

PENNSYLVANIA STATE POLICE
Federal Fiscal Year 2024
TITLE VI PROGRAM
COMPLIANCE PLAN



Colonel Christopher L. Paris
Commissioner

Distribution "L"

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TITLE VI PROGRAM PLAN PURPOSE

The Pennsylvania State Police (PSP) Title VI Program Plan is prepared in accordance with 49 Code of Federal Regulation 21 and 49 Code of Federal Regulation Part 303. This plan provides interested individuals with specific information that explains the Department's Title VI Program activities pertaining to organization and staffing, monitoring and review processes, complaint procedures, and Title VI Program assurances.

The provisions of this Title VI Program Plan apply to all recipients of federal assistance with and through the PSP. A recipient includes any public or private entity or any individual receiving the benefits of any Federal Motor Carrier Safety Administration Program. The program applies to all phases of PSP operations.



PENNSYLVANIA STATE POLICE
DEPARTMENT HEADQUARTERS
1800 ELMERTON AVENUE
HARRISBURG, PENNSYLVANIA 17110

PART I. TITLE VI PROGRAM POLICY STATEMENT

It is the Policy of the PSP, in accordance with Title VI of the Civil Rights Act of 1964 and the assurances set forth in the PSP's Title VI Program Plan to ensure that "no person shall on the grounds of race, color, national origin, sex, age, disability, low-income, or limited English proficiency (LEP), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity" for which the PSP receives federal financial assistance. Furthermore, it shall be the policy of the PSP to ensure that as a recipient of federal-aid funding, it will ensure non-discrimination in all of its programs and activities, whether federally funded or not. The PSP is steadfast in its commitment to ensure the uniform adoption of this policy.

Accordingly, to ensure compliance with Title VI of the Civil Rights Act and other pertinent directives, the PSP commits to:

1. Conducting and operating each of its programs and facilities in compliance with all requirements imposed by, or pursuant to, Title VI of the Civil Rights Act and other pertinent directives;
2. Providing non-discriminatory methods of administration for programs and to ensure other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest, and other participants of federal financial assistance under such programs will comply with all requirements imposed by Title VI of the Civil Rights Act and other pertinent directives;
3. Promptly taking any measures necessary to effect compliance with Title VI of the Civil Rights Act and other pertinent directives.

Furthermore, the PSP's efforts to prevent discrimination will address, but not be limited to, a program's impact upon access, benefits, participation, treatment, services, contracting opportunities, training opportunities, and investigation of complaints.

In accordance with Federal Motor Carrier Safety Administration regulations as required by 49 Code of Federal Regulations Part 21 and 49 Code of Federal Regulations Part 303, the

PSP has developed procedures for prompt processing and disposition of Title VI complaints. Any person believing the PSP or any of its sub-recipients has violated Title VI in the administration of its programs or activities may file a complaint with the PSP's Equality and Inclusion Office, Equal Employment Opportunity (EEO) Section.

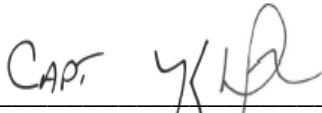
Overall responsibility for this policy is assigned to the Commissioner of the PSP located at 1800 Elmerton Avenue, Harrisburg, Pennsylvania 17110. The Director, Equality and Inclusion Office, Captain Vincent K. D'Angelo, is appointed as the Title VI Coordinator for the PSP and is responsible for the implementation of the PSP's Title VI Program Plan.

Individuals with questions or requiring additional information relating to the policy or the implementation of the PSP's Title VI Program should contact the Director, Equality and Inclusion Office located at 1800 Elmerton Avenue, Harrisburg, Pennsylvania 17110, or call the Equality and Inclusion Office at 717-787-7220.



Colonel Christopher L. Paris
Commissioner

07/31/2023
Date



Captain Vincent K. D'Angelo
Title VI Coordinator

07/13/2023
Date



PENNSYLVANIA STATE POLICE
DEPARTMENT HEADQUARTERS
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HARRISBURG, PENNSYLVANIA 17110

PART II. TITLE VI PROGRAM ASSURANCES

The **PSP** (herein referred to as the “Recipient”), **HEREBY AGREES THAT**, as a condition to receiving any federal financial assistance from the United States Department of Transportation (DOT), through the **Federal Motor Carrier Safety Administration (FMCSA)**, 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);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Title IX of the Education Amendments of 1972, as amended, (20 U.S.C. § 1681 *et seq.*), (prohibits discrimination on the basis of sex in education programs or activities);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (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);
- Americans with Disabilities Act of 1990, as amended, (42 U.S.C. § 12101 *et seq.*), (prohibits discrimination on the basis of disability);
- 49 C.F.R. Part 21 (entitled *Nondiscrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964*);
- 49 C.F.R. Part 27 (entitled *Nondiscrimination on The Basis of Disability in Programs or Activities Receiving Federal Financial Assistance*);
- 49 C.F.R. Part 28 (entitled *Enforcement of Nondiscrimination on the Basis of Handicap in Programs or Activities Conducted by The Department of Transportation*);

- 49 C.F.R. Part 37 (entitled *Transportation Services for Individuals with Disabilities (ADA)*);
- 49 C.F.R. Part 303 (FMCSA's Title VI/Nondiscrimination Regulation);
- 28 C.F.R. Part 35 (entitled *Discrimination on The Basis of Disability in State and Local Government Services*);
- 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.

Although not applicable to Recipients directly, there are certain Executive Orders and relevant guidance that direct action by Federal agencies regarding their Federally assisted programs and activities to which compliance is required by Recipients to ensure Federal agencies carry out their responsibilities. Executive Order 12898, 3 C.F.R. 859 (1995), entitled "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations" emphasizes that Federal agencies should use existing laws to achieve Environmental Justice, in particular Title VI, to ensure nondiscrimination against minority populations. Recipients should be aware that certain Title VI matters raise Environmental Justice concerns and the Federal Highway Administration (FHWA) intends that all Recipients evaluate and revise existing procedures (as appropriate) to address and implement Environmental Justice considerations. See the following FHWA website for more information and facts about Environmental Justice: https://www.fhwa.dot.gov/environment/environmental_justice/index.cfm

Additionally, Executive Order 13166, 3 C.F.R. 289 (2001) on Limited English Proficiency, according to the U.S. Department of Justice in its Policy Guidance Document dated August 16, 2000 (65 Fed. Reg. at 50123), clarifies the responsibilities associated with the "*application of Title VI's prohibition on national origin discrimination when information is provided only in English to persons with limited English proficiency.*" When receiving federal funds, Recipients are expected to conduct a Four-Factor Analysis to prevent discrimination based on National Origin. (See also U.S. DOT's "*Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons,*" dated December 14, 2005, (70 Fed. Reg. at 74087 to 74100); the Guidance is a useful resource when performing a Four-Factor Analysis).

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, national origin, sex, age, disability, low-income or LEP 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 DOT, including the FMCSA.”

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 Assurances, the Recipient agrees with and gives the following Assurances with respect to its federally assisted FMCSA 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 all Federal Motor Carrier Safety Programs and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

*“The **PSP**, 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 in any contract entered into pursuant to this advertisement, all contractors will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of the owner’s race, color, national origin, sex, age, disability, low-income, or LEP, 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;

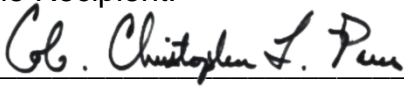
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient;
5. That where the Recipient 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.

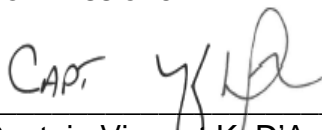
By signing this ASSURANCE, the PSP also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the FMCSA access to records, accounts, documents, information, facilities, and staff. The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

The PSP 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 Department of Transportation under the FMCSA Program. This ASSURANCE is binding on the PSP, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors, transferees, successors in interest, and any other participants in the FMCSA Program. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.



Colonel Christopher L. Paris
Commissioner

07/31/2023
Date



Captain Vincent K. D'Angelo
Title VI Coordinator

07/13/2023
Date

ASSURANCE 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 Nondiscrimination in federally assisted programs of the U.S. Department of Transportation, Federal Motor Carrier Safety Administration (FMCSA), as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Nondiscrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, national origin, sex, age, disability, low-income or LEP, 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 as set forth in Appendix E, 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, national origin, sex, age, disability, low-income or LEP.
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 FMCSA 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 FMCSA, 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 FMCSA 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 FMCSA 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.

ASSURANCE 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 Department of Transportation as authorized by law and upon the condition that the PSP will accept title to the lands and maintain the project constructed thereon in accordance with (*Name of Appropriate Legislative Authority*), the Regulations for the Administration of **Federal Motor Carrier Safety Administration (FMCSA) Program**, and the policies and procedures prescribed by the **FMCSA** of the Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in federally-assisted programs of the 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 PSP all the right, title and interest of the 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 PSP 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 PSP, its successors and assigns.

The PSP, 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, national origin, sex, age, disability, low-income, or LEP, 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 PSP 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, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in federally-assisted programs of the 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 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 effectuate the purpose of Title VI.)

ASSURANCE 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 PSP 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 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, national origin, sex, age, disability, low-income or LEP 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 nondiscrimination covenants, the PSP 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 PSP 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 PSP and its assigns. *

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

ASSURANCE 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 the PSP 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, national origin, sex, age, disability, low-income, or LEP 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, national origin, sex, age, disability, low-income, or LEP 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 nondiscrimination covenants, the PSP 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 nondiscrimination covenants, the PSP will there upon revert to and vest in and become the absolute property of the PSP and its assigns. *

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

ASSURANCE 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:

- 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), as implemented by 49 C.F.R. § 21.1 *et seq.* and 49 C.F.R. § 303;
- 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, (102 Stat. 28.), (“...*which restore[d] the broad scope of coverage and to clarify the application of title IX of the Education Amendments of 1972, section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and title VI of the Civil Rights Act of 1964.*”);
- 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 Justice regulations at 28 C.F.R. Parts 35 and 36, and 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, sex, age, disability, low-income, or LEP);

- 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), as implemented by 49 C.F.R. § 25.1 et seq.

PART III. DESCRIPTION OF FEDERAL-AID PROGRAMS

The (PSP) seeks to apply for Motor Carrier Safety Assistance Program (MCSAP) Basic and Incentive grants through the Federal Motor Carrier Safety Administration. On occasion, the PSP also seeks to obtain additional FMCSA grant funding through High Priority, Safety Data Improvement, and Performance and Registration Information Systems Management grant programs. As Pennsylvania's lead MCSAP agency, as designated by our Governor, the PSP is responsible for developing strategies aimed at reducing crashes, injuries and fatalities involving large trucks and buses. The receipt of federal aid from the FMCSA enables the PSP to further our safety mission to the equal benefit of all those who travel our highways. The PSP's goal is to partner with the U.S. Department of Transportation to establish programs to improve motor carrier, commercial motor vehicle, and driver safety in support of a safe and efficient surface transportation system.



PART IV. NOTICE TO THE PUBLIC

The Pennsylvania State Police (PSP) gives public notice of its policy to uphold and assure full compliance with the nondiscrimination requirements of Title VI of the Civil Rights Act of 1964 and related nondiscrimination authorities. Title VI and related nondiscrimination authorities stipulate that no person in the United States of America shall, on the grounds of race, color, national origin, sex, age, disability, income level, or Limited English Proficiency, be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance.

Any person who desires more information regarding the PSP's Title VI Program can contact its Title VI Coordinator – Captain Vincent K. D'Angelo -- at the address noted below.

Any person who believes they have, individually, or as a member of any specific class of persons, been subjected to discrimination on the basis of race, color, national origin, sex, age, disability, income level or Limited English Proficiency, has the right to file a formal complaint. Any such complaint must be in writing and submitted within 180 days following the date of the alleged occurrence to:

Captain Vincent K. D'Angelo
Director of the Equality and Inclusion Office
Pennsylvania State Police
1800 Elmerton Avenue
Harrisburg, PA 17110
717-787-7220
vdangelo@pa.gov

PART V. DISSEMINATION OF INFORMATION

Internal Dissemination: All new employees, including State Police Cadets and Liquor Enforcement Officer Trainees, are given a copy of the EEO Policy Statement. To ensure accessibility to all personnel, the Title VI Program Plan will be posted on the PSP Equality and Inclusion Intranet web page. This plan will be re-evaluated and distributed annually. Each PSP employee will receive a Postmaster e-mail alerting them to the presence of the current Title VI Program Compliance Plan on the Intranet web page.

External Dissemination: All Notices to the Public identify the PSP as an Equal Employment Opportunity Employer. To ensure external access and availability to the public, a copy of the Title VI Program Plan will be available on our internet web page.

An electronic copy of this notice can be found on the PSP's website at <https://www.psp.pa.gov/contact/Pages/Equality-and-Inclusion-Office.aspx>

PART VI. SUB-RECIPIENT COMPLIANCE REPORTS

The PSP does award federal funding to a Sub-Recipient.

The Pennsylvania Utilities Commission is a Sub-Recipient of \$ 1,493,031.81 in the Federal Fiscal Year October 2023 – September 2024.

- PUC is required to submit a CEO signed/dated FMCSA Title VI Program Assurance (1st attachment) to the PSP on an annual basis (or each year that PUC is a Sub-Recipient of FMCSA funds through the PSP); and

- PUC is required to submit a Title VI Program Compliance Plan/Report containing the relevant sections from the Checklist (2nd attachment) to the PSP on an annual basis (or each year that PUC is a Sub-Recipient of FMCSA funds through the PSP).

So long as PUC is a Sub-Recipient of FMCSA funds through the PSP, the PSP will periodically review the above documents submitted by PUC to the PSP to determine if PUC is effectively implementing the Title VI Program. The PSP replaces FMCSA as the entity responsible for ensuring PUC Title VI Program compliance.

The PSP has reviewed and approved the PUC Title VI Program Compliance Plan on May 22, 2023. The PSP will request PUC to update their Plan for PSP review and approval for Federal Fiscal Year 2024.

PART VII. TITLE VI PROGRAM PLAN TRAINING

All PSP employees will be annually enrolled in a web-based training regarding Title VI and Nondiscrimination-related policies. All employees will be required to acknowledge and agree to abide by the Pennsylvania State Police Title VI Program Compliance Plan.

Additionally, all PSP Motor Carrier Safety Assistance Program (MSCAP) Certified Inspectors will attend annual MSCAP In-Service Training regarding Title VI and Nondiscrimination-related policies.

PART VIII. MAINTENANCE OF RECORDS

The Director, Equality and Inclusion Office will maintain permanent records, which include, but are not limited to, implementation of Title VI Program requirements, Title VI complaints or lawsuits, and related documentation, records of correspondence to and from complainants, and Title VI investigations. These documents shall be made available to Federal Motor Carrier Safety Administration (FMCSA) staff upon request for compliance reviews and/or complaint investigations conducted by the FMCSA. These documents shall also be made available to FMSCA staff through periodic submission as required by FMCSA.

**PART IX. STATUS OF CORRECTIVE ACTIONS IMPLEMENTED BY
APPLICANT TO ADDRESS DEFICIENCIES PREVIOUSLY IDENTIFIED
DURING A TITLE VI PROGRAM COMPLIANCE REVIEW**

The PSP has not had a Title VI Program Compliance Review by any local, state, or federal agency.

PART X. COMMUNITY PARTICIPATION PROCESS

The PSP does not provide/conduct motorist licensure/motor vehicle registration-related services/activities. This section is not applicable.

PART XI. COMMERCIAL MOTOR VEHICLE INSPECTION SELECTION & UNBIASED ENFORCEMENT POLICIES

The Pennsylvania State Police (PSP) has developed a joint Commercial Motor Vehicle Inspection Selection and Unbiased Enforcement policy. The Commercial Vehicle Safety Alliance's Operational Policy #13 was referenced during the development of this policy and the policy includes references to the signed FMSCA Title VI Program Assurance, Public Notice of Title VI Program Rights, complaint disposition including coordination with the PSP's Title VI Program Coordinator, annual Title VI Program training, and periodic monitoring by the PSP of the effective implementation of this policy.

PSP's Inspection Selection Policy information is contained in Administrative Regulation 8-2, Commercial Vehicle Enforcement Program.

PART XII. DISCRIMINATION COMPLAINT PROCEDURE

1. Any individual, group of individuals or entity that believes they have been subjected to discrimination prohibited by Title VI nondiscrimination provisions may file a written complaint with the PSP EEO Section.
2. In order to have the complaint considered under this procedure, the complainant must file the complaint no later than 180 days after:
 - a. The date of alleged act of discrimination.
3. Complaints shall be in writing and shall be signed by the complainant and/or the complainant's representative. Complaints shall set forth as fully as possible the facts and circumstances surrounding the claimed discrimination. In the event that a person makes a verbal complaint of discrimination to an employee of the PSP, the person shall be interviewed by an EEO Section Liaison. If necessary, the EEO Section Liaison will assist the person in reducing the complaint to writing and submit the written version of the complaint to the person for signature. The complaint shall then be handled according to the PSP's investigative procedures.
4. Within 10 days, the Director, Equality and Inclusion Office will acknowledge receipt of the allegation, inform the complainant of the action taken or proposed action to process the allegation and advise the complainant of other avenues of redress available, such as Federal Motor Carrier Safety Administration.
5. The PSP will advise the FMCSA within 10 days of receipt of the allegations. Generally, the following information will be included in every notification to FMCSA:
 - a. Name, address, and phone number of the complainant.
 - b. Names(s) and address (s) of alleged discriminating employees.
 - c. Basis of complaint (i.e., race, color, national origin, sex, age, disability, low-income or LEP).
 - d. Date of alleged discriminatory act(s).
 - e. Date the complaint was received.
 - f. A statement of the complaint.
 - g. Other agencies (state, local or federal) where the complaint has been filed.

- h. An explanation of the actions the PSP has taken or proposed to resolve the issue raised in the complaint.
- 6. Within 60 days an EEO Section Liaison will conduct an inquiry of the allegation and based on the information obtained, will submit a General Inquiry report to the Director, Equality and Inclusion Office. The complaint should be resolved by informal means whenever possible. Such informal attempts and their results will be summarized in the General Inquiry report.
- 7. Within 90 days of receipt of the complaint, the Director, Equality and Inclusion Office will notify the complainant in writing of the final decision reached, including the proposed disposition of the matter. The Director, Equality and Inclusion Office will advise the complainant of their appeal rights.

EQUAL EMPLOYMENT OPPORTUNITY DISCRIMINATION COMPLAINT FORM

Equal Employment Opportunity

EEO Tracking Number

TITLE VI DISCRIMINATION COMPLAINT

The information on this form should be completed for all alleged Title VI Program discrimination complaints. The completed complaint form should be signed by the complainant. Upon completion, please forward to your nearest State Police Station or mail to: EEO Section 1800 Elmerton Ave. Harrisburg, PA 17110.

Agency Name and Address

1. Complainant's Name

Home Telephone No.

2. Are you currently employed by the above agency?

Yes No

Home Address

3. Location of discrimination

4. Date of the Alleged Discriminatory Practice

5. Basis of the Alleged Discriminatory Practice

- | | |
|--|--|
| <input type="checkbox"/> RACE | <input type="checkbox"/> AGE |
| <input type="checkbox"/> SEX | <input type="checkbox"/> DISABILITY |
| <input type="checkbox"/> NATIONAL ORIGIN | <input type="checkbox"/> LIMITED ENGLISH PROFICIENCY |
| <input type="checkbox"/> COLOR | <input type="checkbox"/> OTHER (SPECIFY) |
| <input type="checkbox"/> LOW INCOME | |

6. The Discrimination Occurred in Connection With

7. Facts of the Alleged Discriminatory Practice Are:

8. Please provide supporting documents which form the basis for the discriminatory practice you are claiming. As indicated in response to number 5 of this form. Describe attachments:

9. Person(s) who you believe discriminated against you.

Name	Title	Telephone Number
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10. Have you filed your complaint with any outside agency

If "Yes", what agency did you file with?

Complainant's Signature

Date

