



Title VI Plan

Franklin County Metropolitan
Planning Organization

Adopted XXX

English

ATTENTION: If you speak another language, language assistance services, free of charge, are available to you. Call (717) 261-3855 or E-mail planning@franklincountypa.gov.

Español

ATENCIÓN: si habla otro idioma, los servicios de asistencia lingüística están disponibles de forma gratuita. Llame al (717) 261-3855 o envíe un correo electrónico a planning@franklincountypa.gov.

中文

注意：如果您使用其他語言，則可以免費使用語言幫助服務。致電（717）261-3855 或發送電子郵件至 planning@franklincountypa.gov,

Deutsch

ACHTUNG: Wenn Sie eine andere Sprache sprechen, stehen Ihnen kostenlose Sprachunterstützungsdienste zur Verfügung. Rufen Sie an (717) 261-3855 oder Per Mail planning@franklincountypa.gov



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Resolution of Adoption



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Phone: (717) 261-3855 | Fax: (717) 264-8667
<https://www.franklincountypa.gov/>

RESOLUTION NUMBER 2024-##

RESOLUTION BY THE FRANKLIN COUNTY

METROPOLITAN PLANNING ORGANIZATION (FCMPO)

ADOPTING THE TITLE VI PLAN

RECITALS

WHEREAS, the Franklin County Metropolitan Planning Organization (FCMPO) developed the Title VI Plan in accordance with federal and state legislative requirements; and

WHEREAS, the Title VI Plan was developed to address the FCMPO’s compliance with the Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987; and

WHEREAS, the Title VI Plan was made available to the public for review and comment in accordance with U.S. Code of Federal Regulations §450.316(a)(3); and

WHEREAS, the Franklin County Planning Department has reviewed and recommended the FCMPO Policy Board’s adoption of Resolution 2024-01 approving the Title VI Plan; and

WHEREAS, the FCMPO Policy Board has completed its review and has determined that the final document has met the aforementioned items.

NOW, THEREFORE, BE IT RESOLVED that the FCMPO Policy Board formally adopts the Title VI Plan.

PASSED AND DULY ADOPTED THIS ___ day of _____, 2024.

FRANKLIN COUNTY
METROPOLITAN PLANNING ORGANIZATION

By: _____

Attest: _____



Policy Statement

The Franklin County Metropolitan Planning Organization (FCMPO) 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, the Civil Rights Restoration Act of 1987, the PA Human Relations Act, and the Pennsylvania Department of Transportation (PennDOT) Title VI Program, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. The FCMPO further assures every effort will be made to ensure non-discrimination in all of its programs and activities, whether those programs and activities are federally funded or not.

The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of the terms “programs or activities” to include all programs or activities of Federal Aid recipients, sub-recipients, and contractors/consultants, regardless of whether such programs and activities are themselves federally assisted (P.L. 100.259 [S.557] March 22, 1988). In the event the FCMPO as the recipient distributes federal aid funds to a sub-recipient, the FCMPO will include Title VI language in all written agreements and will monitor for compliance.

The Franklin County Planning Department is responsible for initiating and monitoring Title VI activities, preparing reports, and other responsibilities as required by 49 CFR 21.

Steven J. Thomas, AICP, Franklin County Planning Director

Date



Title VI Assurances

See Appendix A, USDOT Order No. 1050.2A, Standard Assurances



Introduction

Title VI of the Civil Rights Act of 1964 states:

[N]o person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance

The body of procedures to address this portion of the Civil Rights Act is encompassed by the Title VI Program. Subsequent laws, regulations, directives, and executive orders broadened the factors for which discrimination is prohibited to include sex, disability, age, income, creed, and limited proficiency in English. A list of related authorities is provided in Appendix C. Two Presidential Executive Orders regarding non-discrimination requirements in particular have affected the Title VI Program:

<p>Executive Order 12898</p>	<p>Mandates that federal agencies address Environmental Justice (EJ) for low-income and minority persons and populations</p>	<p>Executive Order 13166</p>	<p>Mandates that federal agencies ensure that people who have limited English proficiency (LEP) have meaningful access to federally-conducted and/or funded programs and activities</p>
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The United States Department of Transportation (USDOT) Order 6640.23 specifies that both the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) are required to implement environmental justice (EJ) principles in all programs, policies, and activities. The three guiding principles of EJ as stated by USDOT are:

<p>1</p> <p>To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority and low-income populations</p>	<p>2</p> <p>To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process</p>	<p>3</p> <p>To prevent the denial of, reduction in, or significant delay in the receipt of benefits</p>
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The FCMPO, as a subrecipient of federal financial assistance, is required to comply with Title VI, the PA Human Relations Act, and subsequent nondiscrimination laws, as well as provide an overview of how the FCMPO addresses Executive Order 12898 on EJ and Executive Order 13166 on LEP. Franklin County provides a Nondiscrimination Statement on its website (see Appendix D) that outlines its commitment to complying with the Americans with Disabilities Act (ADA), Title VI, and Fair Housing Act.

This plan was developed to document and clarify the efforts that the FCMPO undertakes on a regular basis to ensure compliance with the rules and regulations associated with Title VI and related statutes regarding nondiscrimination and environmental justice.



PennDOT's 2020 Title VI Compliance and Implementation Plan can be found online at:

<https://www.penndot.pa.gov/about-us/EqualEmployment/Documents/FHWA%20Title%20VI%20Compliance%20Plan%202020.pdf>

Franklin County MPO Organization and Profile

The FCMPO is the transportation policy- and decision-making entity responsible for transportation planning and programming in Franklin County. The FCMPO is comprised of community members representing transportation and business interests, and local and state governments.

In 2008, the Franklin County Rural Planning Organization (RPO) was established as the county's original planning organization with the goal of guiding decision-making for transportation planning and programming activities throughout Franklin County. As a result of the 2010 Census, the U.S. Census Bureau identified Chambersburg, Franklin County, as an Urbanized Area. Because of this designation, Franklin County has been defined as a metropolitan area. Therefore the previous RPO was re-designated as a Metropolitan Planning Organization in early 2013.

The FCMPO is responsible for preparing a Long-Range Transportation Plan (LRTP), developing an annual Unified Planning Work Program (UPWP), and managing the Transportation Improvement Program (TIP). The FCMPO receives approximately \$13.9 million annually from state and federal sources to advance transportation improvement projects throughout the region. The FCMPO serves Franklin County, which encompasses 773 square miles and approximately 156,000 residents as of the 2020 census.

The FCMPO is staffed by the Franklin County Planning Department and District 8-0 of the Pennsylvania Department of Transportation (PennDOT). The FCMPO consists of a Policy Board to make transportation-related decisions for the region, with 13 voting members and 13 non-voting members, representing PennDOT, public transit operators, and local elected officials.

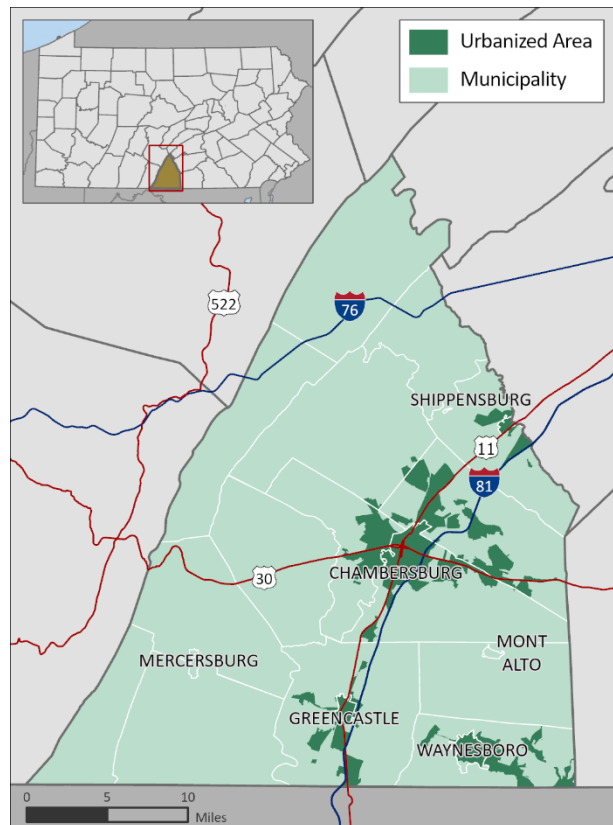


Figure 1 – Franklin County MPO and Chambersburg Urbanized Area



Title VI Compliance Officer

The Franklin County Risk Manager is responsible for Title VI coordination. The Risk Manager responds to any complaints submitted by county residents about discrimination in county proceedings, programs, services, or activities when concerns cannot be resolved at the Franklin County Planning Department level. The Risk Manager works with the Franklin County Planning Department to ensure the implementation and overall management of the FCMPO's Title VI Plan.



Alexis Pennings
Franklin County Risk Manager
Phone: (717) 261-3819
Email: riskmgt@franklincountypa.gov

Specific responsibilities of the Title VI Coordinator include:

- Monitoring and reviewing agency programs, policies, and activities for Title VI compliance
- Collecting and reviewing statistical data (race, ethnicity, sex, age, disability, or national origin) to prevent or obviate potential disparate impacts or disparate treatment discrimination in coordination with the Planning Department
- Working with staff involved in procurement or consulting contracts to ensure that Title VI compliance is met, and mitigating any issue if it is not met
- Maintaining a list of interpretation service providers coordinated through the Planning Department
- Periodically reviewing and updating the FCMPO Title VI Plan in coordination with the Planning Department
- Attending trainings to stay up to date of nondiscrimination procedures and developments
- Resolving Title VI complaints in a timely and thorough fashion
- Serving as ADA coordinator
- Addressing additional language needs whenever necessary



Title VI Components

Demographic Profile

Table 1 and **Figures 2 and 3** below provide a brief statistical profile of Franklin County’s population relative to racial and ethnic minorities, persons with limited English proficiency (LEP), low-income individuals, and persons with a disability. This information helps prevent or obviate potential disparate impacts or disparate treatment discrimination in coordination with the Planning Department.

Table 1 – Racial & Ethnic Composition in Franklin County (ACS 5-Year 2021)

Race & Ethnicity	Total	Percent
White	138,703	89.1%
Black or African American	5,517	3.6%
Native American	737	0.5%
Asian	1,151	0.7%
Mixed-Race	5,043	3.2%
Hispanic (All Races)	9,579	6.2%

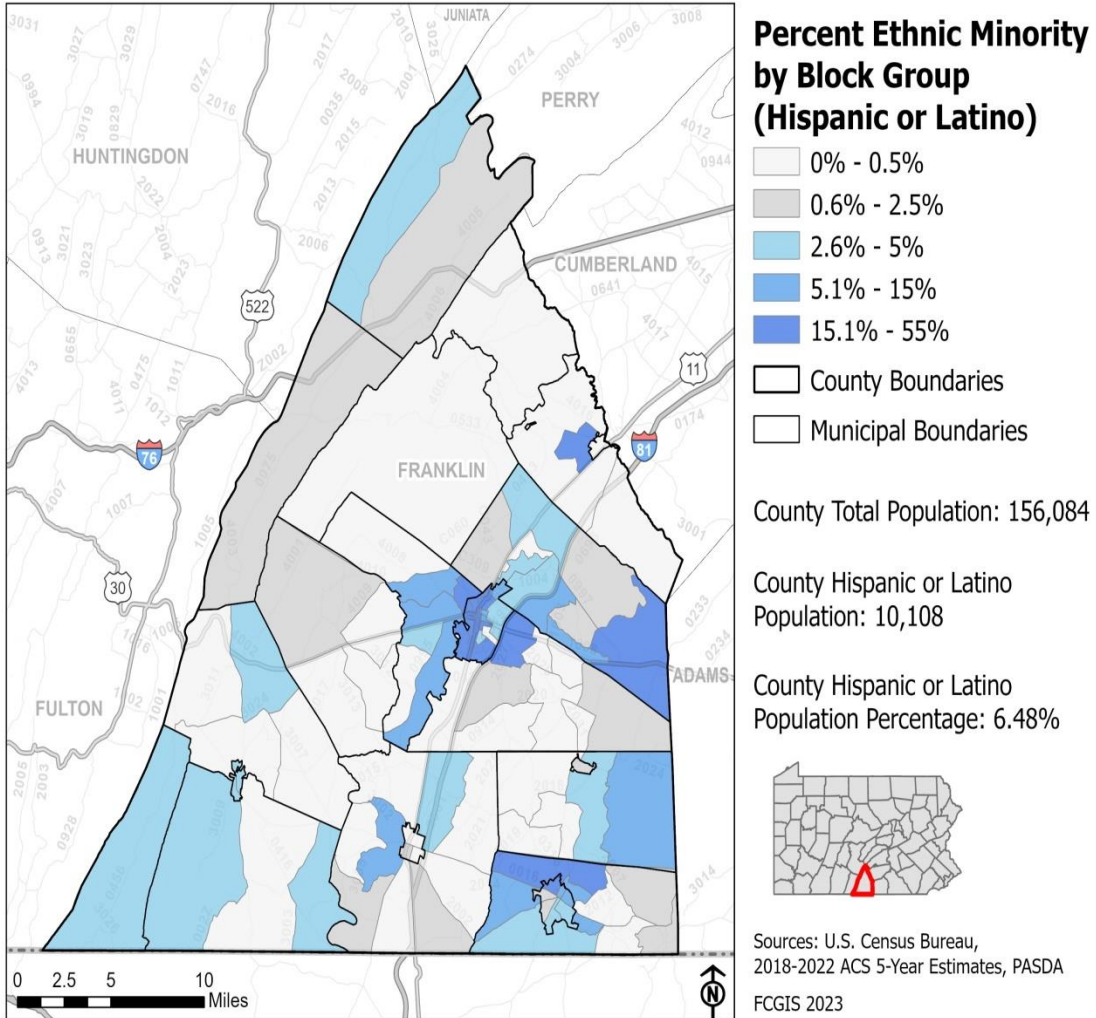


Figure 2 – Map of Ethnic Minorities (Hispanic) in Franklin County (ACS 5-Year 2022)

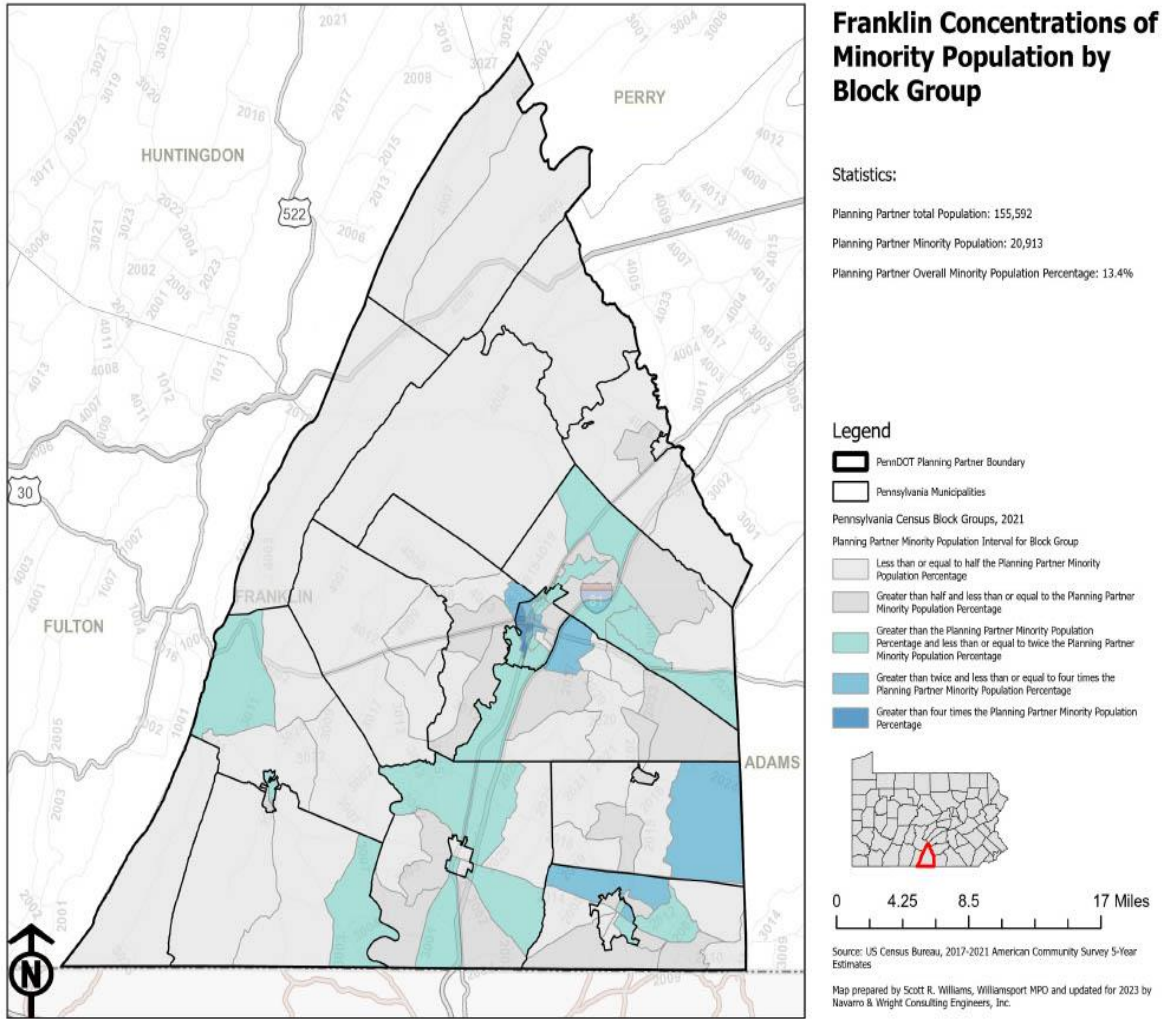


Figure 3 – Map of Minority Population Concentrations in Franklin County (ACS 5-Year 2021)



Public Participation

A major component of Title VI compliance is providing avenues for public participation. FCMPO seeks to encourage public participation by engaging all people and organizations early and often in the transportation-planning process. Its Public Participation Plan (PPP) provides a framework for effective public education and outreach centered on openness, transparency, and flexibility.

The PPP outlines efforts to identify the mobility needs of all populations impacted by transportation decision-making by:

- Consulting and engaging organizations representing minority, low-income, and disabled groups to gain a diversity of input
- Encouraging participations from diverse communities by tailoring outreach efforts to their needs
- Holding meetings at convenient and accessible locations and times
- Utilizing web content, local media outlets, and social media to keep the public informed and involved

The FCMPO's approach to public participation adheres to Pennsylvania's Sunshine Law of 1986 (amended in 1993, 1996, and 1998) to make certain meetings and hearings open to the public and to keep written minutes of all open meetings.

LEP Four-Factor Analysis

In accordance with Title VI of the Civil Rights Act and USDOT's Circular FTA C 4702.1B "Title VI Requirements and Guidelines for Federal Transit Administration Recipients," recipients of federal transportation funds are required to take "reasonable steps to ensure meaningful access to their programs and activities by LEP persons." The guidance recommends that the following four-factor analysis be employed to help determine how best to ensure reasonable and meaningful access to FCMPO activities:

1. The number and proportion of LEP persons eligible to be served or likely to be encountered by the program or recipient.
2. The frequency with which LEP persons come into contact with the program.
3. The nature and importance of the program, activity, or service provided by the program to people's lives.
4. The resources available to the recipient for LEP outreach, as well as the costs associated with that outreach.

Number and Proportion

The 2017-2021 American Community Survey (ACS) 5-year data was used to understand the proportion of LEP individuals in Franklin County. Individuals who speak English less than "very well" are considered to be LEP individuals. As shown in the above Demographic Profile, the LEP population of Franklin County was estimated to be over 4,600 (roughly 3% of county residents over 5 years of age) as of 2021. In the future, updated or site-specific data (to census block group) can be found under the US Census Bureau's S1701 table.



The 2011-2015 ACS 5-year data was used to identify which languages are most commonly spoken by LEP individuals. As shown in **Figure 4**, over 76% of LEP individuals speak Spanish at home, with Germanic languages, Southeast Asian languages, Chinese languages and French languages being the next most prevalent languages. In the future, comparable updated or site-specific data (to census tract) can be found under the US Census Bureau’s C16001 table.

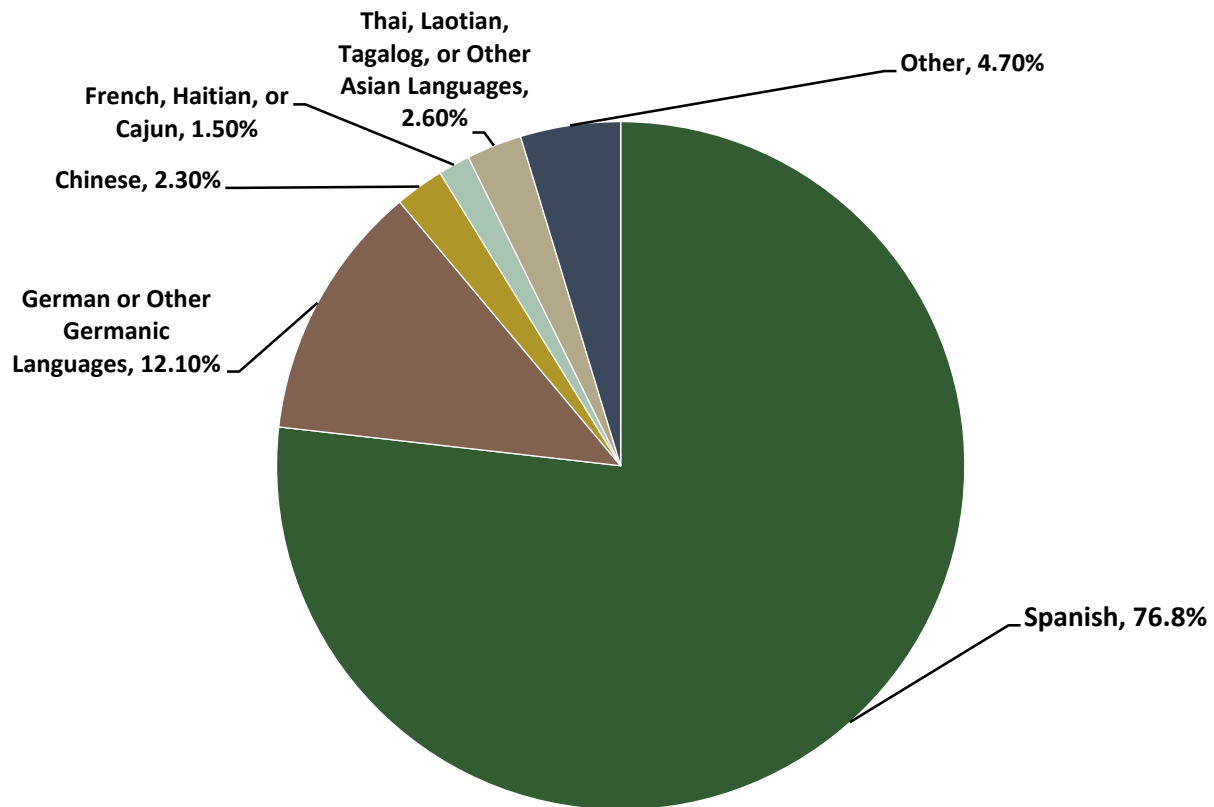


Figure 4 – Percent of LEP Individuals in Franklin County by Primary Language (ACS 5-Year 2015)

Frequency

As it currently stands, FCMPO has yet to receive any requests or complaints related to language barriers in accessing its programs and services, nor any public comment in a language other than English. However, Franklin County MPO is in a secure position to fulfill such requests and address those needs should they arise.

Consistent with Title VI, FCMPO will strive to provide meaningful access to information, services, and important program and activity portions for disenfranchised communities and for LEP individuals.

The FCMPO will continue to keep logs, surveys, and other applicable records to frequently determine the needs of the LEP community. Applicable records may include submitted resource requests, types of resources requested by specific sectors of the community, and grievance forms, in order that the

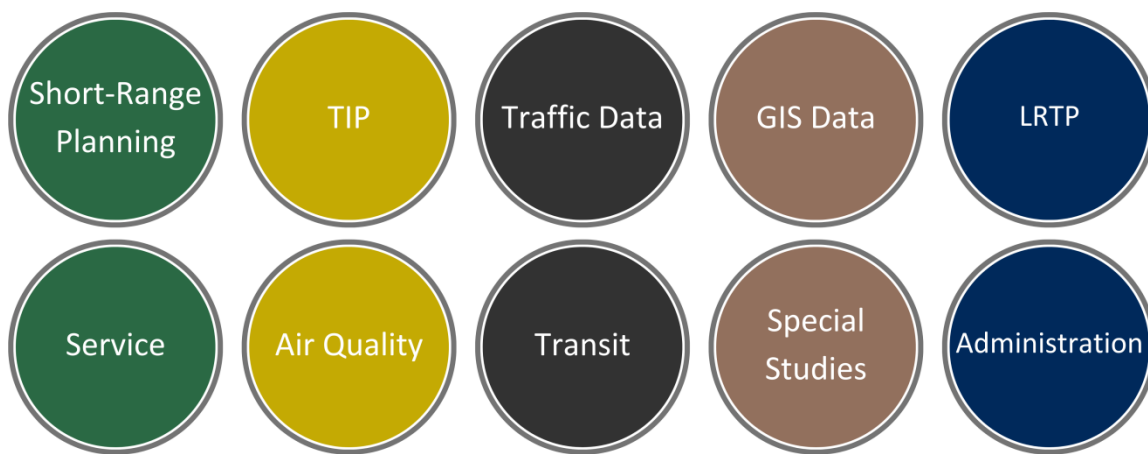


FCMPO may utilize such feedback and be more readily prepared to address such needs in current and future instances.

Importance

The FCMPO approves the use of federal funds for the improvement of the Urbanized Area's transportation system, which is used to transport goods and services, including transportation for emergency medical treatment or services for basic needs (food, housing, education, etc.).

The FCMPO provides opportunities for the public to comment on the following key activities that receive funding from any federally funded entities:



Impacts of transportation improvements that arise from these activities have an impact on all residents and the FCMPO makes efforts to encourage an understanding of the process and to provide opportunities to comment. As a result, the FCMPO is concerned with input from all stakeholders and every effort is made to make the planning process as inclusive as possible.

Through the regional transportation planning process, selected projects receive approval for federal funding and move towards project planning and construction under the responsibility of local jurisdictions or PennDOT. These state and local organizations are required to have their own policies in place to ensure opportunities for LEP individuals to participate in the process that shapes where, how, and when a specific project is implemented.

Resources

The FCMPO values diversity in the region and strives toward the full and fair participation of traditionally underserved populations in the transportation decision-making process.

The FCMPO implements a strategic use of relevant web-based technology, which includes a translate feature, that allows the public access to pertinent information, participation opportunities, and helps to enhance dialog between the public and the FCMPO. This technology is reflected in the FCMPO website



(franklincountypa.gov), which is regularly updated with drafted and approved plans, documents, and studies regarding planning in the region, Policy Board and Technical Advisory Committee information, and contact information.

The FCMPO reaches out to community organizations that interact with LEP individuals on a regular basis and requests that they provide notice of the FCMPO's current planning efforts. These organizations are highlighted in the PPP. This feedback from partner organizations helps widen understanding of the needs of LEP communities in the region. Furthermore, various FCMPO stakeholders advertise jobs and local services in the regional Spanish-language media platform *La Voz* multiple times per year. This resource is especially helpful when advertising events and services in the Chambersburg urban area, since a major share of LEP individuals in the county is concentrated in that area.

At times, Franklin County employs individuals who are bilingual and available to assist as interpreters and translators of shorter length documents and notices. The FCMPO may also utilize the Administrative Office of Pennsylvania Courts' (AOPC) roster of certified interpreters in order to locate certified interpreters when necessary.

LEP Assistance Strategies

The FCMPO has developed the following strategies to address language assistance within the region.

Translation of Select Materials

Because the number and proportion of LEP individuals in the region are low, and because the costs of translation services are high (usually between \$0.15 and \$0.20 per word), translation of all FCMPO written materials is cost prohibitive. However, should the need for oral or written translation of any other document arise, the FCMPO will make a reasonable attempt to provide translation services. The FCMPO will also print taglines in any of the major languages spoken among LEP individuals on public materials to provide directions about the translation services.

Translation Services

To make information more accessible for people with LEP, the Franklin County website uses Google Translate to translate its English content, including vital documents such as the complaint procedures form and summaries of the LRTP, TIP, and UPWP planning documents, into more than 100 languages, including Chinese (simplified and traditional), French, Italian, Portuguese, Russian, and Spanish. In addition, the Franklin County Planning Department evaluates on a regular basis the need for documents and publications to be professionally translated into Spanish, which is the most frequently spoken language other than English in the FCMPO region, and these translated versions are posted to the FCMPO's webpage.

Language Identification Cards

Designated staff members at the FCMPO office are prepared to use "I-Speak" language identification cards when first encountering an individual with LEP. Once the language is known, interpretive services may be arranged by phone. After the initial interaction, interpretive services can be planned for at the next outreach event.



Communication and Public Involvement

The FCMPO believes that public input into the transportation planning process is essential to good decision-making.

Public Participation Plan

The Public Participation Plan (PPP) identifies the processes and procedures used by the FCMPO to provide an effective public education and outreach program. The PPP provides an overall framework for participation in the FCMPO's processes, including outreach for the LRTP, TIP, and UPWP.

The PPP is a living document and will be evaluated and updated periodically. The most recent version is available in Appendix I of this document, as well as on Franklin County's website:

https://franklincountypa.gov/ckeditorfiles/files/Planning/FCMPO/fcmo_public_participation.pdf

Federal regulations require that MPOs define a process for providing interested parties with reasonable opportunities to be involved in the metropolitan transportation planning process. The regulations define these constituencies as citizens, affected public agencies, representatives of public transportation agencies, representatives of users of public transportation, private providers of transportation, freight shippers, providers of freight transportation services, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties.

The PPP identifies specific strategies that the FCMPO will utilize to fully inform the public throughout the decision-making process. These strategies include:

- Providing multiple opportunities for public involvement and comment
- Clearly communicating the transportation planning process to ensure that the process is apparent and understandable
- Identifying broad lists of stakeholders and minority and low-income populations for public participation opportunities
- Encouraging participation from minority and low-income communities by tailoring outreach efforts to their needs
- Providing timely notices and easy access to information
- Holding meetings at convenient and accessible locations and times
- Encouraging participation by promoting respect for different opinions
- Presenting information clearly and effectively through visualization and other proven techniques
- Incorporating public views and preferences into the decision-making process and document the consideration of comments
- Evaluating the effectiveness of the public outreach and involvement efforts periodically to identify necessary adjustments

These strategies aim to increase public interest in local transportation issues and provide an accessible environment for public engagement where all citizens feel comfortable and able to participate.



In addition to these overall strategies, the PPP identifies 18 techniques to educate and involve the public so that the public can help develop solutions for the community. The techniques can be grouped into three main categories:

- **In-Person and Virtual Meetings** – charrettes, citizen advisory committees, focus groups, direct outreach to local community groups, group reconciliation as a neutral facilitator, stakeholder interviews, public meetings, interpretation tools and partnerships held in-person or virtually as needed to ensure access by all.
- **Media Connections** – printed communication materials (posters, newsletters, etc.), emails/listserv distribution, press conferences, media releases, social networking, Franklin County website, legal notices and advertisements in conjunction with local newspapers and websites
- **Information Visualization** – exhibits and displays of planning materials, graphics/maps/diagrams developed to visualize data

These techniques can be used in various combinations to simplify the access of various transportation-related documents and increase public awareness of the metropolitan transportation planning process.

Activities and Outreach to Minority Groups

To increase the public’s involvement in the planning process and encourage participation from all people, including those considered as being traditionally underserved, the FCMPO will use a variety of public outreach activities. Outreach activities will include, but may not be limited to, attending other organizations’ meetings, conducting public surveys, and giving presentations to the public. The FCMPO will make a concerted effort to proactively engage minority groups within the FCMPO’s region.

Consultation with Tribes and Nations

The FCMPO recognizes that all land within the planning boundary has ancestral and cultural ties to tribes and nations. As such, the FCMPO actively and directly engages in consultation with the communities listed in **Figure 5** during the development of major transportation planning documents.

Franklin County Tribes and Nations
<ul style="list-style-type: none"> • Absentee-Shawnee Tribe of Indians of Oklahoma • Delaware Nation, Oklahoma • Delaware Tribe of Indians • Eastern Shawnee Tribe of Oklahoma • Saint Regis Mohawk Tribe • Seneca-Cayuga Nation • Shawnee Tribe • Tuscarora Nation

Figure 5 - Franklin County Tribes and Nations

Past Meeting Locations

All FCMPO meetings are publicly advertised pursuant to the Pennsylvania Sunshine Act and are held in various ADA-accessible facilities located conveniently throughout the FCMPO region. All meeting advertisements encourage interested participants to contact the Franklin County Planning Department in advance of the meeting to confirm accessibility needs or accommodations. The meeting location is dependent upon the meeting type, purpose, and opportunity to engage diverse populations. Listed meeting locations are accessible via public transit where available. **Table 2** provides a list of such facilities that the FCMPO has used and will continue to use for meetings.



Table 2 – FCMPO Meeting Facilities

Facility Name	Physical Address
Franklin County Administrative Building	272 North Second Street Chambersburg, PA 17201
Coyle Free Library	102 North Main Street Chambersburg, PA 17201
Chambersburg Borough Office	100 South Second Street Chambersburg, PA 17201
Greencastle-Antrim High School	300 South Ridge Avenue Greencastle, PA 17225
Mercersburg Borough Office	113 South Main Street Mercersburg, PA 17236
Southampton Township Municipal Building	705 Municipal Drive Shippensburg, PA 17257
Waynesboro Borough Office	55 East Main Street Waynesboro, PA 17268

Analysis of Benefits and Burdens

Regional Disparate Impact Analysis

According to the FTA’s Circular 4702.1B: “Disparate impact refers to a facially neutral policy or practice that disproportionately affects members of a group identified by race, color, or national origin, where the recipient’s policy or practice lacks a substantial legitimate justification and where there exists one or more alternatives that would serve the same legitimate objectives but with less disproportionate effect on the basis of race, color, or national origin.”

The FCMPO works to avoid discrimination when evaluating and prioritizing transportation projects. In the development of the TIP, the FCMPO conducts an analysis of the benefits and burdens associated with both TIP and LRTP projects and assesses the potential impacts that these projects are anticipated to have on the communities within the region. The FCMPO examines the location of future projects in relation to the geographic location of underserved communities to improve transportation accessibility and mobility for all impacted populations. As listed below, methods used to identify potential inequities in transportation improvements and studies include:

- Developing maps using GIS to analyze the most current U.S. Census data and identify low-income and minority populations within the project’s study area;
- Evaluating pavement, bridge, safety and transit conditions and needs in relation to planned projects; and



- Using mapping and data analysis to strengthen outreach efforts in the communities most directly impacted by transportation projects.

Project-Specific Equity Analysis

The FCMPO coordinates with rabbittransit in addressing fixed-route and demand-response services within the region. For other instances in which a project is anticipated to have a negative impact(s) on a community or area, the process outlined in the National Environmental Policy Act (NEPA) provides the community with the projected impacts of the project and the legal documentation verifying that no other alternatives offer fewer adverse impacts while still addressing the project's needs.

In accordance with FTA regulations, the FCMPO completes an equity analysis for each project to ensure that decisions about project location are made without regard to race, color, sex/gender or national origin.

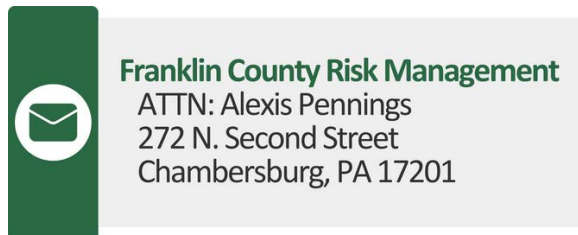
Per guidance in the FTA Circular, the equity analysis must:

- Include outreach to persons potentially impacted by the siting of the project;
- Compare impacts of various siting alternatives;
- Determine if cumulative adverse impacts might result due to the presence of other projects with similar impacts in the areas; and
- Occur before the selection of the preferred alternative.

If there would be any disparate impacts on such groups, the FCMPO would then determine whether there is a substantial, legitimate justification for the project decision that resulted in the disparate impact, and whether there are viable alternatives that could be employed that would have a less discriminatory impact.

Monitoring Process and Complaint Procedures

Any person who believes that he or she has been discriminated against by the FCMPO on the basis of race, color, national, origin, sex/gender, age, creed, or other applicable distinction enumerated in the Title VI and PA Human Relations Act laws and was unable to resolve the concern through the FCMPO or Franklin County Planning Department may file a Title VI complaint by writing a letter of complaint to the County Risk Manager at:





Alternatively, complaints may be filed with the following:

Pennsylvania Department of Transportation Bureau of Equal Opportunity P.O. Box 3251 Harrisburg, PA 17105-3251	Department of Transportation Departmental Office of Civil Rights 1200 New Jersey Ave, S.E. Washington, DC 20590
Federal Highway Administration Pennsylvania Division Office 30 North Third Street, Suite 700 Harrisburg, PA 17101	U.S. Department of Justice Civil Rights Division 950 Pennsylvania Avenue, N.W. Office of the Assistant Attorney General, Main Washington, D.D. 20530
Federal Transit Administration Office of Civil Rights Attn: Complaint Team East Building, 5 th Floor – TCR 1200 New Jersey Avenue, SE Washington, DC 20590	Federal Highway Administration U.S. Department of Transportation Office of Civil Rights 1200 New Jersey Avenue, SE 8 th Floor E81-105 Washington, DC 20590

A complaint must be submitted in writing within 180 days of the alleged occurrence or when the alleged discrimination became known to the complainant. Complaints may be mailed, faxed, or emailed. Complainants may present allegations in-person or via phone, and the Risk Manager or other person taking the information will transcribe the allegations of the complaints as provided, sending the written complaint to the complainant for correction and signature.

Complaints must contain the following information:

- A written explanation of what has happened;
- A way to contact the complainant;
- The identification of a specific person/people and the respondent (e.g. agency/organization) alleged to have discriminated;
- Sufficient information to understand the facts that led the complainant to believe that discrimination occurred in a program or activity that receives federal financial assistance; and
- The date(s) of the alleged discriminatory act(s). The complaint should indicate if the alleged discrimination is on-going.

Complainants may submit complaints using the FCMPO complaint form found in Appendix H. Further instructions for the complaint process can be found in **Appendix E** and on the county’s website at: https://franklincountypa.gov/index.php?section=planning_fcmpto_FCComplianceProgram

As of 2023, no complaints were issued within the past four years.



Complaints received directly by the FCMPO will be routed to PennDOT for processing within five days of receiving a completed complaint from the complainant. The FCMPO will log the complaint on the date the completed complaint is received.

If the complaint is referred (or delegated) to the FCMPO for investigation, the complainant and respondent will be notified. The FCMPO will conduct all data requests, interviews, and analysis. Upon completion of the investigation, the FCMPO will create a Report of Investigation (ROI), which will be sent to the referring body. The referring entity will issue the Letter of Finding (LOF). All LOFs are administratively final.

The contents of investigation files are confidential and will only be disclosed to appropriate federal and state authorities. Investigation files will be maintained in accordance with retention schedules and federal guidelines.

Initiatives for Increased Accessibility and Transparency

The FCMPO Policy Board has worked diligently to provide all county residents with opportunities to participate in the transportation planning process and it continues to seek new ways to enhance public access to Title VI materials. Several additional initiatives have been identified that would increase accessibility and transparency of the FCMPO's Title VI procedure and the Policy Board, with support from Franklin County, will strive to make measurable progress with implementing such initiatives.

These initiatives include:

- Making the Grievance Procedure Statement available as a page on Franklin County's website in addition to the pdf currently available. This will allow the Google Translate feature on the website to be applied to the grievance procedure.
- Make an online Title VI Complaint Form available on the county website as both an editable form and as a printable (English) pdf. A sample complaint form can be found in Appendix G.
- Add an abbreviated Nondiscrimination Statement (see Appendix D) to all announcements for public meetings, seminars, and FCMPO meetings, as well as on all official FCMPO documents. Such a statement could read as follows:

The Franklin County Metropolitan Planning Organization (FCMPO) assures that no person shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination on the grounds of race, color, national origin, religion, or sex, as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (P.L. 100.259). As soon as possible but no later than seven days before a scheduled event, accommodations may be provided at any meeting open to the public for those with special needs related to language, speech, sight, or hearing. If you have a request for a special need, wish to file a complaint, or desire additional information, please contact the FCMPO at the Franklin County Planning Department (717) 261-3855 or planning@franklincountypa.gov. Concerns or complaints not addressed by the FCMPO or Planning Department can be referred to (717) 261-3819 or riskmgt@franklincountypa.gov.



Appendix A: USDOT Order No. 1050.2A, Standard Assurances

The United States Department of Transportation (USDOT)

Standard Title VI/Non-Discrimination Assurances

DOT Order No. 1050.2A

The Franklin County Metropolitan Planning Organization (herein referred to as the "Recipient"), **HEREBY AGREES THAT**, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT) through its various operating administrations and bureaus, which include but are not limited to, the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA), and through the Pennsylvania Department of Transportation (PennDOT) is subject to and will comply with the following:

Statutory/Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 C.F.R. Part 21 (entitled Non-discrimination in Federally Assisted Programs of The Department Of Transportation-Effectuation Of Title VI Of The Civil Rights Act Of 1964);
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);

The preceding statutory and regulatory cites hereinafter are referred to as the "Acts" and "Regulations," respectively.

General Assurances

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure 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, "for which the Recipient receives Federal financial assistance from PennDOT, including the Federal Highway Administration.

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Non-discrimination requirements (The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these non-discrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted Highway Program:

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23(b) and 21.23(e) of 49 C.F.R. § 21 will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.
2. The Recipient will insert the following notification in all solicitations for bids, Requests for Proposals for work, or material subject to the Acts and the Regulations made in connection with the Federally-assisted Highway Program. And in adapted form, in all proposals for negotiated agreements regardless of funding source:

" The Franklin County Metropolitan Planning Organization, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."
3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
 - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, 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 will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, the Recipient, also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the Federal Highway Administration's access to records, accounts, documents, information, facilities, and staff. The Recipient also recognizes that it must comply with any program or compliance reviews, and/or complaint investigations conducted by the Federal Highway Administration. The Recipient must keep records, reports, and submit the material for review upon request to the Federal Highway Administration, or its designee in a timely, complete, and accurate way. Additionally, The Recipient must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

The Recipient gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the Federally-assisted Highway Program. This ASSURANCE is binding on the Recipient other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the Federally assisted Highway Program. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

Franklin County Metropolitan Planning Organization

by _____
(*Signature of Authorized Official*)

DATED _____

APPENDIX A

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 (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Federal Highway Administration, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Non-discrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the Federal Highway Administration to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the Federal Highway Administration, as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of a contractor's noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:
 - a. withholding payments to the contractor under the contract until the contractor complies; and/or
 - b. cancelling, terminating, or suspending a contract, in whole or in part.

6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

APPENDIX B

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that the Recipient will accept title to the lands and maintain the project constructed thereon in accordance with Title 23, United States Code, the Regulations for the Administration of Federally-assisted Highway Program and the policies and procedures prescribed by the Federal Highway Administration of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. § 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the Recipient all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto Recipient and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and will be binding on the Recipient its successors and assigns.

The Recipient in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will 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 with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed [,] [and]* (2) that the Recipient will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended [, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction].*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to make clear the purpose of Title VI.)

APPENDIX C

CLAUSES FOR TRANSFER OF REAL PROPERTY ACQUIRED OR IMPROVED UNDER THE ACTIVITY, FACILITY, OR PROGRAM

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the Commonwealth of Pennsylvania, Department of Transportation pursuant to the provisions of Assurance 7(a):

- A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that:
 1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
- B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, Commonwealth of Pennsylvania, Department of Transportation will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.*
- C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the Commonwealth of Pennsylvania, Department of Transportation will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the Recipient and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

APPENDIX D

CLAUSES FOR CONSTRUCTION/USE/ACCESS TO REAL PROPERTY ACQUIRED UNDER THE ACTIVITY, FACILITY OR PROGRAM

The following clauses will be included in deeds, licenses, permits, or similar instruments/agreements entered into by Recipient pursuant to the provisions of Assurance 7(b):

- A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, "as a covenant running with the land") that (1) no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.
- B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Non-discrimination covenants, Recipient will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.*
- C. With respect to deeds, in the event of breach of any of the above Non-discrimination covenants, the Recipient will there upon revert to and vest in and become the absolute property of the Recipient and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

APPENDIX E

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

Pertinent Non-Discrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures Non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of Limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).

Appendix B: Contractor Agreement

DURING THE PERFORMANCE OF THIS CONTRACT, THE CONTRACTOR FOR ITSELF, ITS ASSIGNEES, AND ITS SUCCESSORS IN INTEREST (HEREINAFTER REFERRED TO AS THE “CONTRACTOR”) AGREES TO THE FOLLOWING:

Compliance with Regulations

The contractor (herein including consultants) will comply with the Acts and the Regulations relative to nondiscrimination in federally assisted programs of the U.S. Department of Transportation and the Federal Highway Administration, as they may be amended from time to time subsequently, which are herein incorporated by reference and made a part of this contract.

Nondiscrimination

The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, sex, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.

Solicitations for Subcontracts, Including Procurements of Materials and Equipment

In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor’s obligations under this contract and the Acts and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.

Information and Reports

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

Sanctions for Noncompliance

In the event of a contractor’s noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:

1. withholding payments to the contractor under the contract until the contractor complies; and/or
2. cancelling, terminating, or suspending a contract, in whole or in part.

Incorporation of Provisions

The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

The contractor also agrees to comply with the following nondiscrimination statutes and authorities, including but not limited to:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), and 49 CFR Part 21
 - prohibits discrimination on the basis of race, color, national origin;
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. §4601)
 - prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects;
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.)
 - prohibits discrimination on the basis of sex;
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended; and 49 CFR Part 27
 - prohibits discrimination on the basis of disability;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.)
 - prohibits discrimination on the basis of age;
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended
 - prohibits discrimination based on race, creed, color, national origin, or sex;
- The Civil Rights Restoration Act of 1987, (PL 100-209)
 - Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973 by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not;
- Titles II and III of the Americans with Disabilities Act
 - prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and

certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;

- The Federal Aviation Administration’s Non-discrimination statute (49 U.S.C. § 47123)
 - prohibits discrimination on the basis of race, color, national origin, and sex;
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations
- ensures discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency;
- Resulting agency guidance, national origin discrimination includes discrimination because of Limited English Proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);

Appendix C: Clauses for Deeds Transferring Property

Clauses for Deeds Transferring Property

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that the Franklin County Metropolitan Planning Organization will accept title to the lands and maintain the project constructed thereon in accordance the Regulations for the Administration of the Federal-Aid Highway Program and the policies and procedures prescribed by the Federal Highway Administration of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the U.S Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. § 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the Franklin County Metropolitan Planning Organization all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto the Franklin County Metropolitan Planning Organization and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and will be binding on the Franklin County Metropolitan Planning Organization, its successors and assigns.

The Franklin County Metropolitan Planning Organization in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will 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 with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed [,] [and]* (2) that the Franklin County Metropolitan Planning Organization will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended[,] and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction].*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to make clear the purpose of Title VI.)

Appendix D: Authorities and Regulations

Federal Statutes

Title VI of the Civil Rights Act of 1964, Pub. L. No. 88-352, 78 Stat. 252 (1964) (42 U.S.C. §§ 2000d-2000d-7)

Provides 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 subjected to discrimination under any program or activity receiving Federal financial assistance.

The Age Discrimination Act of 1975 (42 U.S.C §§ 6101-6107)

Prohibits age discrimination in Federally Assisted Programs.

The Federal-Aid Highway Act, (49 U.S.C. § 306)

Outlines responsibilities of the U.S. DOT and the Secretary's authority to determine compliance with applicable Civil Rights statutes.

The Federal-Aid Highway Act, Pub. L. No. 97-449, 96 Stat. 2421 (1983) (codified as amended at 49 U.S.C. § 306)

Added the requirement that there be no discrimination on the grounds of sex in U.S. DOT financial assistance programs.

The 1973 Federal-Aid Highway Act, Pub. L. No. 93-87, 87 Stat. 250 (1973) (23 U.S.C. § 324)

Added the requirement that there be no discrimination on the grounds of sex in Title 23 programs.

The Civil Rights Restoration Act of 1987, Pub L. No 100-259, 102 Stat. 28 (1988)

Restored the broad, institution-wide scope and coverage of the nondiscrimination statutes to include all programs and activities of Federal-aid recipients, sub-recipients and contractors, whether such programs and activities are federally assisted or not.

The Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970, Pub. L. No. 91-646, 84 Stat. 1894 (1971) (codified as amended at 42 U.S.C. §§ 4601-4638)

Provides for fair treatment of persons displaced by Federal and Federal-aid programs and projects.

The Uniform Relocation Act Amendments of 1987, Pub. L. No. 101- 246

Updated the 1970 Act and clarified the intent of Congress in programs and projects which cause displacement.

Rehabilitation Act Amendments of 1986, Pub L. No. 99-506, 100 Stat. 1807 (1986) (42 U.S.C. § 2000d-7)

Abrogated recipient state sovereign immunity from suit under Title VI.

The American with Disabilities Act, Pub. L. 101-336

Provides enforceable standards to address discrimination against individuals with disabilities.

The American with Disabilities Act, Pub. L. No. 101-336, 104 Stat. 327 (1990) (codified as amended at 42 U.S.C. § 12101 et seq.)

Added the requirement that there be no discrimination on the grounds of disability, abrogated sovereign immunity, and provided enforceable standards to address discrimination against individuals with disabilities.

The Civil Rights Act of 1991, Pub. L. No. 102–166, 105 Stat. 1071 (1991) (codified in part at 42 U.S.C. § 1981)

In part, amended Section 1981 of 42 U.S.C. to provide a definition for the term “make and enforce contracts”, and to provide protection of the rights protected by this section against impairment by nongovernmental discrimination under color of State law.

Title VIII of the 1968 Civil Rights Act, Pub. L. No. 90-284, 82 Stat. 81 (1968) (codified as amended at 42 U.S.C. § 3601 et seq)

Requires fair housing practices in the sale or rental of housing, and zoning and planning by localities.

The National Environmental Policy Act of 1969, Pub. L. No. 91-190, 83 Stat. 852 (1969) (42 U.S.C. § 4321)

Requires the preparation of environmental impact statements for major federal agency actions affecting the human environment. Under NEPA, federal agencies and federal aid recipients are required to consider several alternative actions, including the “no-action” alternative, and to consider social, environmental and economic impacts, public involvement.

Title IX of the Education Amendments of 1972, Pub. L. No. 92-318, 86 Stat. 374 (1972) (20 U.S.C.A. § 1682)

Makes financial assistance available to institutions of higher education.

Transportation Equity Act for the 21st Century, Pub. L. No. 105–178, 112 Stat. 107 (1999) (codified in part at 23 U.S.C. § 101)

Mandates expenditures in federally assisted transportation programs through Disadvantaged Business Enterprises.

Executive Orders

E.O. 12250, 28 C.F.R. Pt. 41, App. A (1980)

Orders DOJ leadership and coordination of nondiscrimination laws.

E.O. 12259, 46 Fed. Reg. 1253 (1980)

Orders US Department of Housing and Development leadership and coordination of federal fair housing programs.

E.O. 12898, 59 Fed. Reg. 7629 (1994)

Orders federal actions to address Environmental Justice in minority populations and low-income populations.

E.O. 13160, 65 Fed. Reg. 39775 (2000)

Orders nondiscrimination on the basis of race, sex, color, national origin, disability, religion, age, sexual orientation, and status as a parent in federally conducted education and training programs.

E.O. 13166, 65 Fed. Reg. 50121 (2000)

Orders federal agencies and their recipients to improve access to federally sponsored programs for persons with Limited English Proficiency.

E.O. 13175, 65 Fed. Reg. 218 (2000)

Orders Consultation and Coordination with Indian Tribal Governments.

Federal Regulations

23 C.F.R. §200

FHWA's Title VI Program implementation and review procedures.

23 C.F.R. Part 420.121(h)

Part of FHWA's planning regulations that specify the applicability of Title VI of the 1964 Civil Rights Act and Restoration Act of 1987 to FHWA funded planning and research activities.

23 C.F.R. Part 450

Federal Highway Administration's Statewide and Metropolitan Planning Regulations.

23 C.F.R. Part 450.316(b) (2) & (3)

Requires that the metropolitan planning process be consistent with Title VI of the 1964 Civil Rights Act and the recipient's Title VI Assurances.

23 C.F.R. Part 633, Subpart A

Specifies required contract provisions to be included in all Federal-aid construction contracts under Title VI and other federal provisions.

23 C.F.R. Part 633, Subpart B, Appendix A

Specifies the types of contracts to which Title VI of the 1964 Civil Rights Act applies.

23 C.F.R. Part 771.105(f)

FHWA's Policy on Title VI – expands on 23 C.F.R. 200.7 and names categories covered with wording similar to Title VI of the Civil Rights Act of 1964 – race, color, national origin, age, sex, handicap.

28 C.F.R. Part 35

DOJ regulations governing nondiscrimination on the basis of disability in State and local government services.

28 C.F.R. Part 41

Requires DOJ to coordinate the implementation of Section 504 of the Rehabilitation Act and provides guidelines for determining discretionary practices.

28 C.F.R. Part 42, Subpart C

DOJ's implementation of Title VI of the Civil Rights Act of 1964.

28 C.F.R. Part 42.200, Subpart D

"Nondiscrimination in Federally assisted Programs – Implementation of Section 815 (c) (1) of the Justice System Improvement Act of 1979." Implements E.O. 12138.

28 C.F.R. Part 50.3

DOJ's guidelines for the enforcement of Title VI, Civil Rights Act of 1964.

49 C.F.R. Part 21

U.S. DOT's implementation of Title VI of the Civil Rights Act of 1964.

49 C.F.R. Part 24

USDOT's implementation of the Uniform Relocation and Real Property Acquisition Act for Federal and federally assisted programs requiring compliance with Nondiscrimination Statutes and Executive Orders.

49 C.F.R. Part 25

USDOT's implementation of Title IX of the Education Amendments Act of 1972.

49 C.F.R. Part 26

USDOT's implementation of Participation by Disadvantaged Business Enterprises in DOT Financial Assistance Programs.

49 C.F.R. Part 27

USDOT's implementation of Section 504 of the Rehabilitation Act of 1973 as amended.

49 C.F.R. Part 28

Enforcement of Nondiscrimination on the Basis of Handicap in Programs or Activities Conducted by the Department of Transportation.

49 C.F.R. Part 37

Transportation Services for Individuals with Disabilities, implementing the transportation and related provisions of Title II and III of the ADA proscriptions included in Form FHWA 1273.

Administrative Guidance

DOT Order 1000.12

Implementation of the Department of Transportation Title VI Program.

DOT Order 1050.2

Standard Title VI Assurances.

DOT Order 5610.2

U.S. Department of Transportation Order to Address Environmental Justice in Minority Populations and Low-Income Populations.

FHWA Order 4710.1

Right-of-Way Title VI Review Program.

FHWA Order 4710.2

Civil Rights Compliance Reviews of Location Procedures.

FHWA Order 4720.6

Civil Rights Restoration Act of 1987 in FHWA Programs.

FHWA Order 6640.23

Actions to Address Environmental Justice in Minority Populations and Low-Income Populations.

Joint FHWA/FTA Memorandum dated October 7, 1999

Guidance on Implementing Title VI in Metropolitan and Statewide Planning.

DOJ Policy Guidance Document dated January 11, 2002

Memo re: E.O. 13166, Improving Access to Services for persons with Limited English Proficiency.

DOJ Policy Guidance Document dated January 18, 2002

Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition against National Origin Discrimination Affecting Limited English Proficient Persons.

USDOT Policy Guidance Document dated December 14, 2005

Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) persons.

FTA C 4702.1B (October 1, 2012)

"Title VI Requirements and Guidelines for Federal Transit Administration Recipients." Provides FTA financial assistance recipients with guidance on implementing Title VI regulations.

Pennsylvania Statutes

PA Human Relations Act, Act of 1955, P.L. 744, No. 222, as amended Act 34 OF 1997, 43 P.S. §§ 951-963

Prohibiting certain practices of discrimination because of race, color, religious creed, ancestry, age or national origin by employers, employment agencies, labor organizations and others as herein defined; creating the Pennsylvania Human Relations Commission in the Governor's Office; defining its functions, powers and duties; providing for procedure and enforcement; providing for formulation of an educational program to prevent prejudice; providing for judicial review and enforcement and imposing penalties defining "advertisement" and "advertiser"; and providing for certain forms of advertisement, for limitations and for civil penalties.

Appendix E: Title VI Nondiscrimination Statement



NOTICE UNDER THE FEDERAL & STATE NON-DISCRIMINATION REGULATIONS

In accordance with the requirements of federal and state non-discrimination laws and regulations, Franklin County will not discriminate against qualified individuals on the basis of age, race, color, and national origin in county proceedings, services, programs, or activities.

AMERICANS WITH DISABILITIES ACT

In accordance with the requirements of title II of the Americans with Disabilities Act of 1990 (ADA), Franklin County will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

In accordance with the requirements of Title VI of the Civil Rights Act of 1964, as amended, Franklin County will not discriminate against qualified individuals on the basis of race, color, or national origin.

FAIR HOUSING ACT

In accordance with the requirements of federal Housing & Urban Development Fair Housing Act, Franklin County will not discriminate against qualified individuals on the basis of race, color, national origin, religion, sex (gender), disability and the presence of children; when renting, buying, or securing financing for any housing.

Effective Communication: Franklin County will generally, upon request, provide appropriate aids and services leading to effective communications for qualified persons on the basis of age, race, color, national origin, disability, sex (gender), or religion; so they can participate equally in Franklin County proceedings, programs, services, and activities.

Modifications to Policies and Procedures: Franklin County will make all reasonable modifications to policies and programs to ensure that qualified individuals on the basis of age, race, color, national origin, disability, sex (gender), or religion have an equal opportunity to enjoy all County proceedings, programs, services, and activities.

Requesting Accommodation: Franklin County Operations are available to assist in making their programs, services, and activities available to qualified individuals. Should you require an auxiliary aid or service for effective communication; a modification of policies or procedures to participate; or assistance in accessing a proceedings, program, service or activity; please contact the responsible County Department or Operation to make your need known. If they are unable to make the program, service or activity available in a reasonable manner, you may contact **Alexis Pennings at (717) 261-3819 or riskmgt@franklincountypa.gov** to request further assistance and/or file a complaint. The County typically needs to receive the request at least five (5) business days before the accommodation is needed. Requests coming in with less than five (5) business days' notice will be granted, if they are possible.

Please note, Franklin County is not required to take any action that would fundamentally alter the nature of its programs or services or impose an undue financial or administrative burden. Also, Franklin County will not charge an individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy in order to provide proceedings, programs, services, or activities.

ljm:10.3.16

Appendix F: Grievance Procedure Statement

Franklin County Compliance Program

Grievance Process for Discrimination Based Program/Service Complaints

Age, race, color, national origin, disability, sex/gender, or religion related complaints arising from Franklin County proceedings, programs, services, and activities should be in writing and contain information about the issue; to include **name, address, phone number and/or email address of contact, along with location, date, and description of the concern**. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint are acceptable alternatives for qualified individuals, when requested.

The complaint should be submitted as soon as possible, but no later than 180 calendar days after the concern is identified to:

Alexis Pennings
Franklin County Risk Management Department
Franklin County Administrative Building
272 North Second Street Chambersburg, PA 17201
(717)-261-3819, or by email to riskmgt@franklincountypa.gov

Within 30 calendar days, from receipt of the complaint, the Risk Manager will meet with the person filing the complaint to discuss the concern and their suggestions to reasonably resolve the issue. Within 15 calendar days of the meeting, the Risk Manager will respond in writing, and where appropriate, in a format convenient for the individual (i.e., large print or audio tape). The response will explain the position of the county and offer options for resolution of the complaint.

If the response by the Risk Manager does not satisfactorily resolve the concern, the person filing the complaint and/or their designee may appeal the decision within 15 calendar days, after receipt of the response from the Risk Manager, to the County Commissioners or their designee.

Within 15 calendar days after receipt of the request to appeal, the County Commissioners or their designee will meet with the person filing the appeal to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the County Commissioners or their designee will respond in writing, and where appropriate, in a format accessible to the individual, with a final resolution of the complaint.

All written complaints received by the Risk Manager, appeals to the County Commissioners or their designee, and responses from these two offices will be retained by the county for at least three (3) years.

Appendix G: PennDOT Discrimination Complaint Form



DISCRIMINATION COMPLAINT FORM

Name		Phone	Name of Person(s) That Discriminated Against You		
Address (Street No., P.O. Box, Etc.)			Location	Position of Person (If Known)	
City	State	Zip	City	State	Zip
Discrimination Because of: <input type="checkbox"/> Race/Color* <input type="checkbox"/> Sex <input type="checkbox"/> Disability** <input type="checkbox"/> Age <input type="checkbox"/> National Origin* <input type="checkbox"/> Retaliation <input type="checkbox"/> Religion			Date(s) of Alleged Incident(s)		
Explain as briefly and clearly as possible what happened and how you were discriminated against. Indicate who was involved. Be sure to include how other persons were treated differently than you. Also, attach any written material pertaining to your case.					
Signature			Date		

Please submit this form to one of the following agencies:

<p>Pennsylvania Department of Transportation</p> <p>Bureau of Equal Opportunity</p> <p>P.O. Box 3251 Harrisburg, PA 17105-3251 Phone: (717) 787-5891</p> <p>Email: penndoteoreports@pa.gov</p>	<p>Federal Highway Administration</p> <p>U.S. Department of Transportation Equal Opportunity Specialist</p> <p>Pennsylvania Division Office 228 Walnut Street, Room 508 Harrisburg, PA 17101-1720</p> <p>Phone: (717) 221-3705</p>	<p>Federal Motor Carrier Safety Administration</p> <p>U.S. Department of Transportation</p> <p>FMCSA Office of Civil Rights</p> <p>1200 New Jersey Avenue, SE Washington DC, 20590 ATTN: Room W65-312</p> <p>Phone: (202) 366-8810</p>	<p>U.S. Department of Justice</p> <p>Office of Justice Programs</p> <p>Office for Civil Rights 810 7th Street, NW Washington, DC 20531</p> <p>Phone: (202) 307-0690 Phone (TDD): 202-307-2027</p>
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* indicates is specific to Title VI of the Civil Rights Act of 1964 **indicates is specific to Americans with Disabilities Act of 1990

Appendix H: Franklin County Example Discrimination Complaint Form

Title VI Statement

The Franklin County Metropolitan Planning Organization (MPO) assures that no person shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination on the grounds of race, color, national origin, religion, sex, or Limited English Proficiency as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (P.L. 100.259).

Any person who believes that they have been subjected to discrimination on the grounds of race, color, national origin, religion, sex, or Limited English Proficiency may file a complaint with the Franklin County MPO within 180 calendar days of the occurrence, when the discrimination became known to the Complainant, or for ongoing discrimination the latest occurrence.

Non-Discrimination Complaint Form

(A PDF version of this form is also available in English to be printed, filled out, and mailed)

Complainant Name: _____

Name of Individual Assisting Complainant: _____

Phone Number: _____

Assisting Individual Phone Number: _____

Email Address: _____

Mailing Address

Basis of Complaint (Check All that Apply):

Race

Age

Color

Disability

National Origin

Retaliation

Sex

Other: _____

Date(s) of the alleged discrimination: _____



Please provide a detailed description of the circumstances of the incident(s), including any additional information supporting your complaint.

Please provide the name(s), title, and address of the person who discriminated against you.

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 incidents

Please list any other agency where you have filed a complaint about this.



E-Signature: _____

(By retyping your name (or the name of the person you are filling out this form for) you attest that the above information is true and accurate to the best of your knowledge.)

Date of Complaint: _____

If you prefer, you may download the above form as a pdf in English, print it, fill it out, and mail it to:

Alexis Pennings
Franklin County Risk Management Department
Franklin County Administrative Building
272 North Second Street
Chambersburg, PA 17201



Appendix I: Franklin County Public Participation Plan





Public Participation Plan

Franklin County Metropolitan Planning Organization

Adopted XXX



Public Participation Plan Franklin County Metropolitan Planning Organization

English

ATTENTION: If you speak another language, language assistance services, free of charge, are available to you. Call (717) 261-3855 or E-mail planning@franklincountypa.gov.

Español

ATENCIÓN: si habla otro idioma, los servicios de asistencia lingüística están disponibles de forma gratuita. Llame al (717) 261-3855 o envíe un correo electrónico a planning@franklincountypa.gov.

中文

注意：如果您使用其他語言，則可以免費使用語言幫助服務。致電（717）261-3855 或發送電子郵件至 planning@franklincountypa.gov,

Deutsch

ACHTUNG: Wenn Sie eine andere Sprache sprechen, stehen Ihnen kostenlose Sprachunterstützungsdienste zur Verfügung. Rufen Sie an (717) 261-3855 oder Per Mail planning@franklincountypa.gov .



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Resolution of Adoption



Franklin County Metropolitan Planning Organization
272 N. 2nd Street, Chambersburg, PA 17201
Phone: (717) 261-3855 | Fax: (717) 264-8667
<https://www.franklincountypa.gov/>

RESOLUTION NUMBER 2024-##

RESOLUTION BY THE FRANKLIN COUNTY METROPOLITAN PLANNING ORGANIZATION (FCMPO)

ADOPTING THE PUBLIC PARTICIPATION PLAN

RECITALS

WHEREAS, the Franklin County Metropolitan Planning Organization (FCMPO) developed the Public Participation Plan in accordance with Infrastructure Investment and Jobs Act (IIJA) requirements; and

WHEREAS, the Public Participation Plan was developed to outline the public involvement in the FCMPO planning and decision-making process; and

WHEREAS, the Public Participation Plan was made available to the public for review and comment in accordance with U.S. Code of Federal Regulations §450.316(a)(3); and

WHEREAS, the Franklin County Planning Department has reviewed and recommended the FCMPO Policy Board’s adoption of Resolution 2024-01 approving the Public Participation Plan; and

WHEREAS, the FCMPO Policy Board has completed its review and has determined that the final document has met the aforementioned items.

NOW, THEREFORE, BE IT RESOLVED that the FCMPO Policy Board formally adopts the Public Participation Plan.

PASSED AND DULY ADOPTED THIS ___ day of _____, 2024.

FRANKLIN COUNTY
METROPOLITAN PLANNING ORGANIZATION

By: _____

Attest: _____



Purpose of the Public Participation Plan

The purpose of this Public Participation Plan (the Plan) is to describe the Franklin County Metropolitan Planning Organization's (FCMPO) Public Participation Program (the Program), which comprises the various outreach activities that FCMPO engages in to ensure that all members of the public—including populations that have been underserved by the transportation system and/or have lacked access to the decision-making process—are given the opportunity to participate in the metropolitan transportation planning process that shapes Franklin County. The Plan guides the FCMPO's efforts to offer early, continuous, and meaningful opportunities for the public to help identify social, economic, and environmental impacts of proposed transportation policies, projects, and initiatives.

The Plan strives to achieve the following objectives:

1. Provide opportunities for public review and comment at key decision points, including a reasonable opportunity to comment on the proposed Metropolitan Transportation Plan (MTP)/Long-Range Transportation Plan (LRTP) and the Transportation Improvement Program (TIP), with adequate public notice and access to underlying technical and policy information;
2. Provide timely information about transportation issues and decision-making processes to citizens, affected public agencies, and stakeholders, including representatives of public transportation users and users of bicycle and pedestrian facilities, representatives of the disabled, private transportation providers, providers of freight transportation services, freight shippers, representatives of public transportation employees, and other interested parties; and
3. Provide participation opportunities to those traditionally underserved by existing transportation systems, such as low-income and minority populations.

General Functions of MPOs

In accordance with federal laws and regulations, metropolitan planning organizations (MPOs) are established in urbanized areas across the nation to implement the federally required continuing, comprehensive, and cooperative (3C) transportation planning process.

1. To be continuing, MPO work is conducted on an ongoing basis.
2. To be comprehensive, the work covers all transportation modes, populations, and areas of the region, and addresses their individual needs.
3. To be cooperative, the work is performed in close communication and consultation with the region's municipalities and a broad base of agencies, organizations, and interest groups.

While the earliest beginnings of urban transportation planning go back to the post-World War II years, the federal requirement for urban transportation planning emerged during the early 1960s.



The Federal-Aid Highway Act of 1962 created the federal requirement for urban transportation planning largely in response to the construction of the Interstate Highway System and the planning of routes through and around urban areas. The Act required, as a condition attached to federal transportation financial assistance, that transportation projects in urbanized areas of 50,000 or more in population be based on a continuing, comprehensive, urban transportation planning process undertaken cooperatively by the states and local governments — the birth of the 3C transportation planning process.

By July 1965, each of the 224 existing urbanized areas in the United States had an urban transportation planning process underway. At that time, qualified planning agencies to conduct the transportation planning process were lacking in many urban areas. Therefore, the Bureau of Public Roads (predecessor to the Federal Highway Administration) required the creation of planning agencies or organizational arrangements that would be capable of carrying out the required planning process. Hence, MPOs quickly came into being because of the growing momentum of the highway program and the federal financing of the planning process. However, some MPO-like organizations had existed since the 1950s to prepare special urban transportation studies under the auspices of the state highway agencies in some major areas such as Chicago, Detroit, New York, and Philadelphia.

Today, there are more than 380 MPOs nationwide that conduct transportation planning in urbanized areas of more than 50,000 people. Each MPO has the following core functions:

1. Establish and manage a fair and impartial setting for effective regional decision making in the metropolitan area;
2. Employ visualization techniques to describe the regional plan and programs;
3. Identify and evaluate alternative transportation-improvement options and other information needed for MPO decision making through planning studies that are described in the MPO's Unified Planning Work Program (UPWP);
4. Prepare and maintain a LRTP for the metropolitan area, with a minimum of a 20-year horizon, that fosters mobility and access for people and goods; efficient system performance and preservation; and a good quality of life, among other goals;
5. Develop a Transportation Improvement Program (TIP), the short-range (four-year) program of capital improvements needed to implement the LRTP and make other investments to achieve the area's goals;
6. Involve the general public by offering all interested persons, including affected constituencies, opportunities to participate in all the decision-making functions of the MPO, including those listed above; and
7. Conduct performance-based planning by establishing goals and focusing on certain objectives and targets designed to achieve the chosen goals.



The Franklin County MPO

The U.S. Census Bureau designates a new list of Urbanized Areas (UZAs) every 10 years, following the conclusion of each decennial census. The designation of UZAs by the Census Bureau has significant implications for the metropolitan planning process. Most significantly, current federal law requires that every UZA be represented by an MPO, which carries out the metropolitan transportation planning process for the UZA and surrounding areas. Furthermore, UZAs with populations exceeding 200,000 are designated as Transportation Management Areas (TMAs), bringing additional responsibilities.

Franklin County became a federally designated MPO based on the Chambersburg UZA population growth reflected in the 2010 U.S. Census. The FCMPO was officially designated by the Secretary of Transportation on behalf of the Governor of Pennsylvania on March 27, 2013. The FCMPO succeeds the Franklin County Rural Planning Organization established in May 2009. **Figure 1** illustrates the Chambersburg UZA and FCMPO area limits, which encompasses all of Franklin County.

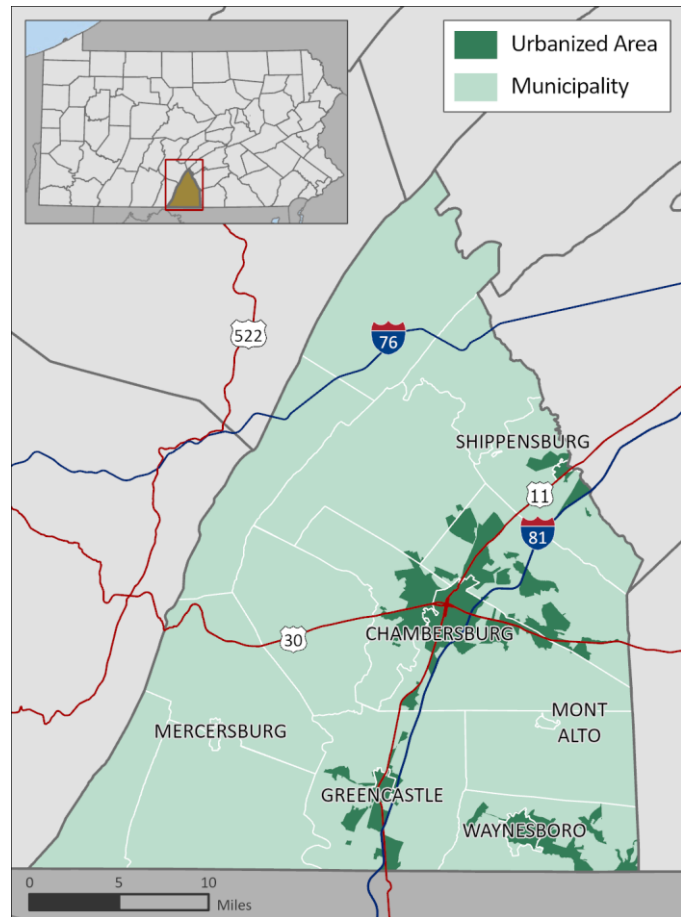


Figure 1 – Franklin County MPO and Chambersburg Urbanized Area

Through the enactment of the Infrastructure Investment and Jobs Act (IIJA), FCMPO receives approximately \$14 million annually during the life of the federal legislation ranging from 2022-2026, which was a notable monetary increase due to the Act's initiation, in order to advance transportation improvement projects throughout the region. The FCMPO serves Franklin County, which encompasses 773 square miles and approximately 156,000 residents as of the 2020 census.

The FCMPO ensures that decisions and spending on transportation projects and programs are based on the 3C transportation planning process that reflects the needs and priorities of the region. The FCMPO is also responsible for administering federal and state funding for transportation projects and programs, consistent with the MPO's approved LRTP and TIP.



FCMPO's Vision

The FCMPO's central vision, as stated in *Imagine Franklin 2035*, Franklin County's comprehensive plan, is to "embrace an ever-changing future while respecting our history and treasuring our small towns and natural landscapes to make sure our community is welcoming, and every resident has an opportunity to prosper and thrive." The goals and actions of the FCMPO LRTP, as the transportation element to the comprehensive plan, support the achievement of this vision.

As such, the FCMPO's vision for public participation is to hear, value, and consider—throughout its planning and programming work—the views of and feedback from the full spectrum of the public, and use this input in its decision making to ensure the goals and actions are achieved toward the vision.

The FCMPO has established public participation guidelines, which have been updated to reflect the insights gained through its recent research. The FCMPO makes every effort to:

- Provide a predictable, easy-to-understand process;
- Offer information that is clear, concise, current, and easily available;
- Employ visualization techniques to describe the regional plan and programs, and enhance the public's awareness and understanding;
- Cast a wide and inclusive net to invite participation of interested parties and the general public: bolster outreach to minority, low-income, elderly, and youth communities, the LEP population, and persons with disabilities;
- Respond to participants' interests, views, and need for information;
- Arrange convenient, timely, and meaningful opportunities for involvement;
- Respect the views offered by members of the public; use these opinions, and other information offered, in programming and planning;
- Promote respect among all participants;
- Create a framework that encourages constructive contributions by members of the public to the work and decisions made by the FCMPO;
- Allow flexibility in the Program;
- Remain open to adopting new avenues of communication;
- Explore strategies for connecting with people who do not use or do not have ready access to computers and other technologies;
- Maximize effectiveness by coordinating with partner agencies and their outreach activities; and
- Embrace new technologies as feasible with which to engage the public in an interactive way.

Work of the FCMPO

As previously stated, the FCMPO is the federal and state-designated transportation policy and decision-making entity responsible for transportation planning and programming in Franklin County. The FCMPO's work is represented in studies, reports, technical memoranda, data on transportation issues in the county, and the three federally required certification documents discussed above (LRTP, TIP, and UPWP). Because the FCMPO must produce these three major documents to be certified by



the Federal Highway Administration (FHWA) as eligible to program federal transportation funds, they are called certification documents.

Composition of the FCMPO

Pursuant to the FCMPO’s By-Laws, FCMPO is governed by an appointed Board comprised of 13 voting members and additional non-voting members.

Voting Board members are appointed by the Franklin County Board of Commissioners for staggered three-year terms from the following groups in the community:

- Three (3) members shall be the County Board of Commissioners.
- Two (2) shall be representatives of PennDOT (one each from Central Office and the District).
- Two (2) shall be a current member of a township governing body that is located in the county.
- Two (2) shall be a current member of a borough governing body that is located in the county.
- One (1) shall represent the interests of economic development in the county.
- One (1) shall represent the interests of the bicycle and pedestrian community in the county.
- One (1) shall represent the interests of the transit community in the county.
- One (1) shall be an at-large representative from within the county.

Each FCMPO Policy Board voting member may assign a designee in the event they are not able to attend a meeting. In the event both the appointed voting member and their designee are present, only the appointed member shall cast a vote.

Non-voting members will include:

Representative of the Hagerstown/Eastern Panhandle MPO	Representative of the Federal Highway Administration	Representative of the Federal Transit Administration
United States House and Senate	Pennsylvania House and Senate	Other members deemed necessary by the Franklin County Commissioners

Non-voting members shall receive FCMPO reports and agendas and shall be entitled to participate in FCMPO discussions but will not vote.

Current Membership

Table 1 identifies the FCMPO Policy Board membership, their respective affiliation and service term at the time of publication. The most current listing can be found on the FCMPO’s webpage.



Table 1: FCMPO Policy Board Membership

Name	Email	Affiliation
Dean Horst	dahorst@franklincountypa.gov	Franklin County Commissioner
John Flannery	jtflannery@franklincountypa.gov	Franklin County Commissioner
Robert Ziobrowski	rgziobrowski@franklincountypa.gov	Franklin County Commissioner
Jessica Clark	jessclark@pa.gov	PennDOT Central Office
Kevin Keefe	kkeefe@pa.gov	PennDOT District 8-0
Sam Cressler	scressler@southamptontownship.org	Township Representative
Travis Brookens	tbrookens@greenetwp.us	Township Representative
Tom Newcomer	tnewcomer@chambersburgpa.gov	Borough Representative
Jason Stains	jason@waynesboropa.org	Borough Representative
Chuck Sioberg	chucksioberg@hotmail.com	Economic Development
Jessee Mcmath	jmcmath@eastcoastgreen.net	Bike/Ped Representative
Carrie Gray	cegray@franklincountypa.gov	Transit Representative
David Mackley	david@fcadc.com	At-Large Representative

Franklin County Planning Department Staff

The Franklin County Planning Department staff as listed in **Table 2** serves as a comprehensive, multimodal transportation planning staff to the FCMPO. As such, it is responsible for carrying out the work of the 3C transportation planning process under the direction of the FCMPO. This includes authoring the LRTP and supporting technical planning studies and other analyses identified in the UPWP, preparing the TIP, producing certification documents, and developing and maintaining technical tools, such as a travel demand model that helps the FCMPO conduct its work.

Physical address and contact information:



Franklin County Planning Department
 Administrative Building
 272 North Second Street
 Chambersburg, PA 17201
 Phone: (717) 261-3855



Table 2: Franklin County Planning Department Staff

Name	Email	Title
Steve Thomas, AICP	sjthomas@franklincountypa.gov	Planning Director
Quentin Clapper	qmclapper@franklincountypa.gov	Senior Planner
Elizabeth Butler	ebutler@franklincountypa.gov	Community Planner
Matthew Romero	mbromero@franklincountypa.gov	Community Planner
Colleen Tidd	cdtidd@franklincountypa.gov	Community Planner
Jason Goetz	jgoetz@franklincountypa.gov	Mosquito & Tick Borne Disease Control Specialist
Zak Long	zhlong@franklincountypa.gov	Admin. Assistant II

For a current listing, visit https://www.franklincountypa.gov/index.php?section=departments_planning

The Franklin County Planning Department staff may be augmented by professional consultant services that are procured and administered in accordance with the requirements of Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR 200). In addition, contracts for engineering and design-related services that utilize Federal-Aid Highway Program funds and are directly related to a planned construction project must also comply with the requirements established in 23 U.S.C. §112 and 23 CFR 172. Engineering and design-related services are defined as “program management, construction management, feasibility studies, preliminary engineering, design, engineering, surveying, mapping or architectural related services” (as specified in 23 U.S.C. §112(b)(2)(A) and 23 CFR §172.3). Many additional federal laws and regulations apply to the procurement and administration of engineering and design-related services.

FCMPO Committees

The FCMPO Policy Board updated the FCMPO By-Laws in May 2020 to establish a Technical Advisory Committee (TAC). The TAC does not render decisions, but provides recommendations to the Policy Board. TAC members provide the technical input necessary to carry out the FCMPO’s continuing, cooperative and comprehensive transportation planning process. The TAC consists of 11 voting members who are appointed by the Policy Board from the following groups:

- One (1) member shall be the director of the Franklin County Planning Department.
- Two (2) shall be representatives of PennDOT (1 each from Central Office and the District).
- Two (2) shall be a current staff member of a township that is located in the county.
- Two (2) shall be a current staff member of a borough that is located in the county.
- One (1) shall represent the interests of the bicycle and pedestrian community in the county.
- One (1) shall be a representative of the Franklin County Bridge Program.
- One (1) shall be a representative of a community organization in the county.
- One (1) shall be a member of a transit agency with operations in the county.



Table 3 shows the TAC voting members at the time of publication. Each FCMPO Policy Board voting member may assign a designee in the event they are not able to attend a meeting. In the event both the appointed voting member and their designee are present, only the appointed member shall cast a vote.

Table 3: FCMPO TAC Membership

Name	Email	Affiliation
Steve Thomas	sjthomas@franklincountypa.gov	County Planning Director
Ray Green	raygreen@pa.gov	PennDOT Central Office
Kenana Zejcirovic	kzejcirovi@pa.gov	PennDOT District 8-0
Matthew Schmidt	matt@waynesboropa.org	Borough Representative
Guy Shaul	gshaul@chambersburgpa.gov	Borough Representative
Troy Young		Bike/Ped Representative
Lance Summers	lrsummers@franklincountypa.gov	County Bridge Representative
Beth Nidam	bnidam@rabbittransit.org	Transit Agency Representative
Vacant		Township Representative
Vacant		Township Representative
Vacant		Community Org. Representative

Non-voting members of the TAC may include:

Representative of the Hagerstown/Eastern Panhandle MPO	Representative of the Federal Highway Administration	Representative of the Federal Transit Administration
Representatives of transit agencies that operate locally	Representative of PA Department of Community and Economic Development	Other members deemed necessary by the Franklin County Commissioners

Non-voting members receive FCMPO reports and agendas and shall be entitled to participate in FCMPO discussions but will not vote.

Pursuant to the FCMPO’s By-Laws, the FCMPO Policy Board Chair may appoint additional committees as deemed necessary for accomplishing the Board’s mission and purpose, and such committees may include persons other than Board members. The Board and staff members continuously evaluate the need for additional standing committees for topics such as active transportation and freight.



FCMPO's Approach to Public Participation

The FCMPO firmly believes that meaningful public participation should be integral to the organization's transportation planning work. Public participation improves decision making by helping to illuminate many of the social, economic, and environmental benefits and drawbacks of transportation decisions.

As indicated in the introduction to this document, the FCMPO's public participation program comprises activities that it undertakes and materials that it produces to facilitate consultation on its planning and programming with all interested parties and members of the public. The Plan is the document (with text and graphics) that explains the program and provides information about how to become involved in the FCMPO's transportation decision-making process through program activities.

Federal Regulations Concerning Public Participation

This Plan contains a proactive public participation process that complies with federal public participation requirements for transportation planning. This plan is guided by the federal and state legislation and policies as discussed below.

The current transportation reauthorization legislation, the IIJA, signed into law on November 15, 2021, contains specific language outlining federal requirements regarding public involvement processes and procedures. In general, the IIJA is based on previous transportation bills (i.e., Intermodal Surface Transportation Efficiency Act; Transportation Equity Act for the 21st Century; Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users; the Moving Ahead for Progress in the 21st Century Act; and the Fixing America's Surface Transportation Act) to provide state and MPOs specific direction in conducting and promoting broad-based public participation activities.

The IIJA requires MPOs to provide citizens, affected public agencies, representatives of public transportation employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties with a reasonable opportunity to comment on a MPO's transportation planning process.

Other federal legislation, such as the Americans with Disabilities Act (ADA), and Title VI of the Civil Rights Act of 1964, also have public participation requirements that MPOs must implement to ensure access to the planning process for all impacted populations. To meet these requirements, the FCMPO takes steps to include people with disabilities and all persons regardless of race, color, or national origin in the transportation planning process. Traditionally underserved communities such as minority and low-income populations and those with LEP are also considered. How the FCMPO seeks to do this is discussed throughout this Plan and is detailed in the FCMPO's Title VI Plan.

The following is a more comprehensive list of federal and state authorities and requirements for public participation.

- Title 23, Section 450 Code of Federal Regulations (CFR):
 - §450.316 Interested Parties, Participation, and Consultation



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- §450.318 Transportation Planning Studies and Project Development
- §450.322 Congestion Management Process in Transportation Management Areas
- §450.324 Development and Content of the Metropolitan Transportation Plan
- §450.334 Annual Listing of Obligated projects
- American with Disabilities Act of 1990 (ADA)
- Title VI of the Civil Rights Act of 1964
- Civil Rights Restoration Act of 1987
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, 1994
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, 2000
- FTA Circular 4703.1, Environmental Justice Policy Guidance for Federal Transit Administration Recipients, 2012
- PA Human Relations Act, Act of 1955, P.L. 744, No. 222, as amended Act 34 OF 1997, 43 P.S. §§ 951-963
- Pennsylvania Sunshine Act, 65 Pa.C.S §§ 701-716
- Pennsylvania Right-To-Know-Law (Act of Feb. 14, 2008, P.L. 6, No. 3)

Public participation is an essential part of the transportation planning process and provides unique and invaluable insights for producing meaningful planning products and documents. The FCMPO's objectives focus on improving the public participation process by engaging people and organizations early and often with a variety of methods to improve the decision-making process. The participation activities discussed in this Plan represent a process that meets the federal requirements and gains valuable input throughout the transportation planning process.

Developing and Maintaining the Plan

The development of this Plan was coordinated by the staff of the Franklin County Planning Department and reviewed by the FCMPO Policy Board. A 45-day public review period was conducted to provide the opportunity for additional review and comment to this document. Advertisement of this review period was made through public notice and the draft Plan was made available for public review and comment in both hard copy and electronic formats.

Franklin County Planning Department staff are responsible for maintaining the Plan and performing updates as needed to reflect changes in federal guidance, requirements and regional needs, and improvements in information and communication technologies and public participation practices.

The components of this Plan are included in the development, adoption, and amendment of the FCMPO's LRTP and TIP. The Plan will be monitored and reviewed to evaluate its effectiveness. Public participation and engagement strategies identified in the Plan are intended to result in well-attended public meetings, local news coverage of programs, and more public interest in transportation issues within the FCMPO region.



How to Be Informed



Figure 2 - FCMPO Webpage

The FCMPO’s activities and programs are designed to meet the preferences and needs of the public. Activities and programs might include presentations, discussions, various venues for meetings and forums, information on the FCMPO webpage of the Franklin County website (Figure 2), Franklin County Facebook page (<https://www.facebook.com/franklincountypa>), flyers, emails and other notifications.

Figures 3 provides examples of the Franklin County Facebook page and its application to solicit public input on the FCMPO’s draft LRTP and I-81 Project Priorities.



Figure 3 - FCMPO Facebook Posts



Web Technologies and Social Media

The FCMPO regularly uses the FCMPO webpage and Franklin County Facebook, Instagram, and X (Twitter) pages, as well as LinkedIn, to reach a broader and more diversified population and provide information about the MPO’s work and planning activities, such as the following:

- Information about structure and composition of the FCMPO
- Studies, statistical reports, technical memoranda, and other documents related to metropolitan transportation planning process
- FCMPO meeting agendas and minutes
- Contact information for FCMPO Policy Board Members, committees, and Franklin County Planning Department staff
- Social media posts that highlight FCMPO activities, programs, and results of FCMPO studies and reports
- A “Contact Us” link under the Franklin County website’s “About” drop-down menu tab that the public may use to submit general information requests to the FCMPO (**Figure 4**).
- Online surveys to collect public input periodically on important issues

Franklin County Planning Department staff routinely use graphics to augment the written information included in the FCMPO’s technical studies and reports. Example graphics include, but are not limited to, flow charts, infographics, photos, visualization techniques, and text boxes in narratives.



Figure 4 – Franklin County Website’s “Contact Us” Link

To ensure web access for persons with limited to no vision and who use screen readers, the need to publish major documents in an HTML format on the FCMPO website is evaluated during the development or update of each plan and study. In addition, the FCMPO makes every effort to make data presented in tables fully navigable by a screen reader and provides alternative text to describe tables, figures, and images that cannot be read by a screen reader.



To make information more accessible for people with LEP, the Franklin County website uses Google Translate to translate its English content, including vital documents such as the complaint procedures form and summaries of the LRTP, TIP, and UPWP planning documents, into more than 100 languages, including Chinese (simplified and traditional), French, Italian, Portuguese, Russian, and Spanish. In addition, the Franklin County Planning Department evaluates on a regular basis the need for documents and publications to be professionally translated into Spanish, which is the most frequently spoken language other than English in the FCMPO region, and these translated versions are posted to the FCMPO's webpage.

The FCMPO also uses a variety of other tools to inform the public, including an email update to its stakeholder lists. Email communications are typically disseminated based on major FCMPO milestones, such as certification document amendments or announcements of public comment periods.

News Media

The FCMPO will, to the extent feasible, work to develop and maintain a strong relationship with the print and broadcast news media. The FCMPO recognizes the media as a valuable link to promote and motivate public involvement in the transportation planning process.

Specifically, the FCMPO will, to the extent feasible, provide meeting information to local newspapers as well as radio and television stations. This activity is intended to further diversify the FCMPO's communications and information dissemination of its transportation program and activities throughout Franklin County and beyond.

The primary newspapers for FCMPO media announcements include:

- The Public Opinion (Chambersburg, PA) – <https://www.publicopiniononline.com>
- The Record Herald (Waynesboro, PA) – <https://www.therecordherald.com>
- The Herald Mail (Hagerstown, MD) – <http://www.heraldmillmedia.com/>
- Mercersburg Journal (Mercersburg, PA) – <https://www.facebook.com/Mercersburg-Journal-249586675599542/>
- The Shippensburg News-Chronicle (Shippensburg, PA) – <https://www.shipnc.com/>
- La Voz Latina Central - <https://www.lavozlatinacentralpa.com/>

The primary television broadcast news for FCMPO media announcements include:

- WHP CBS 21 (Harrisburg, PA) – <https://local21news.com>
- WHTM ABC27 (Harrisburg, PA) – <https://www.abc27.com>
- WPMT Fox 43 (York, PA) – <https://fox43.com>
- WDVM TV 25 (Hagerstown, MD) – <https://www.localdvm.com/local-news>
- WGAL NBC 8 (Lancaster, PA) – <https://www.wgal.com/>
- WITF (Harrisburg, PA) – <https://www.witf.org/>

The primary radio broadcast news for FCMPO media announcements include:

- WNUZ 92.1 FM (Mercersburg, PA)
- WYPM 93.3 FM (Chambersburg, PA)



- WQCM 94.3 FM (Greencastle, PA)
- WIKZ Mix 95.1 FM (Chambersburg, PA)
- WBHB 101.5 FM (Waynesboro, PA)
- WEEO FM 103.7 FM (McConnellsburg, PA)
- WAYZ FM 104.7 FM (Hagerstown, MD)

As opportunities and topics arise, the FCMPO will seek to gain public awareness by working with the local print and broadcast news media to obtain appropriate coverage of activities. Examples may include interviews with local television and radio stations, news articles, letters to the editor, and other sources as necessary.

Availability of Information

The FCMPO will make its written and published documents and materials available to the public upon written request under the Pennsylvania Right to Know Law, 65 §66.1 et seq. **Appendix B** includes a sample letter that interested parties may use to submit a formal written request to the FCMPO. Appropriate charges for copies and research will apply pursuant to the Franklin County fee schedule. All such materials are available for public inspection at the Franklin County Planning Department office at no cost.

How to Be Involved

The FCMPO hosts a number of meetings and event types at which the public can learn about current FCMPO activities. Among these are the meetings of the FCMPO itself, meetings of FCMPO appointed committees, and various public participation opportunities. One purpose of these meetings is to present and discuss information, solicit feedback, or gather input from the public on specific topics or plans to inform transportation planning and programming decisions for the region. The other purpose is to provide an open and constructive context in which those decisions are made by FCMPO members.

All FCMPO meetings are publicly advertised pursuant to the Pennsylvania Sunshine Act and may be held in various, ADA-accessible facilities located throughout the region. Meeting advertisements also encourage interested participants to contact

Table 4 – FCMPO Meeting Facilities

Facility Name	Physical Address
Franklin County Administrative Building	272 North Second Street Chambersburg, PA 17201
Coyle Free Library	102 North Main Street Chambersburg, PA 17201
Chambersburg Borough Office	100 South Second Street Chambersburg, PA 17201
Greencastle-Antrim High School	300 South Ridge Avenue Greencastle, PA 17225
Mercersburg Borough Office	113 South Main Street Mercersburg, PA 17236
Southampton Township Municipal Building	705 Municipal Drive Shippensburg, PA 17257
Waynesboro Borough Office	55 East Main Street Waynesboro, PA 17268



the Franklin County Planning Department staff in advance of the meeting to confirm particular accessibility needs or accommodations. The meeting location is dependent upon the meeting type and purpose, and opportunity to engage diverse populations. **Table 4** provides a list of such facilities that the FCMPO may use for meetings.

FCMPO Policy Board and Committee Meetings

The FCMPO Policy Board meets quarterly, typically on the third Thursday of each month beginning in February. Meetings are conducted at 10 a.m. in the Franklin County Administrative Building Board Room located at 272 North Second Street, Chambersburg, PA.

FCMPO meetings follow the general process below that is formalized in a published agenda and all meetings include opportunities for public comment:

- The FCMPO Chair or designee opens and leads the meetings, recognizing speakers and managing the flow of discussion
- Agendas include a public comment period, in which any member of the public will be recognized to speak and present information
- At the discretion of the Chair, members of the public also may be recognized to speak during discussions of other agenda items

The COVID-19 pandemic placed greater emphasis on the use of technology to conduct meetings through teleconference, videoconference, or other similar virtual communication technologies. As such, the FCMPO reserves the right to use such technologies to hold FCMPO Policy Board, committee, and other public meetings with seven (7) days' notice. Members of the public can join any scheduled virtual meeting through instructions on the FCMPO's website.

The FCMPO-appointed standing committees meet on an as-needed basis and the meetings are publicly advertised according to the Pennsylvania Sunshine Act. Committee meetings are open to the public and are conducted at the Franklin County Administrative Building located at 272 North Second Street, Chambersburg, PA. However, when necessary, committee meetings may be held off-site in conjunction with a FCMPO meeting.

To extend the public's ability to provide input to the FCMPO, staff will research and, if feasible and useful, create a mechanism for submitting public comments on FCMPO agenda items in advance of meetings.

The planning department staff addresses comments and responds to questions from individuals who attend FCMPO meetings or who contact them via telephone or email. Individuals with low or no vision or with low literacy are informed on the FCMPO webpage and at meetings that they may submit comments via a recording or staff transcription of their spoken remarks before, during, or after FCMPO or FCMPO-sponsored meetings.

FCMPO-Sponsored Meetings

As part of its Program, the FCMPO sponsors a variety of public engagement opportunities, convened



and managed by the Franklin County Planning Department staff and as needed facilitated in conjunction with its professional technical consultant(s). The purpose of these meetings is to increase awareness and provide information about the FCMPO and the transportation planning program work that it conducts. Furthermore, the meetings are also a forum to engage attendees and receive critical input on the FCMPO's work and planning documents and reports.

The FCMPO regularly collaborates with PennDOT, Franklin County municipal governments, human service organizations, private sector representatives, public transportation operators, and those that serve on committees or advisory groups. In addition, the FCMPO ensures a variety of interests are represented and heard by partnering with community agencies and organizations to participate in the transportation planning process. These community and resource agencies have an important role addressing environmental, business and civic interests as they relate to regional transportation matters. Organizations representing minority, low-income and disabled groups and other interested parties are consulted and engaged to gain their input and views. **Appendix C** of this document identifies the key stakeholder and community organizations and is updated on a continuous basis by the Franklin County Planning Department.

The FCMPO often holds public meetings in areas with high concentrations of minority, low-income, and/or LEP populations to facilitate their inclusion. In addition, staff consult with personnel in host municipalities to learn about cultural or language issues that should be recognized and respected when planning and operating the meeting (e.g., dates of community celebrations or observations and/or cultural preferences or restrictions).

Workshops

Franklin County Planning Department staff also hold workshop-type meetings in public and ADA-accessible venues throughout the FCMPO region. These workshops are scheduled to coincide with the time period(s) when the FCMPO needs particular input to the FCMPO's transportation planning process and when that input is most influential.

Workshops often include brief presentations followed by question-and-answer sessions. Subsequently, there are opportunities for one-on-one interactions between members of the public and Franklin County Planning Department staff. Workshop formats may follow an exhibit-style format, with tables, staffed by program managers, set up for each major topic on the agenda. During these workshops, Planning Department staff invite participants to move from topic to topic as their interest guides. Materials may be available in a variety of media, such as print, large print, web-based, PowerPoint slides, table-top display boards, and maps.

In addition to the FCMPO-hosted workshops, Franklin County Planning Department staff regularly participate in the PennDOT Engineering District 8-O's PennDOT Connects workshop meetings that are held at various ADA-accessible locations in the region. These meetings are held with particular municipal representatives to discuss their respective priority transportation improvement projects and obtain specific information that is used to define the projects in the PennDOT Connects database system.

General Information Sessions

The Franklin County Planning Department staff regularly conduct informational meetings at its office



in the Franklin County Administrative Building in Chambersburg, which is the Census-designated UZA and county seat of Franklin County. Session topics include current FCMPO activities, such as development of the certification documents and updates on other FCMPO ongoing programs, but also may include detailed presentations and discussions about the results of FCMPO studies and reports. The format generally consists of staff presentations about programs and projects, followed by questions and answers. Staff are available after the presentations for individual follow-up discussion with meeting participants.

TIP and UPWP Information Sessions

Franklin County Planning Department staff conduct public meetings through PennDOT Connects, a tool which encourages early community engagement in the planning process between public participants and planning partners, in order for respective municipal representatives to receive feedback so they may prepare their respective municipalities' or other entities' official inclusions to the TIP and UPWP development. For example, staff present on the current year's process and discuss any changes from previous years, followed by questions and answers. After the presentations, staff are available for a roll-up-the-sleeves-style working session with individual participants.

Forums

The Franklin County Planning Department staff collaborate with other entities to convene regional forums on important topics. Forums are focused on issues of interest to constituencies and generally feature a panel of expert speakers with time for questions and answers. These forums are sometimes followed by breakout sessions in which small groups of participants may have more intimate discussions. The purpose is to foster communication and cooperation among disparate entities that deal with the issue under discussion and to look for new solutions to existing problems. These meetings usually are held at the Franklin County Administration Building in Chambersburg.

Special Topical Discussions

The FCMPO occasionally convenes agencies and other entities to seek their input on specialized aspects of important topics in the FCMPO's transportation planning process. Special topic discussions may focus on relevant topics such as transportation equity and environmental issues.

Other Opportunities for Public Participation

In addition to the meeting opportunities discussed above, the FCMPO provides a number of other ways for the public to be involved in the transportation planning process.

- **Surveys** – The FCMPO conducts written and electronic surveys to learn the views of members of the public on targeted topics and in support of its various technical studies. Respondents submit their ideas in writing and via survey tools on the FCMPO webpage. In addition to paper-based surveys, the FCMPO may use web-based survey technologies including SurveyMonkey and MetroQuest. Survey results are analyzed and presented by Franklin County Planning Department staff (and in conjunction with the FCMPO's technical consultants) to the FCMPO and included in the respective technical studies.
- **Targeted Outreach** – The FCMPO may employ one or more targeted outreach strategies to involve traditionally underserved populations that may be impacted by a specific project.



Targeted outreach strategies may include:

- Intercept surveys targeting transportation users to include minorities, low income populations, and persons with disabilities
 - Notifying agencies that work with minorities, low income populations, and persons with disabilities of FCMPO's activities
 - Conducting an ongoing dialogue with groups representing potentially underserved populations.
 - Seeking opportunities to speak at meetings of groups involving minority/low income and traditionally underserved populations
 - Organizing small meetings that may be less intimidating for those unfamiliar with the public involvement process
 - Targeting non-traditional media outlets and organizations
 - Posting information and meeting notices at transit stops and in transit/paratransit vehicles
 - Posting information and meeting notices in libraries, recreation centers, and shopping centers
 - Including information on the FCMPO's webpage about how to request translation services
 - Researching traditional communication methods used by LEP populations
 - Posting flyers or notices, in appropriate languages, in areas identified as having LEP populations
 - Distributing information through religious or community organizations
 - Providing public service announcements in non-English speaking news media
 - Providing extensive use of visualization techniques, including maps and graphics
- **Public Information Email** – Members of the public can submit questions, comments, and ideas to the FCMPO and the Franklin County Planning Department staff via planning@franklincountypa.gov. Staff reply to these queries and use information provided, as applicable. This email address is listed on meeting flyers and other FCMPO outreach materials.
 - **Website Comments** – The Franklin County website features a “Contact Us” link under the “About” drop-down menu tab that the public may use to submit general information requests to the FCMPO (**Figure 4**). The public is encouraged to use this feature to submit comments or questions on any FCMPO topic. Comments are directed to the Franklin County Planning Department, and staff will respond to the comments and use this input, as appropriate.

Notice of FCMPO Activities

The FCMPO provides notification of meetings through its webpage. FCMPO Policy Board and committee meeting agendas and materials are posted on the MPO's webpage one week in advance of the meeting, except in cases of emergency or other constrained circumstances.

The Franklin County Planning Department staff also post information about FCMPO-sponsored meetings and sessions on the FCMPO's webpage, and announces the day, time, and location of the gathering and the topics to be discussed. This webpage may be translated into Spanish or other



predominantly spoken languages other than English in the FCMPO region by use of the web-based translation function. Links to related documents may be included under the meeting announcement.

Public Participation Processes for Major FCMPO Planning Documents

Three major transportation planning documents applicable to the FCMPO that are required by federal regulations and must meet federal and state guidelines for public participation include the following:

- **Long-Range Transportation Plan (LRTP)** – This transportation plan is updated every five years resulting from regional collaboration and consensus within the FCMPO transportation system that serves as the defining vision for the region’s multi-modal transportation systems and services. The plan indicates all of the transportation improvements scheduled within the projected funding constraints over the next 20 years.
- **Transportation Improvement Program (TIP)** – The TIP is a short-term action plan prepared biennially by the FCMPO that lists approved FHWA/FTA-funded projects for the region within the next four-year period.
- **Unified Planning Work Program (UPWP)** – The UPWP is the management plan for the FCMPO planning program. The work program is updated annually and coordinates the planning activities of all participants in the transportation planning process.

As previously discussed, the FCMPO holds a variety of meetings and other outreach forums throughout the year to address transportation issues and to deliberate and receive input on the above planning documents. These include FCMPO Policy Board meetings, committee meetings and public hearings. The public hearings are intended to share information and obtain feedback on various plans and projects prior to FCMPO action to approve or adopt specific actions. The FCMPO webpage includes a calendar for upcoming FCMPO meetings and other public events.

Amendments and revisions to any of the approved planning documents that are deemed by the FCMPO as “Administrative Changes” are not subject to a formal public notification process. Input will be accepted, but not solicited. An amendment to the adopted plans and programs may be considered “administrative” based on any of the following criteria:

- To correct a non-substantive clerical error;
- Changes in funding levels are less than \$2 million and the project is within a Statewide Transportation Improvement Program (STIP)-grouped project category;
- The affected project(s) is not regionally significant and exempt from transportation conformity requirements;
- Changes the funding type, but overall funding levels remain constant or do not exceed the prior requirement; and
- Any other changes approved by the FCMPO Policy Board that meet the criteria of an administrative amendment.

Amendments to the TIP and LRTP, and revisions to the UPWP that have regional significance as



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defined by the FCMPO, will be subject to the public participation process as defined in the next section.

The FCMPO understands the importance of the public participation process and is committed to providing easy access to transportation planning documents and timely notice of upcoming events and decision-making meetings of the FCMPO Policy Board. The planning documents produced by the FCMPO provide key information that the public will need to make more informed contributions to the transportation planning process.

Attempts will be made to employ appropriate visualization techniques to describe the plans. This could include any combination of maps, photographs, project descriptions, charts, etc. that are presented at public hearings, meetings, or used as displays directed at informing stakeholders and the public. For the major transportation documents, the FCMPO strives to meet and exceed the federal guidelines.

The public participation process includes the following activities:

- All meetings and events will be governed by both the Pennsylvania Sunshine Law and Pennsylvania Right-To-Know-Law.
- The FCMPO will conduct meetings and consult with stakeholders identified in **Appendix C** and other interested parties. Summaries of the meetings and consultations will be included in the plan document.
- The FCMPO's regularly scheduled quarterly meetings are published annually in a primary newspaper in January of each calendar year.
- Special FCMPO meetings outside of the regularly scheduled FCMPO meetings will be published in a primary newspaper at least 14 days prior to the meeting date.
- The FCMPO will consult directly with any tribes or nations with ancestral or cultural ties within the FCMPOs planning boundary to solicit their review and comment on major transportation planning documents.
- The review and comment period will be at least 30 days for the adoption of major transportation planning documents. If the final version of any major transportation planning document differs significantly from the version made available for public comment, the FCMPO will provide an additional opportunity for public comment.
- All comments received by the FCMPO will be reviewed at the FCMPO Policy Board meeting prior to adoption and included as an appendix with a meaningful response in the appropriate document.
- The FCMPO will coordinate with the statewide transportation planning public involvement and consultation processes throughout the development and revision of major transportation planning documents.
- TIP amendments, revisions to the UPWP and LRTP amendments will have a minimum seven (7) day public comment period.

In accordance with federal guidance (CFR 450.316(a)3), the FCMPO establishes a public comment period of forty-five (45) days before revision or implementation of the public involvement process. Significant revisions to the basic procedures contained herein will require a comment period before such revisions may be utilized. However, activities that will enhance the opportunity for public



comment, as outlined by the basic procedures herein, shall not be considered revisions subject to public comment. Draft documents will be made available for public review at the FCMPO webpage, the Franklin County Planning Department office, and Franklin County public library locations.

Written comments on these procedures will be accepted via mail, e-mail, fax, FCMPO Policy Board and committee meetings. All comments received on the public involvement process will be responded to by the FCMPO prior to implementation of the public involvement process. All comments and responses will be maintained until implementation or until the FCMPO conducts a periodic review on the effectiveness of the procedures. In order to help assure that the process is effective in providing full and open access to all, the FCMPO will review the specifics of these procedures at least once every three (3) years. Final adopted documents will be posted to the FCMPO webpage.

Americans with Disabilities Act (ADA) and Limited English Proficiency (LEP)

The Americans with Disabilities Act (ADA) is federal legislation defining the responsibilities of and requirements for transportation providers to make transportation accessible to individuals with disabilities.

Limited English proficiency (LEP) is a term used in the United States that refers to a person who is not fluent in the English language, often because it is not their native language. To have an opportunity to participate effectively in or benefit from any aid, service or benefit, people with LEP must communicate in their primary language. Meetings and hearings, which are open for public participation, will be scheduled to allow the best opportunity for attendance by the general public and other entities whenever possible. The meeting locations will be convenient and ADA accessible. In addition to general meetings, events and activities, reasonable efforts will be made to reach those who are particularly affected. ADA and LEP assistance or alternative formats of this publication are available upon request through the Franklin County Planning Department. Please allow at least seven (7) business days for preparation of the material.

Franklin Planning Department staff use the U.S. Census Bureau Language Identification Flashcards available to help determine what language an individual speaks. The flashcards are available at:

<http://niwaplibrary.wcl.american.edu/wp-content/uploads/LANG-Qref-LangIdflashCards2000.pdf>

Title VI Policy Statement

The FCMPO fully complies with Title VI of the Civil Rights Act of 1964, the PA Human Relations Act, and related statutes and regulations prohibiting discrimination in all programs and activities. For more information or to file a Title VI-related complaint that cannot be resolved through the FCMPO or Franklin County Planning Department, please contact the FCMPO Title VI Coordinator as specified below.



Alexis Pennings
Franklin County Risk Manager
Phone: (717) 261-3819
Email: riskmgt@franklincountypa.gov

The FCMPO assures that no person shall on the grounds of race, color, creed, national origin, or sex, 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 program or activity. The FCMPO further assures every effort will be made to ensure non-discrimination in its programs and activities, whether those programs and activities are federally funded.

The FCMPO has developed two Title VI Statements to be included in the FCMPO's public documents to inform the public of the FCMPO's compliance with Title VI and its provisions for alternative language services and formats.

1. The first statement is to be added to meeting announcements to which the public and/or outside agencies/organizations are invited:

"The FCMPO is committed to complying with the nondiscrimination requirements of the Title VI of the Civil Rights Act of 1964 and related statutes and regulations prohibiting discrimination in all programs and activities. All locations for meetings open to the public will be accessible to persons with disabilities and reachable by public transit. As soon as possible but no later than 7 days before a scheduled event, accommodations may be provided for those with special needs related to language, speech, sight, or hearing. If you have a request for a special need, wish to file a complaint, or desire additional information, please contact the Franklin County Planning Department at (717) 261-3855; FAX (717) 264-8667; email: planning@franklincountypa.gov."

2. The second statement shall be included in all FCMPO public documents and publications:

"The FCMPO fully complies with the nondiscrimination requirements of the Title VI of the Civil Rights Act of 1964 and related statutes and regulations prohibiting discrimination in all programs and activities. The Franklin County website (<https://franklincountypa.gov>) and FCMPO webpage thereunder may be translated into multiple languages. Publications and other public documents can be made available in alternative languages or formats, if requested. For translation, contact the Franklin County Planning Department at (717) 261-3855; FAX (717) 264-8667; email: planning@franklincountypa.gov."



Appendix A: Frequently Used Acronyms List

FCMPO/MPO – Franklin County Metropolitan Planning Organization

TAC – Technical Advisory Committee

FHWA – Federal Highway Administration

PennDOT – Pennsylvania State Department of Transportation

PPP – Public Participation Plan

LRTP – Long-Range Transportation Plan

TIP – Transportation Improvement Program

UPWP – Unified Planning Work Program

3-C Transportation Planning Process – Continuing, Comprehensive, Cooperative

UZAs – Urbanized Areas

TMA – Transportation Management Areas

IJA – Infrastructure Investment and Jobs Act

CFR – Code of Federal Regulations

USC – United States Code

ADA – Americans with Disabilities Act

LEP – Limited English Proficiency



Appendix B: Sample Right to Know Request

Franklin County Commissioners' Office
Attn: Becky Brackbill, Open Records Officer
340 North Second Street
Chambersburg, PA 17201
Office #: (717) 261-3810
Fax #: (717) 267-3438

Email: bsbrackbill@franklincountypa.gov

Standard Right-to-Know Law Request Form

Good communication is vital in the RTKL process. Complete this form thoroughly and retain a copy; it is required should an appeal be necessary. You have 15 business days to appeal after a request is denied or deemed denied.

SUBMITTED TO AGENCY NAME: _____ (Attn: AORO)

Date of Request: _____ Submitted via: Email U.S. Mail Fax In Person

PERSON MAKING REQUEST:

Name: _____ Company (if applicable): _____

Mailing Address: _____

City: _____ State: _____ Zip: _____ Email: _____

Telephone: _____ Fax: _____

How do you prefer to be contacted if the agency has questions? Telephone Email U.S. Mail

RECORDS REQUESTED: *Be clear and concise. Provide as much specific detail as possible, ideally including subject matter, time frame, and type of record or party names. Use additional sheets if necessary. RTKL requests should seek records, not ask questions. Requesters are not required to explain why the records are sought or the intended use of the records unless otherwise required by law.*

DO YOU WANT COPIES? Yes, electronic copies preferred if available

Yes, printed copies preferred

No, in-person inspection of records preferred (*may request copies later*)

Do you want [certified copies](#)? Yes (*may be subject to additional costs*) No

RTKL requests may require payment or prepayment of fees. See the [Official RTKL Fee Schedule](#) for more details.

Please notify me if fees associated with this request will be more than \$100 (or) \$__ .

ITEMS BELOW THIS LINE FOR AGENCY USE ONLY

Tracking: _____ Date Received: _____ Response Due (5 bus. days): _____

30-Day Ext.? Yes No (If Yes, Final Due Date: _____) Actual Response Date: _____

Request was: Granted Partially Granted & Denied Denied Cost to Requester: \$ _____

Appropriate third parties notified and given an opportunity to object to the release of requested records.



Appendix C: Stakeholders and Community Organizations

The following stakeholders and community organizations have been identified by the Franklin County Planning Department as serving as important community perspectives and as helping to expand the reach of the FCMPO and its activities. This list is maintained by the Planning Department on behalf of the FCMPO Policy Board and is updated as part of the Plan’s maintenance cycle or as more frequently needed.

Government Organizations:

- Federal Highway Administration
- Federal Transit Administration
- Pennsylvania Department of Transportation
- Franklin County Board of Commissioners
- Franklin County Area Development Corporation
- Franklin County Planning Department
- Franklin County Housing Authority
- Franklin County Human Services
- Franklin County Library System
- Franklin County Municipalities:
 - Antrim Township
 - Chambersburg Borough
 - Fannett Township
 - Greencastle Borough
 - Greene Township
 - Guilford Township
 - Hamilton Township
 - Letterkenny Township
 - Lurgan Township
 - Mercersburg Borough
 - Metal Township
 - Mont Alto Borough
 - Montgomery Township
 - Orrstown Borough
 - Peters Township
 - Quincy Township
 - St. Thomas Township
 - Shippensburg Borough
 - Southampton Township
 - Warren Township
 - Washington Township
 - Waynesboro Borough

Community Service Organizations:

- Central Pennsylvania Transportation Authority (dba rabbittransit)
- Building Our Pride in Chambersburg (BOPIC)
- Commute PA
- Greater Chambersburg 21st Century Partnership
- Greater Chambersburg Area Chamber of Commerce
- Greater Shippensburg Area Chamber of Commerce
- Greater Waynesboro Area Chamber of Commerce
- Greencastle – Antrim Chambers of Commerce
- Letterkenny Industrial Development Authority
- Tuscarora Area Chamber of Commerce
- United Way of Franklin County
- Waynesboro Community & Human Services
- South Central Community Action Programs