



Americans with Disabilities Act Program Access Plan

2024

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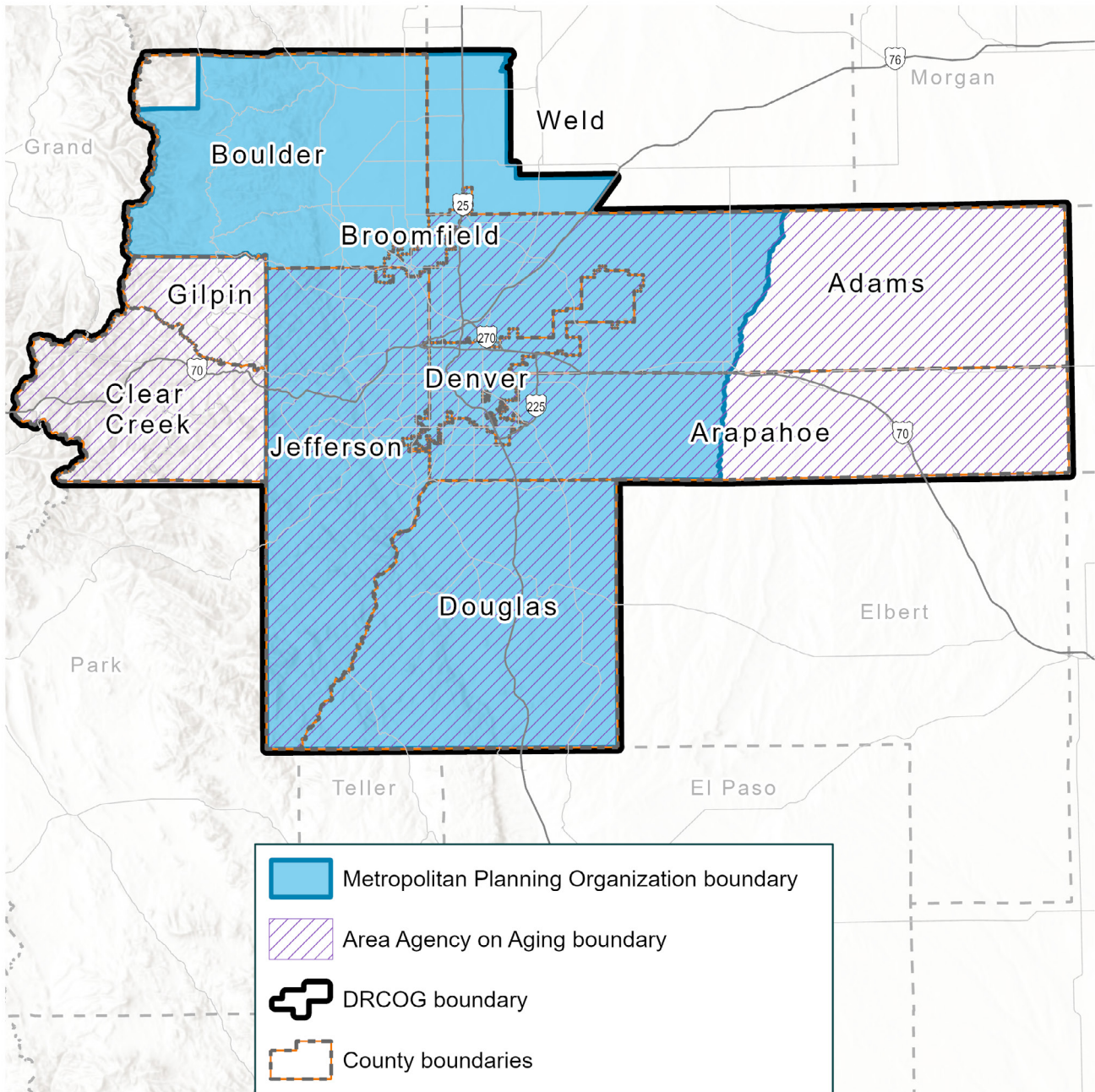
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Introduction

Map 1.1 The DRCOG planning area



Background

The Denver Regional Council of Governments is a planning organization through which local governments collaborate to establish guidelines, set policy and allocate funding in the areas of transportation and personal mobility, growth and development, and aging and disability resources.

- DRCOG is a council of governments, serving as a planning organization, technical assistance provider and forum for local member governments.
- DRCOG functions as a regional planning commission per Colorado state statute and prepares the plan for the physical development of the region, known as Metro Vision.
- DRCOG is the federally designated Area Agency on Aging, planning and providing comprehensive services to address the needs of the region's population of older adults and people living with disabilities.
- DRCOG serves as the metropolitan planning organization for the region, carrying out the regional metropolitan transportation planning process for four urbanized areas, encompassing slightly more than 3,600 square miles.
- DRCOG is a designated recipient of Federal Transit Administration Section 5310 program funds for the Denver-Aurora Urbanized Area.
- DRCOG is the author of the region's Comprehensive Economic Development Strategy, which allows access to special funding programs through the federal Economic Development Administration to fund projects that address the foundational needs of successful economic development efforts in the region.

DRCOG's planning area covers Adams, Arapahoe, Boulder, Clear Creek, Douglas, Gilpin and Jefferson counties, the City and County of Broomfield and the City and County of Denver, and southwest Weld County.

Americans with Disabilities Act Program Access Plan

The Denver Regional Council of Governments has prepared this document to fulfill its obligation under two pieces of civil rights legislation.

- 1) Americans with Disabilities Act of 1990, Title II Regulations, Nondiscrimination on the Basis of Disability in State and Local Government Services, 28 CFR Part 351.
- 2) Section 504 of the Rehabilitation Act of 1973, as amended, Nondiscrimination on the Basis of Disability in Programs or Activities Receiving Federal Financial Assistance, 49 CFR Part 27.

The intent of the Americans with Disabilities Act Title II regulations is to ensure nondiscrimination and access for individuals with disabilities in state and local government

services. The intent of the Section 504 regulations is to prohibit discrimination on the basis of disability in programs or activities receiving federal financial assistance.

These regulations apply to DRCOG because the agency is a recipient of federal financial assistance, including from the Federal Highway Administration and Federal Transit Administration, for developing transportation plans and programs. As such, DRCOG is obligated to take appropriate steps to comply with Title II and Section 504 provisions. These provisions apply to all programs, services and activities for which DRCOG has responsibility within its region.

In addition to federal legislation, DRCOG is also subject to state accessibility requirements, including:

- [House Bill 21-1110](#)
- [Senate Bill 23-244](#)

House Bill 21-1110 adds language to strengthen Colorado law related to protections against discrimination on the basis of disability for persons with disabilities, specifically as they relate to accessibility to government information technology.

Senate Bill 23-244 clarifies statutory language to ensure the provision of reasonable accommodations, requires the office of information technology to promulgate rules regarding accessibility standards for information technology, and clarifies language

regarding sanctions for failing to comply with accessibility standards.

Overview of programs and services

Area Agency on Aging

As required by the Older Americans Act of 1965, the Denver region's Area Plan on Aging is carried out through programs provided directly by the Area Agency on Aging and through contracts with community-based agencies to provide a continuum of services. The Area Agency on Aging has many options to help adults 60 and older remain independent in the community. Through direct services and a network of funded providers, it offers older adults, their families and caregivers information and referral services, case management, transportation, home-delivered meals, access to senior centers, and legal services.

The Denver Regional Council of Governments is also an Aging and Disability Resource Center for Colorado and provides information and assistance as well as options counseling for both older adults and people 18 and older living with a disability. The program streamlines access to long-term services and community resources. Options counselors offer personalized education and decision support about local resources for individuals and their caregivers.

Metropolitan planning organization

The metropolitan transportation planning process establishes a continuous, comprehensive and cooperative framework for making transportation investment decisions in metropolitan areas. As the metropolitan planning organization for the Denver area, DRCOG carries out the 3C process in the region. Every five or six years, the U.S. Congress enacts a law to authorize funds for surface transportation programs. Congress typically uses the reauthorization acts to review, revise and refine all aspects of federal surface transportation policy, including transportation planning. Since 1973, federal transportation law has placed the responsibility for carrying out the regional transportation planning process in urbanized areas on metropolitan planning organizations.

The most recently enacted reauthorization is the Infrastructure Investment and Jobs Act, most commonly known as the Bipartisan Infrastructure Law, signed into law on November 15, 2021.

Designated recipient of Federal Transit Administration Section 5310

DRCOG is a designated recipient of Federal Transit Administration Section 5310 program funds for the Denver-Aurora Urbanized Area. The Program Management Plan details how DRCOG plans to administer the 5310 program to facilitate both DRCOG's management and Federal Transit Administration oversight by

documenting the procedures and policies for administering these programs. The Program Management Plan details how a project is selected, incorporated into the appropriate documents for federal funding, contracted and managed.

Federal surface transportation legislation requires projects selected for funding under Section 5310 to be "derived from a locally developed, coordinated public transit-human services transportation plan" and that the plan be "developed through a process that includes representation of public, private, and nonprofit transportation and human services providers." DRCOG produces and maintains the Coordinated Transit Plan, which covers the entire Denver region; however, local entities are encouraged to develop local coordinated transit plans.

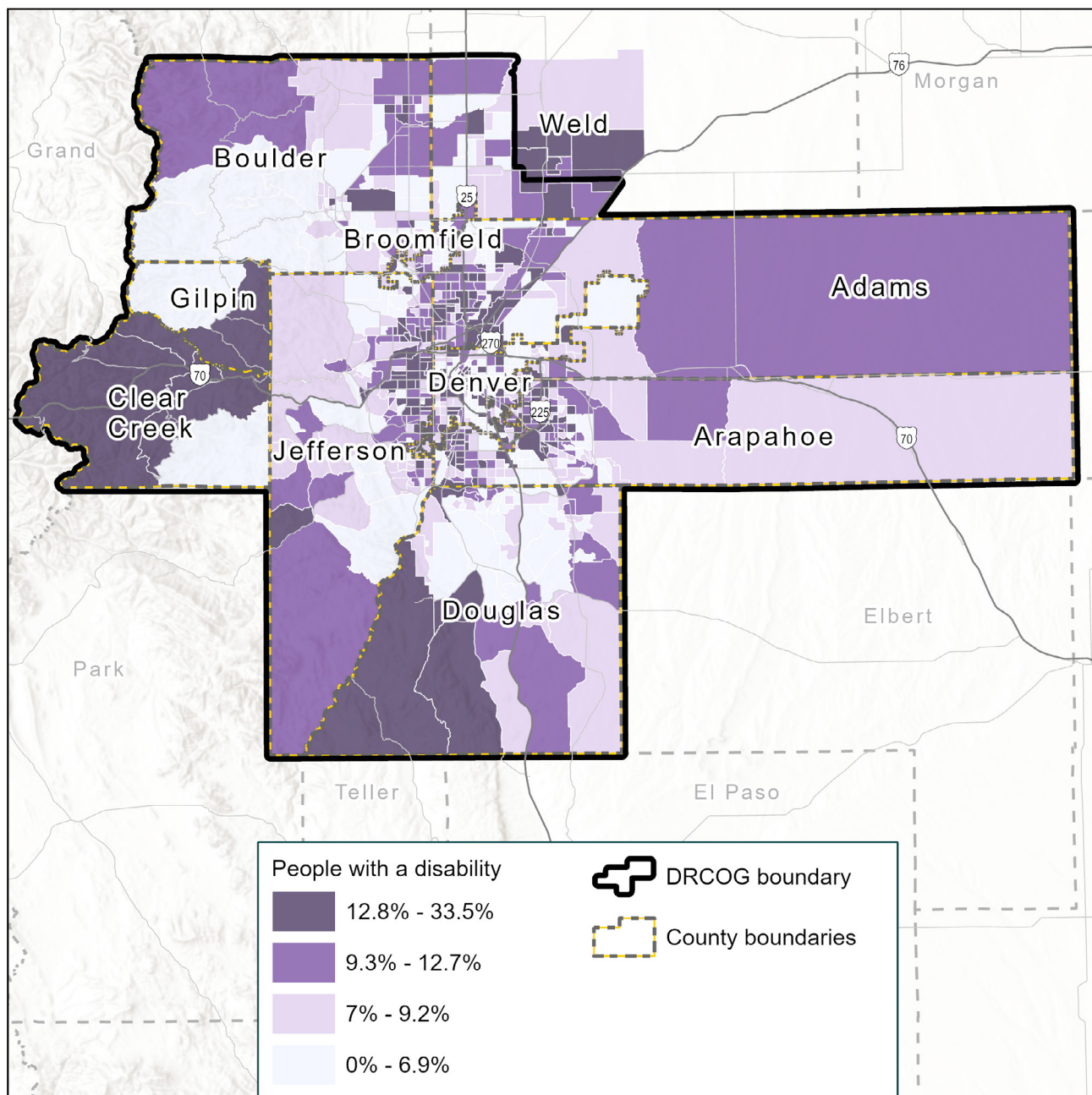
The Section 5310 program management is provided by Area Agency on Aging with support from multiple divisions within DRCOG, including the Transportation Planning and Operations division and the Administration and Finance division. The Area Agency on Aging provides program management and general review of projects with support from Transportation Planning and Operations. Administration and Finance provides overall program financial compliance and contract management.



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Baseline report

Map 2.1 Distribution of individuals with a disability



Federal accessibility requirements

Some Americans with Disabilities Act requirements do not pertain to DRCOG, as there are fewer than 50 transportation employees. Based on federal statutes and regulations, specific requirements apply to the Denver Regional Council of Governments roles listed previously stemming from the Rehabilitation Act of 1973 and Americans with Disabilities Act of 1990. The key requirement is for DRCOG to make participation in the planning process accessible under the Americans with Disabilities Act. Map 2.1 illustrates the geographic distribution of people with a disability in the DRCOG planning area.

Office space

DRCOG leases its space. DRCOG is contractually obligated in its office lease to abide by all requirements of disability laws with respect to the leased premises, including tenant improvements, alterations and private restrooms. The landlord is contractually obligated to comply with all disability laws in common areas to include conference rooms and common area restrooms located on the first floor and common area restrooms on the 7th floor (the location of DRCOG's office).

Website

DRCOG also addresses accessibility by making its website accessible. A key feature that demonstrates this is that there is a place to click to enlarge the font, magnify text, adjust line spacing or increase contrast if needed.

Website users can also choose to display the site in modes specific to the needs of people who have seizures, cognitive disabilities, attention-deficit/hyperactivity disorder or who prefer to use keyboard navigation of the site. The Communications and Marketing division also optimizes PDF documents for accessibility, for example, by using capitalization standards best suited for text-to-speech readers, increasing contrast for people with color perception deficiencies and indicating segment reading order.

Transportation Improvement Program

DRCOG regularly allocates funding through the Transportation Improvement Program, the fiscally constrained short-range program of projects for the Denver region. Sponsors of selected projects within the program are required to ensure that their project meets all civil rights requirements, including the Americans with Disabilities Act.

To receive federal or state funding through the Transportation Improvement Program process, project sponsors must follow all applicable laws, including those pertaining to Americans with Disabilities Act regulations, particularly regarding pedestrian and bicycle amenities. For more information, consult the most recent Policy on Transportation Improvement Program Preparation document. The Transportation Improvement Program policy document is updated every four years for each call for projects and can be located on Transportation Improvement Program section of DRCOG's website.

Federal Transit Administration Section 5310 program

In its role as a designated recipient for the Federal Transit Administration Section 5310 program, DRCOG is responsible for ensuring compliance and performs the essential task of monitoring. Not only is monitoring required by 2 CFR 200.331(d), but monitoring is also the process that ensures successful grant performance.

DRCOG continually monitors 5310 subrecipients. DRCOG staff review invoices from 5310 grantees to ensure they comply with applicable regulations and are submitted for eligible expenses. If invoices do not match regulations, they are rejected and further investigated. If DRCOG determines a project is no longer compliant with the 5310 program, funds are taken from the subrecipient.

DRCOG performs an annual evaluation to provide program measures and other applicable information, including tracking of funding and the remaining apportionment balances. DRCOG uses the 5310 program checklist to ensure it is taking all appropriate measures in administering and managing the 5310 program. The results from the checklist are included in the annual evaluation document.

DRCOG staff require Section 5310 subrecipients to attend a mandatory civil rights training prior to grant execution, and staff monitor compliance through annual

subrecipient site reviews. DRCOG staff also investigate any civil rights complaints received.

For Section 5310 funding, DRCOG staff seek, from all approved applicants, a written certification of compliance pertaining to Americans with Disabilities Act directives. Staff, in turn, make all documents related to Americans with Disabilities Act reporting part of the project's permanent file. The documentation includes information regarding the accessibility of vehicles purchased through the 5310 program and executed, contracted assurances for subrecipients. The documentation also includes information about small construction projects that remove barriers for older adults and individuals with disabilities, such as curb cuts and sidewalk connections to bus stops and transit stations. DRCOG staff incorporate the relevant elements of the Section 5310 program administration into the agency's Title VI plan. The Title VI plan provides the overarching framework for DRCOG's administration of federal funds and programs in compliance with the Americans with Disabilities Act and other Title VI requirements. Consult the Performance Management Plan for more information.

Public participation

In DRCOG's public engagement plan, People-Centered Planning, Projects and Services, federal regulations pertaining to the metropolitan planning organization public involvement process are specified. This includes applicable Americans with Disabilities Act regulations. Representatives from the disability community are also listed as

examples of interested parties who participate in the transportation planning process. DRCOG staff periodically measure and review the public participation process, considering factors such as attendance at speaking engagements with the public and elected representatives from groups representing populations such as individuals with disabilities and older adults.

All DRCOG-hosted public hearings are wheelchair accessible. DRCOG staff accommodate and provide services for persons with other disabilities when provided notice before the hearing. DRCOG staff solicit attendees to provide such notice as part of every meeting agenda packet.

DRCOG holds hearings at centrally located venues accessible by frequent transit service. DRCOG's office, which meets these criteria, is used for most hearings. As a result of the COVID-19 pandemic, DRCOG pivoted to fully virtual hearings and meetings but maintained accessibility and participation.

Additional plans and programs

DRCOG's Coordinated Transit Plan outlines how the agency intends to improve mobility for older adults, individuals with disabilities, low-income individuals and others with mobility challenges. As the federally required Coordinated Public Transit Human Services Transportation Plan, the Coordinated Transit Plan also addresses many Federal Transit Administration requirements, including an assessment of transportation needs for individuals with disabilities and older adults.

DRCOG is a founding member of the Denver Regional Mobility and Access Council. This includes having an appointed representative of DRCOG on the council's board of directors. The Denver Regional Mobility and Access Council was established in 2005 to address specialized transportation needs of residents of the greater Denver metro area. Its mission is to ensure people with mobility challenges have access to the community by increasing, enhancing, sharing and coordinating regional transportation services and resources.

Policy statements

The Americans with Disabilities Act, among other civil rights statutes, is addressed in the DRCOG Civil Rights Title VI Policy Statement. This statement can be found on the [DRCOG Civil Rights Title VI webpage](#) and in DRCOG's Title VI Implementation Plan. Also included in DRCOG's Title VI Implementation Plan are copies of DRCOG's Nondiscrimination Contract Provisions, which include provisions for the Americans with Disabilities Act. DRCOG certifies compliance with multiple civil rights laws, including the Americans with Disabilities Act, in the Title VI Local Agency Assurance also included in the Title VI Implementation Plan document.

DRCOG is an equal opportunity employer and does not discriminate against any status protected by applicable law, including disability. The DRCOG Equal Employment Opportunity Statement is available on the DRCOG website.

State accessibility requirements

In response to Colorado House Bill 21-1110 and Senate Bill 23-244, DRCOG has integrated accessibility best practices into its workflows for creating digital products, including the remediation of documents, websites, applications, web maps, project management, policy development and related tasks.

Training and resources

DRCOG maintains an accessibility training plan that outlines training requirements by role. All staff are required to take classes in accessibility fundamentals. Staff performing advanced or specialized functions are required to take additional training. Classes are included in staff performance plans, and corresponding skills are included in job descriptions.

The Communications and Marketing team publishes templates and letterhead with accessibility considerations built in. Staff are required to use these templates when creating presentations, reports, policies and materials. The Communications and Marketing team also publishes various guides to help staff consistently implement subjective requirements, such as clear writing and meaningful alt text.

Communication and support

Accessibility statements

DRCOG staff develop and maintain technology accessibility statements to be placed prominently in documents, videos and on web properties. The statements include a

commitment to a timely response and two methods to contact DRCOG about accessibility complaints or requests for accommodation.

Grievance procedure

Designated Administration and Finance staff monitor the accessibility concerns submitted online. Calls related to accessibility are forwarded from the front desk to these same staff. Requests and complaints are tracked in a spreadsheet, which documents at minimum:

- The date of the request or complaint.
- Name and contact information.
- A description of the request or complaint.
- If legal input is required.
- Solution description.
- Date of resolution.

Evaluation and remediation

DRCOG staff maintain an inventory of information and communication technology in active use for the purpose of prioritizing remediation efforts and tracking compliance.

Staff also maintain a testing guide that identifies the products and testers involved in accessibility testing, as well as the required timing, tools and documentation. Additionally, staff provide checklists that identify how to check each criterion (such as through automated or manual methods) and provide quick access to reference documentation.

Remediation can be handled by the Communications and Marketing division or by consultants providing deliverables to DRCOG.

Reporting progress

DRCOG staff publish an annual accessibility report and plan that demonstrates progress on removing accessibility barriers across DRCOG's inventory of information and communication technology. This plan provides a compliance summary and a snapshot of the inventory, as well as a plan for future improvements.

Procurement and vendor management

Requests for proposals and contracts

The contracts team in Administration and Finance includes language in requests for proposals and contract templates that indicates DRCOG's desire and obligation to procure accessible products and services. Staff are also responsible for including accessibility in their evaluation criteria, confirming the accessibility of the deliverable and, if it is not compliant, coordinating the redelivery of an acceptable product.

DRCOG staff maintain tips for vendors, but these should not be viewed as a substitute for their understanding the accessibility standards as outlined in legislation.

Third-party software

For third-party software procurements, vendors are required to submit a Voluntary Product Accessibility Template, also called an Accessibility Conformance Report.

Information technology hardware

When procuring a replacement of hardware, accessibility will be considered. Specialized products will only be ordered upon request.

Data

DRCOG staff have updated maps and data content to make geospatial products more accessible. Future maps embedded in printable documents such as reports will have modifications for accessibility, including enlarged text, a simplified disclaimer and accessibility statement, alternative text, and thoughtful color and pattern choices.

Map-making standards and templates for the organization have been updated to reflect best practices for accessibility.

Online content such as web mapping applications and story maps have been enhanced for accessibility. In addition to the features listed above for printed maps, web maps now have improved color contrast ratios for map elements and options to download the data in tabular form. Online products have been tested using color and accessibility checkers and screen readers.

Finally, most data available on the Regional Data Catalog is being offered in multiple formats, including CSV, to allow for more accessible consumption of information. This comprehensive work to ensuring DRCOG's geospatial products are accessible will continue to improve as new technologies become available.

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Accessibility plan

Statement of commitment

Policy statement

The Denver Regional Council of Governments ("DRCOG") adheres to Title VI of the Civil Rights Act of 1964, a nondiscrimination law which provides that no person 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. 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). DRCOG is committed to ensuring that no person or persons shall, on any statutorily prescribed basis, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity administered by DRCOG.

Public accommodation and accessibility

DRCOG promotes full accommodation and access to its meetings by publishing the following statement on its meeting agendas: "Persons in need of auxiliary aids or services, such as interpretation services, are asked to contact the Denver Regional Council of Governments at least 48 hours in advance of the meeting."

Additionally, the following document accommodation statements are included on documents as appropriate:

- "To receive these documents in accessible formats, such as in languages other than English, please call 303-455-1000 or email drcog@drcog.org so we can coordinate your request."
- "If you need digital accessibility assistance, submit a request at drcog.org/access or call 303-455-1000. Please expect a response within 72 hours (three business days)."

Complaint procedures and forms

Any individual that believes that they have been subjected to discrimination or retaliation, by any of the Denver Regional Council of Governments programs, services or activities, as prohibited by Title VI of the Civil Rights Act of 1964, as amended, and related statutes may file a written complaint. All written complaints received by DRCOG shall be reviewed immediately.

Visit the DRCOG website to access the latest versions of [complaint procedures and forms](#).

Policies

- DRCOG will review all programs, services and new initiatives to ensure accessibility.
- DRCOG will make information available in an accessible format or provide communication resources to people with disabilities in a way that considers their disability.

Actions

The Americans with Disabilities Act Program Access Plan will be reviewed every three years in connection with the required regular three-year update of the Title VI Implementation Plan. DRCOG staff will monitor accessible products produced and activities conducted, and track specific accommodation requests received and responses provided.

Updates to the Americans with Disabilities Act Program Access Plan may consider the following factors:

- How many individuals with a disability were encountered or requested services? Were their needs met? Does analytical data regarding website use reveal valuable information?
- What is the current population of individuals with a disability in the DRCOG planning area?
- Have DRCOG's available resources, such as technology, staff and financial costs, changed?
- Were any complaints received?
- Have new federal or state regulations concerning access plans been approved requiring changes to the Americans with Disabilities Act Program Access Plan or DRCOG's process for addressing individuals with a disability?



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Program Access Plan**

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