



SEDA-COG MPO TITLE VI POLICY & PROCEDURES

Prepared for:

SEDA-COG MPO
201 Furnace Road
Lewisburg, Pennsylvania 17837

Prepared by:

McCormick Taylor, Inc.
329 Innovation Blvd. #116
State College, Pennsylvania 16803

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**SEDA-Council of Governments
(SEDA-COG)**

Mission Statement

SEDA-COG is a regional multi-county development agency, which, under the guidance of a public policy board, provides leadership, expertise, and services to communities, businesses, institutions, and residents. SEDA-COG seeks to enhance growth opportunities in an environmentally sensitive manner while retaining the region's predominantly rural character. The organization is both a direct service provider and a link to other resources that can be applied to a wide range of community and economic needs. SEDA-COG is also an advocate for the interests of its communities at the state and federal levels.

SEDA-COG's strengths include a county-based policy board representing public and private interests, a high level of staff expertise, a commitment to innovation, and the flexibility to respond to new opportunities and challenges.

<http://www.seda-cog.org>

SEDA-COG Metropolitan Planning Organization

James Saylor, Program Director

SEDA-COG

Transportation Planning

201 Furnace Road

Lewisburg, PA 17837

Phone: (570) 524-4491

Email: jsaylor@seda-cog.org

<http://www.seda-cog.org/transportation>

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TRANSPORTATION ACRONYMS

ACM	Agency Coordination Meeting
ADA	Americans with Disabilities Act of 1990
EJ	Environmental Justice
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
GIS	Geographic Information System
LAP	Language Assistance Plan
LEP	Limited English Proficiency
LRTP	Long Range Transportation Plan
MPMS	Multimodal Project Management System
MPO	Metropolitan Planning Organization
PennDOT	Pennsylvania Department of Transportation
PPP	Public Participation Plan
SEDA-COG	Susquehanna Economic Development Association-Council of Governments
STIP	State Transportation Improvement Program
TIP	Transportation Improvement Program
UZA	Urbanized Area
UPWP	Unified Planning Work Program
USDOT	United States Department of Transportation

I. STATEMENT OF POLICY

The SEDA Council of Governments Metropolitan Planning Organization (SEDA-COG MPO) is committed to a policy of non-discrimination in the conduct of its business, including its Title VI responsibilities for the delivery of equitable and accessible transportation services. The SEDA-COG MPO recognizes its responsibilities to the communities it serves, and it is the MPO’s policy to utilize its best efforts to assure that no person shall, on the grounds of race, color, disability, gender, age, low income, national origin, language or limited English proficiency, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under its programs or services.

Toward this end, it is the SEDA-COG MPO’s objective to:

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

The responsibility for carrying out SEDA-COG MPO’s commitment to this program is carried by the SEDA-COG MPO Title VI Compliance Officer. The Title VI Compliance Officer is responsible for the day-to-day operations of the Title VI Program and will receive and investigate Title VI complaints which come through the MPO’s established complaint procedure. All managers, supervisors, and employees of the SEDA-COG MPO will share in the responsibility for making the Title VI Program a success.

Additional information concerning the SEDA-COG MPO’s Title VI obligations and the full Complaint Procedure and Complaint Forms can be found on the SEDA-COG MPO website in the Public Participation Plan section at <http://www.seda-cog.org/transportation/Pages/PublicParticipationPlan.aspx> or by calling (570) 524-4491.

James Saylor, Chairman, SEDA-COG MPO Board

Adopted [date] _____

II. POLICY PURPOSE, GOALS & OBJECTIVES

The SEDA-COG MPO provides a framework for targeted efforts to identify, seek out and engage environmental justice populations (minority and low-incomer persons) as well as others who are traditionally underserved by the transportation system (those with limited English proficiency, seniors, and persons with disabilities).

The foundation for these efforts is stated in Title VI of the Civil Rights Act of 1964¹:

“... No person in the United States shall, on the basis of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program receiving Federal financial assistance ...”

Further reinforcement was established by the President’s 1994 Executive Order on Environmental Justice², which states:

“... Each Federal agency shall make achieving environmental justice 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 ...”

The purpose of the SEDA-COG MPO’s Title VI Policy is to ensure that plans, programs, and processes developed by the MPO consider the needs of environmental justice populations and those traditionally underserved by the transportation system, adhering to the provisions of the Americans with Disabilities Act of 1990 (ADA), Section 504 of the Rehabilitation Act of 1973, and Title VI of the Civil Rights Act of 1964 (Title VI). The goal is to ensure that federally funded transportation projects in the SEDA-COG MPO region do not disproportionately burden these populations, such that they are denied the benefits of the projects. The objectives of the Policy are to:

1. Accurately identify the environmental justice and traditionally underserved populations residing in the SEDA-COG MPO region;
2. Expand the involvement of environmental justice and traditionally underserved populations in the transportation planning process; and
3. Ensure that the SEDA-COG MPO’s governing body is aware of the needs of these environmental justice and other traditionally underserved populations, and considers these needs in decision-making regarding the MPO’s transportation investment program.

SEDA-COG MPO has coordinated its Title VI Policy with its Public Participation Plan and Language Assistance Plan, making each plan known among its constituent counties and local governments for the purpose of increasing awareness and tools for public participation.

¹ Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000).

² Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, 1994.

III. PUBLIC OUTREACH PROGRAM

The SEDA-COG MPO ensures all outreach strategies, communications, and public involvement efforts comply with Title VI. To this end, the MPO completed a synchronized update of the MPO's Public Participation Plan (PPP), Title VI Policy, Limited English Proficiency (LEP) Plan, and Language Assistance Plan (LAP). The updated PPP was adopted by the MPO in December 2014.

The SEDA-COG MPO provides information regarding its obligations, policies, and plans to the public using a variety of communication methods, which frequently overlap and duplicate each other.

- The Title VI Policy document is available on the MPO's website. They may be downloaded or requested in paper copy from the MPO staff.
- The MPO's Title VI Complaint Form and Process is available on the MPO's website and are available upon request at the SEDA-COG office. The Complaint Form and process are provided in English and Spanish.
- Block Ads and Posters notifying the public of protections of their rights under Title VI, including instructions of how to file a Title VI Complaint. Notices are provided in English and Spanish.
- The LEP Plan and Language Assistance Plan documents, which outline services that the MPO provides for LEP persons, are available on the MPO's website and are available upon request at the SEDA-COG office.

The SEDA-COG MPO's Public Participation Plan (PPP) is guided by a set of goals, of which the first two are as follows:

1. Extend the reach of the participation program.
2. Encourage diversity of participants.

The SEDA-COG MPO region is home to small but growing minority and ethnic populations, while significant diversity already exists along the lines of age, physical ability (disability), and means (poverty). The MPO recognizes the benefit of stimulating involvement by a range of persons with a variety of perspectives and interests in the transportation system.

To help identify the diversity in the SEDA-COG MPO planning area, the PPP also includes mapping and other locational analyses of environmental justice populations (minority and in-poverty persons) and other populations that are traditionally underserved by the transportation system (disabled, senior, and limited English proficient persons). Accommodations for and targeted outreach to these persons are built into the PPP at multiple points. **Table 1** below outlines outreach strategies that are consistent with both the PPP and this Title VI Policy.

Table 1. Listing of Title VI Outreach Strategies

Outreach Tool	Definition
Direct Mailings	Mail sent to an affected group or area to educate, notify, or request input.
Display Ads in Newspaper	Paid advertisement in the newspaper to alert readers about an upcoming event or action.
Displays at Transit Centers	Permanent or temporary displays at transit hubs and centers to reach a large number of system riders.
Legal Notice	Public posting or advertising in newspapers to announce a legal action or intent.
Mobile Device Alerts	Real-time information to alert customers to important information.
On-board Information	Pamphlets and posters that alert riders to information.
Public Hearing	A meeting during which public testimony may be heard and formal action may be taken on any measure before the SEDA-COG MPO Board.
Rider Alerts	Notifications of route, frequency, or other information that is of particular interest to riders.
Signs	Signs on buses, at stop locations, and at transit centers to reach people who use transit services.
Surveys (scientific and self-selected)	Surveying opinions and ideas to help SEDA-COG MPO understand how to better serve the constituency.
Workshops/ Open Houses/ Town Halls	Types of meetings where staff and public interact and discuss various issues.

A. Voting and Non-Voting Membership of the SEDA-COG MPO Committee

The SEDA-COG MPO has the authority to conduct transportation planning and programming activities for the eight-county region that includes: Clinton, Columbia, Juniata, Mifflin, Montour, Northumberland, Snyder and Union Counties. The SEDA-COG MPO’s governing body—the MPO Committee—consists of 17 voting members: one representative from each of eight (8) Central Pennsylvania member counties (typically the county planning director); three representatives from PennDOT (Engineering District 2-0, Engineering District 3-0, and Central Office); one representative from transit; one representative from multi-modal interests; one representative from the SEDA-COG MPO Board; one representative from SEDA-COG MPO’s Transportation Program; one representative from the largest municipality (by population) in the Bloomsburg-Berwick Urbanized Area (UZA); and one representative from the 2nd largest municipality (by population) in the Bloomsburg-Berwick UZA.

In addition to the 17 voting members, the MPO Committee includes non-voting members. Such non-voting members receive MPO reports and agendas and may participate in MPO discussions. Non-voting members include, among others: Lycoming County officials, Centre County officials, Luzerne County officials, Federal Highway Administration officials, Federal Transit Administration officials, SEDA-COG MPO staff, other state and federal resource agencies, and private citizens with an interest in transportation and economic development throughout the region.

B. Diversity in the Voting Membership of the MPO Committee

The success of the MPO is ensured by active participation and input from its members. To that end, and in accordance with Title VI regulations and guidelines stipulating non-elected Board representatives endeavor to reflect community demographics within the MPO, including groups or communities traditionally not well-served by existing transportation systems, SEDA-COG MPO encourages the participation of underserved and potentially vulnerable residents on its Board.

Table 2. Minority Composition of the SEDA-COG MPO Committee vs. MPO Region

	Body			
	SEDA-COG MPO Committee		SEDA-COG MPO Region	
	Population	%	Population	%
Total	17		368,843	
Racial Composition				
<i>African American or Black</i>	0	0.0%	5,259	1.4%
<i>Asian</i>	0	0.0%	2,260	0.6%
<i>Native American¹</i>	0	0.0%	617	0.2%
<i>Some Other Race</i>	0	0.0%	1,939	0.5%
<i>Two or More Races</i>	0	0.0%	3,353	0.9%
<i>White</i>	17	100.0%	355,415	96.4%
Ethnic Composition				
<i>Hispanic or Latino</i>	0	0.0%	6,862	1.9%
<i>Not Hispanic or Latino</i>	17	100.0%	361,981	98.1%

Source: American Community Survey, 5-year Estimate, 2007-2011.

Notes:

¹ "Native American" includes those recorded as "Native Hawaiian and Other Pacific Islander" and "American Indian and Alaska Native."

C. Outreach to Environmental Justice(EJ) and other Traditionally Underserved Populations

The SEDA-COG MPO will make a special effort to notify, engage, and consider the needs of minority and low-income persons, as well as other populations and communities that are "traditionally underserved" by the existing transportation systems. The SEDA-COG MPO's efforts in this regard will be consistent with the Environmental Justice Executive Order (E.O. 12898) dated February 11, 1994, and other related guidance from the Federal Highway Administration and Federal Transit Administration.

As a first step, the SEDA-COG MPO will continue to identify communities, organizations, agencies, and advocacy groups that represent EJ and other traditionally underserved populations, adding them to the appropriate MPO listing of Interested Parties (see the SEDA-COG MPO Public Participation Plan, Appendix R.1). The listing is dynamic, and new Interested Parties are added continually through request or by recommendation of planning partners and activities conducted by the MPO.

The SEDA-COG MPO's outreach is further enhanced according to outreach requirements built into the public participation process for Long-Range Transportation Plan Amendments and Transportation Improvement Plan (TIP) Major Amendments. The public participation process includes "triggers" for a targeted outreach activity when the amendment includes a project that "disproportionately burdens a population or concentration of minority, in-poverty, disabled, and limited English proficient persons" (see the SEDA-COG MPO Public Participation Plan, pages 29 and 32).

D. MPO Meeting Notices

The announcement of MPO Meeting dates and times is provided on the SEDA-COG MPO's web site at <http://www.seda-cog.org/transportation/Pages/MPOMeetingSchedule.aspx> . The announcements may be translated into languages other than English, using the embedded Google Translate tool. Meetings are also advertised in The Daily Item newspaper and appear on the SEDA-COG web site calendar of events listing.

E. MPO Meeting Accessibility

Meetings of the MPO are open to the public, in compliance with the MPO's Bylaws and Pennsylvania's Sunshine Law. Copies of materials considered by the MPO committee are made available to the public at the time of the meeting or subsequent to a committee meeting. Meeting minutes are maintained and made available for review in the SEDA-COG MPO office and on their web site at <http://www.seda-cog.org/transportation/Pages/MPOMeetingMinutes.aspx>.

The SEDA-COG MPO is committed to compliance with the nondiscrimination requirements of applicable civil rights statutes, executive orders, regulations, and policies. The MPO meeting location is accessible to persons with disabilities. Other meetings scheduled by the SEDA-COG MPO will occur at facilities and locations which will encourage attendance by the general public, and that are accessible and accommodating to persons with disabilities, older persons and the sight and/or hearing-impaired. Where possible, meeting places will be accessible by public transportation. Meeting locations shall be compliant with the Americans with Disabilities Act.

To better accommodate persons with limited English proficiency, meeting materials will be made available in document formats that allow automated translation (e.g., Google Translate). To better accommodate persons with visual disabilities, written materials can be formatted specifically for use by devices to assist the sight-impaired. If accommodations are needed for those with other special needs related to language, sight, or hearing, please call (570) 524-4491 at least five (5) days in advance.

When a targeted outreach activity or meeting is triggered by the presence of an LEP population, written materials will be made available in languages other than English that are relevant to those populations.

F. Additional Outreach Methods

The SEDA-COG MPO will give consideration to alternative methods of involving the public appropriate to the project. Such methods may include, but are not limited to newsletters, distributing information through public libraries and community groups (especially those serving EJ persons, LEP communities, the elderly and persons with disabilities), using open house format meetings, involving focus groups for specially selected topics, preparing press releases, and holding events at special locations like shopping malls.

IV. TITLE VI COMPLAINT PROCEDURES

A. Purpose

The SEDA-COG MPO Title VI Complaint Procedures are written to specify the process employed by the MPO to investigate complaints, while ensuring due process for Complainants and Respondents. The process does not preclude SEDA-COG MPO from attempting to informally resolve complaints.

These procedures apply to all external complaints relating to any program or activity administered by the SEDA-COG MPO and/or its sub-recipients, consultants and contractors, filed under Title VI of the Civil Rights Act of 1964 as amended, (including Disadvantaged Business Enterprise and Equal Employment Opportunity components), as well as other related laws that prohibit discrimination on the basis of race, color, disability, gender, age, low income, national origin, language 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.

B. How do I file a Title VI Complaint?

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 the right to file a complaint. Complaints need to be filed within 180 calendar days of 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 latest instance of the conduct.

Complaints shall be in writing and signed by the Complainant(s). If complaints are received by telephone or in person, the Title VI Compliance Officer or other authorized representative shall formally interview the person to provide the basis for the written complaint. If necessary, the authorized person will assist the Complainant in writing the complaint. The written complaint must include the following information:

- Name, address and telephone number of Complainant.
- Basis of the complaint (e.g., Race, Color, National Origin, Gender, Age, Disability or Retaliation).
- A detailed description of the circumstances of the incident that lead the Complainant to believe discrimination occurred.
- Names, addresses 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.

The Title VI Complaint Form may be used to submit the complaint information. The complaint may be filed in writing with SEDA-COG MPO at the following address:

Mr. James Saylor, P.E., PTOE
Title VI Compliance Officer
SEDA-COG MPO
201 Furnace Road
Lewisburg, PA 17837

(570) 524-4491
jsaylor@seda-cog.org

The SEDA-COG MPO encourages all Complainants to certify all mail that is sent through the U.S. Postal Service and/or ensure that all written correspondence can be tracked easily.

For complaints originally submitted by facsimile, an original, signed copy of the complaint must be mailed to the Title VI Compliance Officer as soon as possible, but no later than 180 calendar days from the alleged date of discrimination.

C. What happens to the complaint after it is submitted?

All complaints alleging discrimination based on race, color, disability, gender, age, low income, national origin, language or limited English proficiency), in a service or benefit provided by SEDA-COG MPO, will be directly addressed by the SEDA-COG MPO. The SEDA-COG MPO shall also provide appropriate assistance to Complainants, including those persons with disabilities, or who are limited in their ability to communicate in English. Additionally, SEDA-COG MPO shall make every effort to address all complaints in an expeditious and thorough manner.

When SEDA-COG MPO receives a complaint, the SEDA-COG MPO will acknowledge receipt of the complaint within seven (7) calendar days by notifying the Complainant and immediately transmitting the complaint to the proper state or federal agency (e.g., Federal Highway Administration, Federal Transit Administration, and PennDOT) for investigation and disposition pursuant to that agency's Title VI complaint procedures. This can be done by scanning to e-mail or via postal mail. The Department of Justice has final word on what agency will investigate the claim. Please note that in responding to any requests for additional information, a Complainant's failure to provide the requested information may result in the administrative closure of the complaint.

The SEDA-COG MPO Title VI Compliance Officer will maintain a log of all complaints received by the SEDA-COG MPO. The Title VI complaint log is available at the SEDA-COG MPO main desk, located at 201 Furnace Road, Lewisburg, PA 17837. The log, or supporting versions of the log, will be made available at designated functions pertaining to the public, such as public meetings, public forums, MPO Board meetings and MPO-sponsored events that involve the public.

In addition, the Title VI compliance officer will regularly review comments and complaints received from members of the public to determine if such comments or complaints warrant a Title VI review and response. Any comments or complaints that are determined to be Title VI related will be entered in the complaint log by SEDA-COG staff. Responses to the Title VI comment or complaint will follow established procedures identified in the Title VI policy document.

D. How will the Complainant be notified of the outcome of the complaint?

SEDA-COG MPO will send a final written response letter to the Complainant within 15 calendar days of the outcome. In the letter notifying Complainant that the complaint is not substantiated, the Complainant is also advised of his or her right to:

- A. Appeal within seven (7) calendar days of receipt of the final written decision from SEDA-COG MPO; and/or
- B. File a complaint externally with the U.S. Department of Transportation and/or the FTA. Every effort will be made to respond to Title VI complaints within 60 calendar days of receipt of such complaints, if not sooner.

Once sufficient information for investigating the complaint is received by SEDA-COG MPO, a written response will be drafted subject to review by SEDA-COG MPO's counsel. If appropriate, a SEDA-COG MPO attorney may administratively close the complaint. In this case, SEDA-COG MPO will notify the Complainant of the action as soon as possible.

To request additional information on SEDA-COG MPO's non-discrimination obligations or to file a Title VI complaint, please submit your request in writing to:

Mr. James Saylor, P.E., PTOE
Title VI Compliance Officer
SEDA-COG MPO
201 Furnace Road
Lewisburg, PA 17837

(570) 524-4491
jsaylor@seda-cog.org

Complaint forms may be obtained by calling the phone number above, or by downloading a PDF version on the form online at the following address:

http://www.seda-cog.org/transportation/Documents/Title%20VI_Complaint_Form_SEDA-COG.pdf.

In addition to the complaint process described above, a Complainant may file a Title VI complaint with the following offices:

Title VI Coordinator
Bureau of Equal Opportunity
Pennsylvania Department of Transportation
P.O. Box 3251
Harrisburg, PA 17105-1720

Equal Opportunity Specialist
U.S. Department of Transportation
Federal Highway Administration
228 Walnut Street, Room 508
Harrisburg, PA 17104-2515

Equal Opportunity Specialist
PA Human Relations Commission
Harrisburg Regional Office
Riverfront Office Center, 5th Floor
1101-1125 South Front Street
Harrisburg, PA 17105-1720

U.S. Department of Justice
Civil Rights Division
Office of the Assistant Attorney General, Main
950 Pennsylvania Avenue, NW
Washington, D.C. 20530

Civil Rights Officer
U.S. Department of Transportation
Federal Transit Administration
1760 Market Street, Suite 500
Philadelphia, PA 19103-4124

Title VI Coordinator
Office of Civil Rights
Federal Aviation Administration
800 Independence Avenue, SW
Washington, D.C. 20591

E. Sample Title VI Notice (English & Spanish Versions)

**SEDA-COG METROPOLITAN PLANNING ORGANIZATION (MPO)
NOTIFICATION OF PROTECTIONS TO THE PUBLIC OF RIGHTS UNDER TITLE VI
AND INSTRUCTIONS ON HOW TO FILE A COMPLAINT**

It is SEDA-COG MPO's policy to utilize its best efforts to assure that no person shall, on the grounds of race, color, disability, sex, age, low income, national origin or limited English proficiency, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under its programs or services, as provided by Title VI of the Civil Rights Act of 1964, as amended.

Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint. All complaints received are documented and assigned to the appropriate staff for investigation.

For more information on the SEDA-COG MPO's civil rights program and the procedures to file a complaint, or to get information in another language, please contact:

Mr. James Saylor, P.E., PTOE
Title VI Compliance Officer
SEDA-COG MPO
201 Furnace Road
Lewisburg, PA 17837

(570) 524-4491
jsaylor@seda-cog.org
www.seda-cog.org

After the complaint is processed, a response (if requested) will be sent to the customer filing the complaint and appropriate corrective action is taken.

A Complainant may file a complaint directly with the Federal Highway Administration by filing a complaint with the Equal Opportunity Specialist, U.S. Department of Transportation, Federal Highway Administration, 228 Walnut Street, Room 508, Harrisburg, PA 17104-2515.

**SEDA-COG ORGANIZACIÓN DE PLANIFICACIÓN METROPOLITANA (MPO)
NOTIFICACIÓN DE PROTECCIONES AL PÚBLICO DE DERECHOS BAJO TÍTULO VI
Y INSTRUCCIONES PARA PRESENTAR UNA QUEJA**

SEDA COG MPO está comprometida asegurar que ninguna persona sea excluida de participar en sus servicios de tránsito o negada los beneficios de sus servicios de tránsito sobre la base de raza, color, u origen nacional.

Cualquier persona que cree que ha sido agraviada por una práctica discriminatoria y ilegal bajo Título VI puede presentar una queja. Todas las quejas recibidas están documentadas y asignadas a los empleados apropiados para investigación.

Para más información sobre el programa de derechos civiles de Título VI y los procedimientos para presentar una queja, o para obtener más información en una otra idioma, por favor póngase en contacto con:

Mr. James Saylor
Title VI Compliance Officer
SEDA-COG MPO
201 Furnace Road
Lewisburg, PA 17837

(570) 524-4491
jsaylor@seda-cog.org

Después de procesar la queja una respuesta (si pedida) será mandada a la persona presentando la queja y acción correctiva será realizada.

La querellante puede presentar una queja directamente a la Administración de Carreteras Federal por mandar la queja a la Especialista de Oportunidad Igual, U.S. Department of Transportation, Federal Highway Administration, 228 Walnut Street, Room 508, Harrisburg, PA 17104-2515.

F. Title VI Complaint Form (English & Spanish Versions)

SEDA-COG MPO recognizes its responsibilities to the communities it serves. It is SEDA-COG MPO’s policy to utilize its best efforts to assure that no person shall, on the grounds of race, color, disability, gender, age, low income, national origin, language or limited English proficiency (LEP), be excluded from participation in, be denied the benefits of, or be subjected to discrimination under its programs or services, as provided by Title VI of the Civil Rights Act of 1964, as amended. These procedures apply to all external complaints relating to any program or activity administered by SEDA-COG MPO and/or its sub-recipients, consultants and contractors, filed under Title VI of the Civil Rights Act of 1964 as amended, (including Disadvantaged Business Enterprise and Equal Employment Opportunity components), as well as other related laws that prohibit discrimination.

The following information is necessary for processing your complaint. If you require assistance in completing this form, please contact the SEDA-COG MPO Compliance Officer by calling (570) 524-4491. Please return the completed form to the SEDA-COG MPO Compliance Officer at SEDA-COG MPO, 201 Furnace Road, Lewisburg, PA 17837. Title VI complaints must be filed within 180 calendar days from the date of the alleged discrimination.

Complainant Name:	Name of Individual Assisting Complainant:
_____	_____
Complainant Address:	Assisting Individual Address:
_____	_____
_____	_____
_____	_____
Complainant Phone:	Assisting Individual Phone:
_____	_____
Complainant Alt. Phone:	Assisting Individual Alt. Phone:
_____	_____

Which of the following describes the reason(s) the alleged discrimination took place?

- Race Age Color Gender Language/LEP National Origin Disability Retaliation

Date(s) of Incident: _____

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), and title and address (if known) of the person who discriminated against the Complainant.

Please provide, if applicable, names and contact information of people who may have knowledge of the alleged incident(s) or are perceived as parties in the complained-of incident(s):

Please list any other agency where complaint has been filed:

I affirm that I have read the above complaint and that it is true to the best of my knowledge, information and belief.

Complainant's Signature	Print Name of Complainant	Date
-------------------------	---------------------------	------

Assisting Individual Complainant's Signature	Print Assisting Individual Name	Date
--	---------------------------------	------

Date Received: _____ Received By: _____

Title VI Form Procedure

The SEDA-COG MPO will acknowledge receipt of the complaint by notifying the Complainant within 15 calendar days of the “Date Received” shown above. If the Complainant is unsatisfied with the response from the SEDA-COG MPO Compliance Officer and/or Executive Director, the SEDA-COG MPO will transmit the complaint to the proper state or federal agency—Federal Highway Administration (FHWA), Federal Transit Administration (FTA), and the Pennsylvania Department of Transportation (PennDOT) for investigation and disposition pursuant to that agency’s Title VI complaint procedures.

1. Complete and return form to SEDA-COG MPO Compliance Officer at SEDA-COG MPO, 201 Furnace Road Lewisburg, PA 17837 within 180 calendar days from the alleged incident.
2. The complaint will be reviewed and investigated by the SEDA-COG MPO Compliance Officer.
3. SEDA-COG MPO Compliance Officer, along with appropriate members of SEDA-COG MPO staff, will determine the merit of the claim and within 15 calendar days provide the Complainant, and/or the Individual Assisting Complainant, a written acknowledgement that SEDA-COG MPO has either accepted or rejected the complaint.
4. If the Complainant is unsatisfied with the response, the complaint may be presented to the Executive Director within 10 calendar days from receiving the response.
5. The Executive Director will respond to the Complainant, and/or the Individual Assisting Complainant, within 15 calendar days.
6. If the Complainant is unsatisfied with the response, the investigative report and findings will be reviewed by the SEDA-COG MPO Board and SEDA-COG MPO counsel.
7. A copy of the complaint and SEDA-COG MPO’s investigative report/findings and remedial action plan, if appropriate, will be issued to the proper state or federal agency (e.g.: FHWA, FTA, and PennDOT) within 120 calendar days of receipt of the complaint.
8. A summary of the complaint and its resolution will be included as part of the Title VI updates to the proper state or federal agency (e.g.: FHWA, FTA, and PennDOT).
9. Records will be available for compliance review audits.

SEDA-COG ORGANIZACIÓN DE PLANIFICACIÓN METROPOLITANA (MPO)
Procedimiento de Queja del Título VI

SEDA-COG está comprometido con asegurar que ninguna persona sea excluida de participar o se le nieguen los beneficios de sus servicios de transporte en base a raza, color o nacionalidad, tal como lo protege el Título VI de la Ley de Derechos Civiles de 1964. Quejas de Título VI tiene que ser entregadas dentro de 180 días despues de la fecha de la supuesta discriminación.

Se necesita la siguiente información para el procesamiento de su su queja. Si require asistencia para llenar esta solicitud, por favor póngase en contacto con James Saylor al (570) 524-4491. Por favor entregue la solicitud a: Title VI Compliance Officer, SEDA-COG MPO, 201 Furnace Road Lewisburg, PA 17837. Quejas Título VI deben ser presentadas dentro de los 180 días calendario a partir de la fecha de la supuesta discriminación.

Nombre del Querellante:

Nombre de la Persona Ayudando el Querellante:

Dirección del Querellante:

Dirección del Ayudante:

Número de Teléfono del Querellante:

Número de Teléfono del Ayudante:

Número de Teléfono Alternativo del Querellante:

Número de Teléfono Alternativo del Ayudante:

Cuál de los siguientes opciones describe la causa de la supuesta discriminación? (Márque con un círculo)

Raza Edad Color Sexo Idioma Nacionalidad Discapacidad Represalias

Fecha(s) de Incidente: _____

Por favor describa el supuesto incidente de discriminación. Proporcione los nombres y títulos de los empleados de SEDA-COG involucrados si se conocen. Explique lo que pasó y quién fue responsable (por favor utilice hojas adicionales como sea necesario).

Por favor, indique el nombre (s), y el título y dirección (si se conoce) de la persona que discrimina en contra de la demandante.

Sírvase proporcionar, en su caso, los nombres y datos de contacto de las personas que puedan tener conocimiento del supuesto incidente (s) o son percibidos como partes en el quejado de incidente (s):

Por favor escriba cualquier otra agencia donde denuncia ha sido presentada:

Afirmo que he leído los cargos anteriores y que es fiel a lo mejor de mi conocimiento, la información y la creencia:

Firma del Demandante	Nombre del Demandante (en letras legibles)	Fecha
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Firma del Ayudante	Nombre del Ayudante (en letras legibles)	Fecha
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Fecha de Recepción: _____ Recibido por: _____

Título VI Procedimiento de Queja

El MPO SEDA-COG acusará recibo de la denuncia mediante notificación al demandante dentro de los 15 días de la presentación de quejas. El MPO SEDA-COG transmitirá la denuncia al estado adecuado o agencia federal (por ejemplo: Administración Federal de Carreteras, la Administración Federal de Tránsito ,y PennDOT) para investigación y disposición de conformidad con los procedimientos de queja del Título VI de ese organismo.

1. Llene y envíe su solicitud a: Title VI Compliance Officer, SEDA-COG MPO, 201 Furnace Road Lewisburg, PA 17837, dentro de 180 días calendarios después del supuesto incidente.
2. La queja será revisada y examinada por el administrador de SEDA-COG.
3. El Administrador, junto con los miembros del equipo de dirección determinarán el mérito de la queja y dentro de 10 días mandar un acuse de recibo al demandante de aceptación o oposición.
4. Si el demandante está insatisfecho con la respuesta, la queja puede ser presentada al Director Ejecutivo dentro de 5 días hábiles después de recibir su respuesta.
5. El Director Ejecutivo responderá dentro de 10 días hábiles.
6. Si el demandante está insatisfecho con la respuesta, el informe de investigación y fallos será revisado por la Junta Directiva SEDA-COG.
7. Si relevante, una copia de la queja y el informe de investigación/fallos y plan de acción correctivo serán enviados a FTA dentro de 120 días de recibo de la queja.
8. Un resumen de la queja y su resolución será incluido como parte de las actualizaciones de Título VI a FTA.
9. Anotaciones estarán disponibles para auditorías de reviso de cumplimiento.

G. Letter Acknowledging Receipt of Complaint

Today's Date

Ms. Jane Doe
1234 Main St.
Lewisburg, PA 17837

Reference: << YYYY-000 >>

Dear Ms. Doe:

This letter is to acknowledge receipt of your complaint against the SEDA-COG MPO alleging

An investigation will begin shortly. If you have additional information you wish to convey or questions concerning this matter, please feel free to contact this office by calling (570) 524-4491, emailing at jsaylor@seda-cog.org, or writing to me at this address:

SEDA-COG MPO
201 Furnace Road
Lewisburg, PA 17837

Sincerely,

James Saylor, P.E., PTOE
SEDA-COG MPO Title VI Compliance Officer

H. Letter Notifying Complainant that the Complaint is Substantiated

Today's Date

Ms. Jane Doe
1234 Main St.
Lewisburg, PA 17837

Reference: << YYYY-000 >>

Dear Ms. Doe:

The matter referenced in your letter of _____ (date) against the SEDA-COG MPO alleging Title VI violation has been investigated.

(An/Several) apparent violation(s) of Title VI of the Civil Rights Act of 1964, including those mentioned in your letter (was/were) identified. Efforts are underway to correct these deficiencies.

Thank you for calling this important matter to our attention. You were extremely helpful during our review of the program. (If a hearing is requested, the following sentence may be appropriate.) You may be hearing from this office, or from federal authorities, if your services should be needed during the administrative hearing process.

Sincerely,

James Saylor, P.E., PTOE
SEDA-COG MPO Title VI Compliance Officer

I. Letter Notifying Complainant that the Complaint is Not Substantiated

Today's Date

Ms. Jo Doe
1234 Main St.
Lewisburg, PA 17837

Reference: << YYYY-000 >>

Dear Ms. Doe:

The matter referenced in your complaint of _____ (date) against the SEDA-COG MPO alleging _____ has been investigated.

The results of the investigation did not indicate that the provisions of Title VI of the Civil Rights Act of 1964 had in fact been violated. As you know, Title VI prohibits discrimination based on race, color, disability, gender, age, low income, national origin, language, or limited English proficiency, in any program receiving federal financial assistance.

The SEDA-COG MPO has analyzed the materials and facts pertaining to your case for evidence of the failure to comply with any of the civil rights laws. There was no evidence found that any of these laws have been violated. I therefore advise you that your complaint has not been substantiated, and that I am closing this matter in our files.

You have the right to: 1) appeal within seven (7) calendar days of receipt of this final written decision from SEDA-COG MPO; and/or 2) file a complaint externally with the U.S. Department of Transportation and/or the Federal Highway Administration or Federal Transit Administration at:

Equal Opportunity Specialist
U.S. Department of Transportation
Federal Highway Administration
228 Walnut Street, Room 508
Harrisburg, PA 17104-2515

Thank you for taking the time to contact us. If I can be of assistance to you in the future, do not hesitate to call me.

Sincerely,

James Saylor, P.E., PTOE
SEDA-COG MPO Title VI Compliance Officer

J. Title VI Complaint Log Procedure

1. When a complaint is received, the person who receives it should contact the Compliance Officer to create the Title VI Complaint Record, as follows (see template):
 - a. The complaint is assigned a reference number. The reference number may be formed by the four-digit year in which the complaint is received and a three digit serial number. For example, the first complaint received in 2015 would have the Reference Number “2015-001”.
 - b. The Compliance Officer fills in the name, contact information, receipt date, and date of alleged discrimination. If any other agencies have been contacted about the discrimination, they are indicated. Notes may be added. The complaint must be received within 180 calendar days of the date of alleged discrimination.
 - c. The complaint is filed in the “Complaint Log”, which is intended to be the MPO’s official and ongoing record of all Title VI complaint activity.

The Complaint Log is to contain the original Complaint, the SEDA-COG Title VI Complaint Record (see template), documentation of investigations completed, and any correspondence sent or received. The Log is intended to be portable, so that it may be taken to meetings or other activities where the SEDA-COG MPO has committed to making the Log available (see the Title VI policy, Section IV.C). For example, the Log may be in paper copy format in a binder, with a backup file (physical or electronic) kept in a secure location. Electronic files should be a part of the MPO’s regular electronic file backup routine.

2. The Compliance Officer is responsible to process and resolve the Title VI complaint according to the MPO’s Title VI Policy. This includes receiving and sending correspondence, directing the investigation of complaints, documenting decisions, completing complaint records, and maintaining the Complaint Log.

K. SEDA-COG MPO Title VI Complaint Record Template

Reference Number:	<<YYYY-000>>
Complainant:	
Address:	
Phone:	
Email:	

Date Complaint received by SEDA-COG MPO:		Notes:
Date of alleged discrimination:		
Received by:		
Copy to file:	<input type="checkbox"/> Yes	
Other agencies contacted:	<input type="checkbox"/> FHWA <input type="checkbox"/> PennDOT	
	<input type="checkbox"/> FTA <input type="checkbox"/> PA BEO	
	<input type="checkbox"/> Other: _____	

Date Acknowledgement of Receipt Letter sent:		Notes:
Sent by:		
Copy to file:	<input type="checkbox"/> Yes	

Complaint determination:	<input type="checkbox"/> Substantiated	Notes:
	<input type="checkbox"/> Not Substantiated	
	<input type="checkbox"/> Other: _____	
Date Determination of Complaint Letter sent		
Sent by:		
Copy to file:	<input type="checkbox"/> Yes	

SEDA-COG MPO Title VI Complaint Record Template (continued)

Date response received from Complainant		Notes:
Received by:		
Copy to file:	<input type="checkbox"/> Yes	
Complainant's disposition:	<input type="checkbox"/> Satisfied <input type="checkbox"/> Not Satisfied	

Date Complaint forwarded to Executive Director		Notes:
Forwarded by:		
Date of Response		
Sent by:		
Copy to file:	<input type="checkbox"/> Yes	

Date response received from Complainant		Notes:
Reviewed by:		
Copy to file:	<input type="checkbox"/> Yes	
Complainants disposition:	<input type="checkbox"/> Satisfied <input type="checkbox"/> Not Satisfied	

Date Complaint forwarded to Board/Counsel		Notes:
Forwarded by:		
Date of Response		
Sent by:		
Copy to file:	<input type="checkbox"/> Yes	

Complaint file reviewed by or sent to State or Federal agency	<input type="checkbox"/> FHWA	<input type="checkbox"/> PennDOT	Notes:
	<input type="checkbox"/> FTA	<input type="checkbox"/> PA BEO	
	<input type="checkbox"/> Other: _____		
Date Sent/Reviewed:			
Sent by:			
Reviewed by:			

SEDA-COG MPO Title VI Complaint Record Template (continued)

Summary of Complaint & Resolution:	

Date Complaint Closed:	
Complaint Officer	(Print)
	(Signature)

V. SAMPLE LETTER REQUESTING APPOINTMENT OF MEMBER TO THE MPO

January 9, 2015

Ms. Amy Dicello, Chief Clerk
Clinton County
232 East Main Street, 3rd Floor
Lock Haven, PA 17745

Re: Re-appointment of Mr. Tim Holladay to the SEDA-COG MPO

Dear Ms. Dicello:

Clinton County is represented on the SEDA-COG Metropolitan Planning Organization (MPO) by Tim Holladay. The SEDA-COG MPO has the authority to conduct transportation planning and programming activities for the eight-county region that includes: Clinton, Columbia, Juniata, Mifflin, Montour, Northumberland, Snyder, and Union Counties.

The SEDA-COG MPO has benefited from the past participation of Mr. Holladay as Clinton County's voting representative on the MPO. It is requested that the Clinton County Commissioners re-appoint Mr. Holladay or a representative of their choosing to continue as the county's voting representative on the SEDA-COG MPO. If the Commissioners concur, please forward me confirmation on county letterhead. Mr. Holladay will be able to send a voting proxy to meetings, as required.

The success of the MPO is ensured by active participation and input from its members. To that end, and in accordance with Title VI regulations and guidelines stipulating non-elected Board representatives endeavor to reflect community demographics within the MPO, including those groups or communities traditionally not well-served by existing transportation systems, SEDA-COG encourages the participation of underserved and potentially vulnerable residents on its Board.

A sample resolution is enclosed for use in confirming your county's re-appointment of a voting member to the SEDA-COG MPO. Please contact me if you would like to receive an electronic version of this resolution.

The re-appointment's total term will last four years; upon expiration, you will be asked to re-appoint your representative to subsequent 4-year terms. Please contact me if you or the Commissioners have any questions.

Sincerely,

James Saylor, P.E., PTOE
Transportation Planning Program Director
SEDA-COG MPO

Enclosure

cc: Mr. Tim Holladay