

Nondiscrimination complaint procedures

The Denver Regional Council of Governments (“DRCOG”) follows Title VI of the Civil Rights Act of 1964, a nondiscrimination policy in which no person 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 federally funded program activity.

Further, DRCOG adheres to other federal nondiscrimination statutes that afford legal protection; specifically: Section 162(a) of the Federal-Aid Highway Act of 1973 (23 USC 324) (gender); Age Discrimination Act of 1975 (age); and Section 504 of the Rehabilitation Act of 1973/Americans with Disabilities Act of 1990 (disability).

Anyone who believes they have been excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any DRCOG program or activity because of their race, color, national origin, age, gender or disability may file a discrimination complaint.

Herein follows the DRCOG complaint procedure to assist anyone who believes they have been negatively impacted.

DRCOG’s Title VI Coordinator (“Coordinator”) is available to review any concerns about potential violations.

In order to file an official complaint against DRCOG or a recipient of federal funds from DRCOG, the following steps will be followed as applicable.

1) The complainant will contact the Coordinator no later than 180 days after the date of the alleged discrimination, unless the time for filing is extended by the processing agency. If a complaint is received by any other DRCOG staff member, that staff member will refer the complaint to the Coordinator. If the complainant is unable to complete a complaint

form because of a disability or is unable to submit a complaint online or by mail, DRCOG can provide assistance by scribing the complaint by phone or, for individuals who communicate by American Sign Language, by virtual meeting.

- 2) Upon receipt of a completed complaint, DRCOG will determine the appropriate routing based on the nature of the complaint. DRCOG will forward all applicable complaints to the Colorado Department of Transportation (“CDOT”) Civil Rights and Business Resource Center (“CRBRC”) within 72 hours.
- 3) CDOT CRBRC will forward all complaints to the appropriate federal agency, including but not limited, to the Federal Highway Administration (“FHWA”) Colorado Division Office or the Disability Rights Section (“DRS”) in the Department of Justice (“DOJ”).
 - For FHWA: All Title VI complaints received by the FHWA Division Office will be forwarded to the FHWA Headquarters Office of Civil Rights (“HCR”) for processing and potential investigation.
 - For FTA: All complaints subject to Federal Transit Administration (“FTA”) review will be investigated by DRCOG and the findings summarized to the FTA Region 8 Office during DRCOG’s regular three-year submission of its nondiscrimination program.
- 4) If it is determined that the complaint meets the basic criteria of a potential violation of nondiscrimination statutes, then an investigation will be conducted by an investigator.
 - For FHWA: FHWA headquarters will send a notice of receipt to the complainant acknowledging receipt of the complaint, inform the complainant of next steps and the contact

information for the FHWA investigator. Once the complainant receives the notification letter from FHWA, the complainant should address all questions and concerns to the assigned investigator. This will ensure the complainant receives the most accurate updates. FHWA does not have a timeline to investigate or resolve Title VI complaints.

- 5) The level and method of investigation will be determined on a case-by-case basis and is at the discretion of the investigator. A final report of findings from the investigation will be prepared by the investigator. A final notice of findings will be sent to the complainant by DRCOG. If the investigation is conducted by a Regional Civil Rights Specialist, a copy of the report and final notice of findings will be sent to the Coordinator. The final notice will include the process for filing an appeal of the decision.
 - For FHWA: A Letter of Finding (result of the investigation) will be sent directly to the complainant, copies will be distributed to the FHWA Division Office, CDOT, DRCOG, and the respondent (person or organization who was complained against). All LOFs issued by FHWA are administratively final there is no appeal. The complainant would have escalated the complaint to the agency that is over FHWA. This agency is identified in the "Letter of Finding".
- 6) A complainant may appeal a decision by submitting a request in writing within 30 days of the final notice. The request should include information detailing why the complainant believes the decision was made in error. The complainant will be given information on how to appeal this decision directly with the state or federal funding agency in the final notice.

How to file a complaint:

If you believe that you and/or any person(s) under your care have been discriminated against by any organization that receives funds from DRCOG for any of its programs, services, facilities or activities, please complete a discrimination complaint form as found attached. Please provide:

- 1) Your full name, address, telephone number, email address and the name of the person who you believe has discriminated against you.
- 2) The name of the organization that you believe has discriminated, its address and telephone number, and any other identifying information.
- 3) The basis of the complaint (race, color, national origin, gender, age, disability) and a description of the actions that you believe were discriminatory (dates of actions, names of those who you believe discriminated, and witnesses). A description of the actions that you believe were discriminatory (dates of actions, names of those who you believe discriminated, and witnesses).
- 4) Any other information that you believe necessary to support your complaint. Please send copies of relevant documents, and keep originals.

To file with DRCOG:

Denver Regional Council of Governments
Title VI Coordinator
1001 17th St., Suite 700
Denver, CO 80202
Phone: 303-455-1000
Email: drcog@drcog.org

The following resources are available:

The complainant may also file a discrimination related complaint directly with CDOT or with the appropriate federal agencies by contacting the agencies at:

Colorado Department of Transportation
Civil Rights and Business Resource
Center Title VI Coordinator
2829 W. Howard Pl., 1st Floor
Denver, CO 80204
Email: dot_civilrights@state.co.us
Phone: 800-925-3427
Fax: 303-952-7088

Federal Highway Administration, Colorado Division
12300 West Dakota Avenue, Suite 180
Lakewood, CO 80228
Phone: 720-963-3000
Fax: 720-963-3001

Federal Highway Administration
U.S. Department of Transportation Office of Civil Rights
1200 New Jersey Avenue, SE
8th Floor E81-105
Washington, DC 20590
Email: CivilRights.FHWA@dot.gov
Fax: 202-366-1599
Phone: 202-366-0693

Federal Transit Administration
Office of Civil Rights
Attention: Complaint Team
East Building, 5th Floor – TCR
1200 New Jersey Avenue, SE
Washington, DC 20590
Phone: 888-446-2511

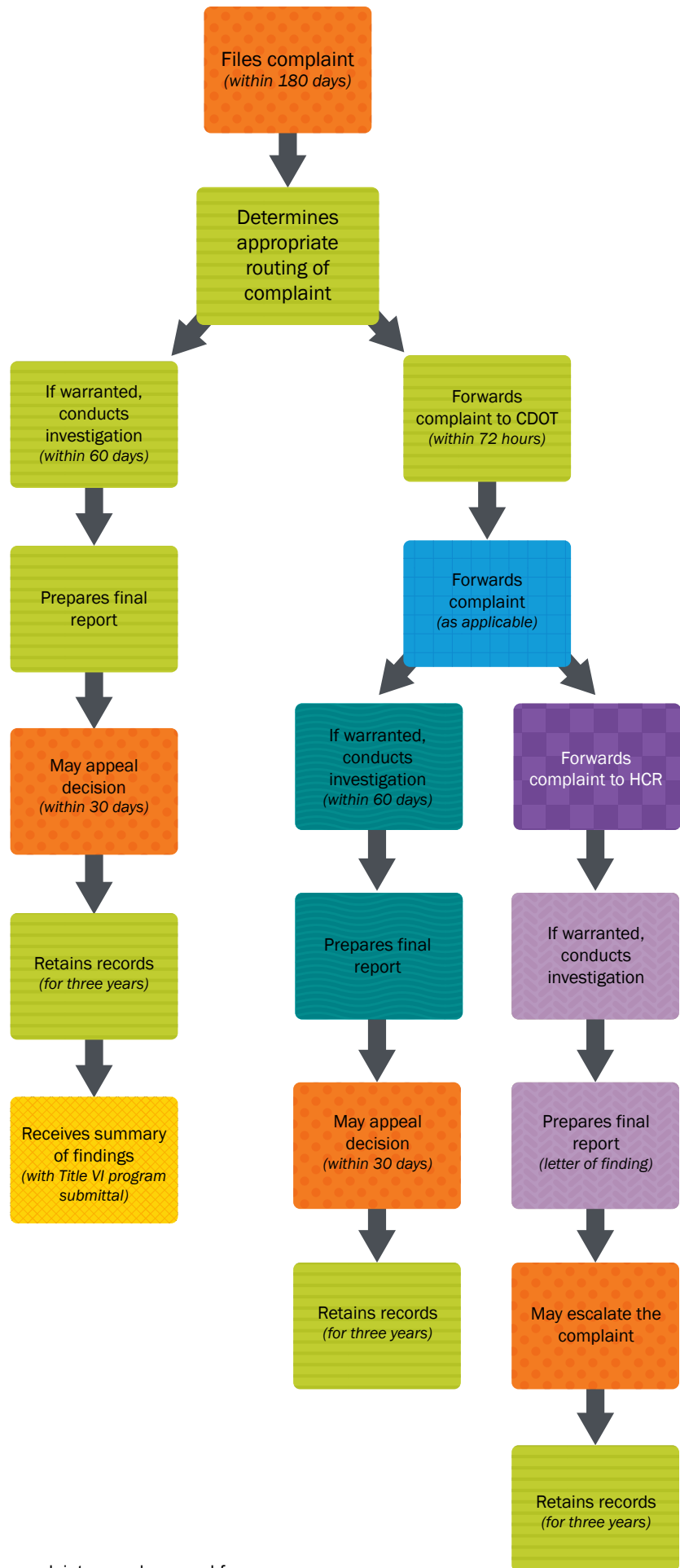
U.S. Department of Justice
Civil Rights Division
950 Pennsylvania Avenue, NW
4CON, 9th Floor
Washington, DC 20530
Fax: (202) 307-1197

Record Keeping

Records of all complaints and investigations will be kept for 72 months. Records will include the date the complaint or investigation was filed, a summary of the allegation(s); the status of the investigation, lawsuit, or complaint; and actions taken by DRCOG or sub-recipients in response to the investigation, lawsuit, or complaint.

Key

	Complainant
	Denver Regional Council of Governments
	Colorado Department of Transportation <i>Civil Rights and Business Resource Center</i>
	Federal Highway Administration <i>Colorado Division Office</i>
	Federal Highway Administration <i>Headquarters Office of Civil Rights</i>
	Department of Justice <i>Disability Rights Section</i>
	Federal Transit Administration <i>Region 8 Office</i>



Nondiscrimination complaint form

Section I					
Name:					
Address:					
Home phone:			Work phone:		
Email:					
Accessible format requirements?	Large print		Audiotape		
	TDD/TTY		other		
Section II					
Are you filing this complaint on your own behalf?				Yes*	No
*If you answered "yes" to this question, go to Section III					
If you answered "no", please state the name and relationship of the person for whom you are filing this complaint:	Name:				
	Relationship:				
Please explain why you have filed for a third party:					
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.				Yes*	No
Section III					
I believe the alleged discrimination I experienced was based on (check all that apply):					
Title VI			Other Federal Non-Discrimination Statutes		
Race	Color	National Origin	Gender	Age	Disability (Title II)
Date of Alleged Discrimination (Month, Day, Year):					

Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who you believe discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use a separate page and attach it to this form.

Name of agency complaint is against:

Contact person:

Title:

Phone:

Explanation:

Section IV

You may attach any written materials or other information that you think are relevant to your complaint. By signing below you acknowledge that the information in this complaint is true and accurate to the best of your knowledge and belief.

Signature and date required below:

Signature

Date

Please submit this form in person by mail or by email to:

Denver Regional Council of Governments

Title VI Coordinator

1001 17th St., Suite 700

Denver, CO 80202

Phone: 303-455-1000

Email: drcog@drcog.org