org)) may be translated into multiple languages. Publications and other public documents can be made available in alternative languages or formats, if requested. For more information, please call 215.238.2871.*







## Appendix 4

# DVRPC Policy for Engaging Individuals with Limited English Proficiency (LEP)

**I**ndividuals who do not speak English as their primary language and who have a limited ability to read, write, speak or understand English can be Limited English Proficient (LEP) and are therefore entitled to language assistance under Title VI of the Civil Rights Act of 1964. Language barriers may prohibit people who are LEP from obtaining services or information relating to various services and programs, and may limit individuals' participation in public planning processes. It is essential that DVRPC personnel and its sub-recipients be informed of their diverse clientele in order to create a more inclusive public planning process.

Federal guidelines require that recipients of federal financial assistance take reasonable steps to ensure meaningful access to federally funded programs, activities and publications for LEP (Limited English Proficiency) persons.

The “reasonable” standard is based on the following four guidelines, as set forth by the federal government:

- The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity or service of the recipient or grantee.
- The frequency with which LEP individuals come in contact with the program.
- The nature and importance of the program, activity or service provided by the recipient to people's lives.
- The resources available to the recipient and costs.

As indicated by the above guidelines, the intent of these guidelines is to find a balance that ensures meaningful access by LEP persons to critical services and programs while not imposing undue burdens to recipients or sub-recipients.

DVRPC has translated a number of Commission documents. The DVRPC website is also accessible to non-English speaking visitors who wish to translate online documents into Spanish, Russian, and Chinese. These languages were chosen as a result of a demographic study of the 2000 Census conducted by DVRPC. Information regarding planning and transportation issues in the region, public involvement and outreach (including the Regional Citizens Committee and other public meetings), and access to reports and studies are available in translation via the website.





## Appendix 5

# DVRPC Policy for Meeting ADA Requirements

**T**itle II of the Americans with Disabilities Act (ADA) of 1990, 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 the benefits of, or be subjected to discrimination by a department, agency, special purpose district or other instrumentality of the state or local government.”

All of DVRPC’s public meetings are held in ADA accessible facilities. Sign language interpreters or other auxiliary aid requests can be accommodated if requested in advance. Upon request, planning materials can be provided in alternative formats.









## Appendix 6

# DVRPC Complaint Procedures & Complaint Form

### Purpose

The DVRPC Title VI Complaint Procedure is written to specify the process employed by DVRPC to investigate complaints, while ensuring due process for Complainants and respondents. The process does not preclude DVRPC from attempting to informally resolve complaints.

This procedure applies to all external complaints relating to any program or activity administered by DVRPC and/or its subrecipients, consultants and contractors, filed under Title VI of the Civil Rights Act of 1964 (including its Disadvantaged Business Enterprise and Equal Employment Opportunity components), as well as other related laws that prohibit discrimination on the basis of race, color, disability, sex, age, low income, national origin or Limited English Proficiency. Additional statutes

include, but are not limited to, Section 504 of the Rehabilitation Act of 1973, the Civil Rights Restoration Act of 1987, and the Americans with Disabilities Act of 1990.

These procedures are part of an administrative process that does not provide for remedies that include punitive damages or compensatory remuneration for the Complainant. Intimidation or retaliation of any kind is prohibited by law.

### Process

An individual, or his or her representative, who believes that he or she has been subject to discrimination or retaliation prohibited by Title VI and other nondiscrimination provisions, has a right to file a complaint. Complaints need to be filed within 180 calendar days of the alleged occurrence, when the alleged discrimination became known to the Complainant, or when there has been a continuing course of conduct, the date on which the conduct was discontinued or the latest instance of the conduct.

Complaints may be mailed to:

**Title VI Compliance Manager**  
Delaware Valley Regional  
Planning Commission

190 North Independence Mall West, 8th Fl.  
Philadelphia, Pennsylvania 19106-1520

### **Title VI Coordinator**

Bureau of Equal Opportunity  
Pennsylvania Department of Transportation  
PO Box 3251  
Harrisburg, Pennsylvania 17105-3251

### **Title VI/ Environmental Justice Coordinator**

Division of Civil Rights  
and Affirmative Action  
New Jersey Department of Transportation  
1035 Parkway Avenue  
Trenton, New Jersey 08618

### **Equal Opportunity Specialist**

U.S. Department of Transportation  
Federal Highway Administration  
840 Bear Tavern Road, Suite 310  
West Trenton, New Jersey 08628

### **Equal Opportunity Specialist**

U.S. Department of Transportation  
Federal Highway Administration  
228 Walnut Street; Room 508  
Harrisburg, Pennsylvania 17101-1720

**Civil Rights Officer**

U.S. Department of Transportation  
Federal Transit Administration  
Region II  
One Bowling Green, Room 429  
New York, New York 10004

**Civil Rights Officer**

U.S. Department of Transportation  
Federal Transit Administration  
Region III  
1760 Market Street, Suite 500  
Philadelphia, Pennsylvania 19103

**Title VI Coordinator**

Office for Civil Rights and Civil Liberties  
U.S. Department of Homeland Security  
Mail Stop 0800  
Washington, DC 20520

**Title VI Coordinator**

Office of Civil Rights  
Federal Aviation Administration  
800 Independence Avenue, SW  
Washington, DC 20591

**Title VI Coordinator**

Office of Civil Rights  
U.S. Environmental Protection Agency  
Mail Code 1201A  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

If necessary, an authorized person will assist the Complainant in writing the complaint. The written complaint must include the following information:

- Name, address and telephone number of the Complainant.
- Basis of the complaint, (e.g. Race, Color, National Origin, Sex, Age, Disability, Retaliation).
- A detailed description of the circumstances of the incident that led the Complainant to believe discrimination occurred.
- Name(s), title, and address of the person who discriminated against the Complainant.
- Names, address and phone numbers of people who may have knowledge of the alleged incident or are perceived as parties in the complained-of incident.
- Date or dates on which the alleged discrimination occurred.
- Other agencies where the complaint was filed.
- As an investigation moves forward, additional information may be required.

If DVRPC receives a complaint, the Commission will acknowledge receipt of the complaint by notifying the Complainant and immediately transmitting the complaint to the proper state and federal agency (e.g. Federal Highway Administration, Federal Transit Administration, PennDOT) for investigation and disposition pursuant to that agency's Title VI complaint procedures.

The DVRPC Title VI Compliance Manager will maintain a log of all complaints received by the Commission.

The Title VI Complaint process and form can be viewed on DVRPC's website, [www.dvrpc.org](http://www.dvrpc.org).

Delaware Valley Regional  
Planning Commission

**Title VI  
Discrimination  
Complaint  
Form**

Name \_\_\_\_\_

Address

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Telephone \_\_\_\_\_

*Basis of Complaint (e.g., Race, Color, National  
Origin, Sex, Age, Disability, Retaliation):*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Date(s) of Alleged Discrimination:*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Please provide a detailed description of the  
circumstances of the incident(s), including any  
additional information supporting your complaint  
(please use additional pages as necessary):*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Please provide the name(s), title and address  
of the person who allegedly discriminated  
against the Complainant:*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*If complaint has also been filed with a state  
or federal agency, please list:*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signed \_\_\_\_\_

Date \_\_\_\_\_





## Appendix 7

# Organization Chart of Title VI Responsibilities

### Candace Snyder

Director, Office of Public  
Affairs & Communications  
Title VI Liaison -  
Communications & Public  
Involvement

**Responsibilities:** evaluating  
& monitoring compliance  
with Title VI requirements  
in all aspects of DVRPC's  
public involvement process

### Richard Bickel

Director of Planning

### Elizabeth Schoonmaker

Manager,  
Office of Capital Programs

### Meghan Weir

Transportation Planner  
Title VI Liaison - Planning  
& Technical Services

**Responsibilities:** evaluating  
& monitoring compliance  
with Title VI requirements  
in all aspects of DVRPC's  
planning process

### Barry Seymour

Executive Director

**Responsibilities:** ensure compliance with provisions of DVRPC's policy  
of non-discrimination & with the law Title VI coordination to be  
performed under the authority of the Executive Director

### Jane Meconi

Title VI Compliance Manager

**Responsibilities:** manage overall administration of DVRPC's Title VI  
program Responsible for supervising Program Area Title VI Liaisons

### Phyllis Robinson

Director,  
Office of Human Resources  
Title VI Liaison -  
Human Resources,  
Education & Training

**Responsibilities:**  
evaluating & monitoring  
compliance within all  
aspects of Human  
Resources

### Thomas McGovern

Comptroller

### John Griffies

Contract Manager  
Title VI Liaison-  
Consultant Contracts

**Responsibilities:**  
evaluating & monitoring  
compliance with all Title  
VI requirements in all  
aspects of DVRPC's  
consultant contracts  
process



# Equity & Opportunity

## TITLE VI COMPLIANCE PLAN

**Publication No.:** 07046A

**Date Published:** August, 2010

### GEOGRAPHIC AREA COVERED:

Nine-county Delaware Valley Region, comprised of Bucks, Chester, Delaware, Montgomery and Philadelphia counties in Pennsylvania, and Burlington, Camden, Gloucester and Mercer counties in New Jersey.

### KEY WORDS:

SAFETEA-LU mandates, Title VI responsibilities and assurances, Environmental Justice, organizational and liaison responsibilities, nondiscrimination, Equal Employment Opportunity, Americans with Disabilities, Limited English Proficiency, strategies for engaging the public, compliance, contractual procedures, complaint procedures.

**ABSTRACT:** The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) have had a longstanding policy of actively ensuring nondiscrimination under Title VI of the 1964 Civil Rights Act in federally funded activities. Title VI of the 1964 Civil Rights Act provides that no person in the United States shall, on the grounds of race, color, national origin, sex, age or disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance.

During the past six years, a renewed emphasis on Title VI issues and environmental justice has become a more integral focus of the transportation planning and programming process. This renewed commitment to Title VI has, and continues to be, reflected in the Delaware Valley Regional Planning Commission's (DVRPC's) Work Program, publications, communications, public involvements efforts, and general way of doing business.

As the Metropolitan Planning Organization (MPO) for the Delaware Valley, DVRPC is required to adopt a Title VI Compliance Plan which addresses such issues as responsiveness to Title VI requirements for project selection in the DVRPC Work Program, the TIP and our Long-Range Plan, as well as providing evidence of public outreach techniques that encourage the involvement of all of the region's citizens. This document establishes a framework for DVRPC's efforts to ensure compliance with Title VI.



**DVRPC, 8th Floor**

**190 North Independence Mall West  
Philadelphia, PA 19106-1520**

**Phone:** 215.592.1800

**Fax:** 215.592.9125

**Web:** [www.dvrpc.org](http://www.dvrpc.org)

**Staff Contact:** Jane Meconi, AICP

Public Involvement Manager

**Direct Phone:** 215.238.2871

**E-mail:** [jmeconi@dvrpc.org](mailto:jmeconi@dvrpc.org)



190 N. Independence Mall West, 8th Floor

Philadelphia, Pennsylvania 19106-1520

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