

# DRCOG Americans with Disabilities (ADA) Program Access Plan

## Part 1. Baseline Report

### A. Overview of Programs and Services

The Denver Regional Council of Governments (DRCOG) is a planning organization where local governments collaborate to establish guidelines, set policy and allocate funding in the areas of:

- Transportation and Personal Mobility
- Growth and Development
- Aging and Disability Resources

Specifically, DRCOG serves the public in the following official capacities:

- A **Council of Governments**, serving as a planning organization, technical assistance provider and forum for local member governments
- 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
- Is the federally designated **Area Agency on Aging (AAA)**
- Is the federally designated **Metropolitan Planning Organization (MPO)** for the region, responsible for leading and coordinating the multimodal transportation planning process for the Denver region

### AAA

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

DRCOG is also an Aging and Disability Resource Center for Colorado (ADRC) and provide information and assistance as well as options counseling for both older adults and adults 18+ living with a disability. This program helps streamline access to long-term services and supports in the community. Options counselors are available to offer

personalized education and decision support around local resources for individuals and their caregivers.

## **MPO**

The metropolitan planning process establishes a continuous, comprehensive, and cooperative framework for making transportation investment decisions in metropolitan areas. About every five or six years, Congress enacts a law to authorize funds for surface transportation programs. Congress typically uses these 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 MPOs.

The most recently enacted reauthorization is the Fixing America's Surface Transportation (FAST) Act signed on Dec. 4, 2015. The FAST Act incorporates many of the aspects of and builds on its predecessor, the 2012 Moving Ahead for Progress in the 21st Century Act (MAP-21).

## **B. Federal Requirements Related to ADA**

Based on federal statutes and regulations, there are specific requirements that apply to DRCOG's roles listed above stemming from the Rehabilitation Act of 1973 and Americans with Disabilities Act (ADA) of 1990. The key requirement is to make participation in the planning process ADA accessible. DRCOG addresses this by having accessible facilities and conference rooms where public meetings occur, and by offering auxiliary aids or services, such as interpretation services or assisted listening devices for persons in need for every public meeting. 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). Accessibility is also addressed by making the DRCOG website accessible. A key feature that demonstrates this is that there is a place to click to enlarge the font if needed.

There are also requirements that do not pertain to DRCOG. Since DRCOG is not a local government and is not a project sponsor for construction projects, DRCOG is not directly responsible for ensuring ADA compliance for transportation construction projects. DRCOG regularly allocates funding through the Transportation Improvement Program (TIP), the fiscally constrained short-range program of projects for the Denver region. Sponsors of selected projects are required to ensure that their project meets all civil rights requirements, including ADA.

## **C. How DRCOG addresses Americans with Disabilities Act (ADA) Requirements**

DRCOG addresses ADA requirements directly and indirectly; on its own and in collaboration with its planning partners and member governments. There are specific MPO requirements

that DRCOG addresses in various documents. The following is a list of documents in which ADA requirements are addressed:

- In Appendix A of *Public Engagement Plan- People-Centered Planning, Projects and Services (2019)* federal regulations pertaining to the MPO Public Involvement Process are enumerated. This includes applicable ADA regulations. Representatives from the disabled community are also listed as examples of interested parties that participate in the transportation planning process. DRCOG periodically measures and reviews the public participation process consider factors including attendance at speaking engagements with the public and elected representatives from groups representing populations such as individuals with disabilities, older adults, and other constituencies.
- All DRCOG-hosted public hearings are wheelchair accessible. DRCOG will accommodate and provide services for persons with other disabilities when provided notice before the hearing. DRCOG solicits attendees to provide such notice as part of every meeting agenda packet.
- Hearings are held at venues that are centrally located and accessible by good transit service. DRCOG's office, which meets these criteria, is used for most hearings.
- DRCOG is an Equal Opportunity Employer (EEO) and does not discriminate against any status protected by applicable law including disability. The DRCOG EEO Statement is available on the [DRCOG website](#).
- The purpose of DRCOG's Coordinated Transit Plan is 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 (CPTHSTP), the Coordinated Transit Plan also addresses many FTA requirements including:
  - An assessment of transportation needs for individuals with disabilities and older adults. (This assessment can be based on the experiences and perceptions of the planning partners, and/or on more sophisticated data collection efforts, and gaps in service).
- DRCOG is a founding member of the Denver Regional Mobility and Access Council (DRMAC). This includes having an appointed representative of DRCOG on DRMAC's Board of Directors. DRMAC was established in 2005 to address the specialized transportation needs for citizens of the greater Denver metro area. Their mission is to ensure people with mobility challenges have access to the community by increasing, enhancing, sharing, and coordinating regional transportation services and resources.
- ADA, among, other civil rights statutes, is addressed in the *DRCOG Civil Rights- Title VI Policy Statement*. This statement can be found on the [DRCOG website](#) and *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 ADA. DRCOG certifies compliance with multiple civil rights laws including ADA in the Title VI Local Agency Assurance also included in this document.
- While DRCOG is not required to enforce ADA requirements, projects selected for funding in the TIP are required to adhere to all federal requirements including ADA.

DRCOG informs recipients of their responsibilities through mandatory TIP application trainings. It is the responsibility of CDOT, FTA, and FHWA to directly enforce federal regulations and requirements including ADA in their role as administrators of federally funded projects.

- In order to receive federal or state funding through the Transportation Improvement Program (TIP), project sponsors must follow all applicable laws, including those pertaining to ADA regulations. This is most notable in pedestrian and bicycle amenities. This information can be found in *Policy on Transportation Improvement Program (TIP) Preparation: Procedures for Preparing the 2020-2023 TIP*.

#### **D. Accessibility Barriers**

- No barriers have been identified.

## **Part 2. Accessibility Plan**

### **A. Statement of Commitment**

#### **Title VI/ Civil Rights 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.

DRCOG has established a discrimination complaint procedure and form for handling complaints of discrimination. Please visit <https://drcog.org/civil-rights—title-vi> for the procedure and form.

#### **Public Accommodation & 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 or assisted listening devices, are asked to contact DRCOG at least 48 hours in advance of the meeting by calling (303) 480-6701."

### **B. 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 supports to people with disabilities in a way that considers their disability.

### **C. Actions**

Since no accessibility barriers have been identified there no actions planned except to continue to ensure accessibility.

### **D. Related Links**

#### **DRCOG Civil Rights/Title VI Webpage**

<https://drcog.org/civil-rights%E2%80%94title-vi>

#### **DRCOG Public Engagement Plan**

<https://drcog.org/sites/default/files/resources/CAM-RP-PUBLICENGAGE-19-04.pdf>

#### **DRCOG Title VI Implementation Plan**

<https://drcog.org/sites/default/files/resources/Title%20VI%20Implementation%20Plan-%20Adopted%20June%202018.pdf>

#### **Title VI Complaint Procedures**

[https://drcog.org/sites/default/files/resources/DRCOG\\_Title\\_VI\\_Complaint\\_Procedures.pdf](https://drcog.org/sites/default/files/resources/DRCOG_Title_VI_Complaint_Procedures.pdf)

#### **Title VI Complain Form**

<https://drcog.org/sites/default/files/resources/Title%20VI%20Implementation%20Plan-%20Adopted%20June%202018.pdf>

#### **DRCOG Equal Opportunity Employer Webpage**

<https://drcog.org/equal-opportunity-employer-genderminorityveteransdisabled>

#### **EEO Statement**

<https://drcog.org/sites/default/files/resources/EEOStatement2017.pdf>