

Title VI Implementation Plan

Denver Regional Council of Governments

Adopted

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Updated

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TABLE OF CONTENTS

Introduction	1
Non-Discrimination Policy Statement	2
Organization, Staffing, and Structure	3
Title VI Liaison Organizational Chart: DRCOG Divisions.....	4
Primary Program Area Descriptions and Review Procedures	5
Growth and Development	5
Aging	6
Communications	7
Transportation	8
Title VI Complaint Procedures	9
How to File a Complaint.....	10
Title VI Complaint Form	12
Data Collection	14
Racial Makeup of Transit Related Committees.....	16
Public Participation	17
Annual Work Plan, Goals, and Accomplishments report	22
Required Title VI Nondiscrimination Contract Provisions	25
Disadvantaged Business Enterprises and Participation by Small Business Enterprises	28
Notice of Rights	30
Appendix	34

INTRODUCTION

The Denver Regional Council of Governments (DRCOG) serves as a planning organization, technical assistance provider and forum for visionary local member governments. It serves the following purposes:

- 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;
- Federally designated area agency on aging (AAA), and
- Federally designated metropolitan planning organization (MPO) for the region.

DRCOG is a recipient of federal financial assistance. All recipients are required to comply with various nondiscrimination laws and regulations, including Title VI of the Civil Rights Act of 1964 which forbids discrimination against anyone in the United States because of race, color, or national origin by any agency receiving federal funds. The Federal-Aid Highway Act of 1973 added the requirement of no discrimination on the grounds of sex. Additionally, the Civil Rights Restoration Act of 1987 defined the word “program” to make clear that discrimination is prohibited throughout an entire agency if any part of the agency receives federal financial assistance.

NON-DISCRIMINATION 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 U.S.C. 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 (located on the DRCOG website).

Douglas W. Rex
Executive Director

Date

ORGANIZATION, STAFFING, AND STRUCTURE

The executive director is ultimately responsible for ensuring full compliance with the provisions of Title VI of the Civil Rights Act of 1964 and related statutes and has directed that non-discrimination is required of all agency employees, contractors and agents pursuant to applicable law, including but not limited to, 23 CFR Part 200, 49 CFR Part 21, and 28 CFR Part 42, Subpart C.

DRCOG's contracts and budget coordinator, in the Administration and Finance division, performs the duties of Title VI coordinator and ensures implementation of DRCOG's Title VI program.

The Title VI Coordinator is responsible for:

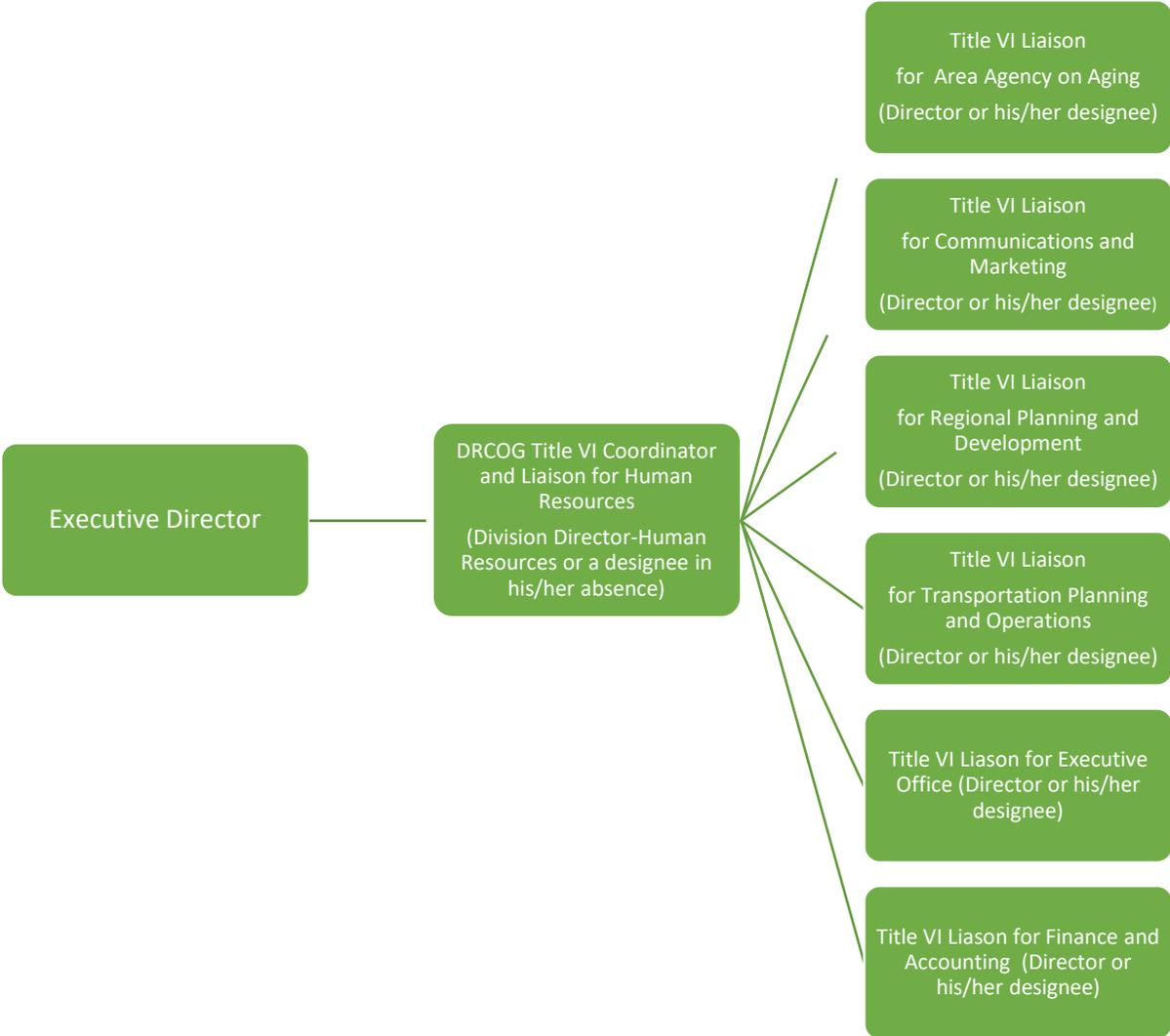
- Submitting a Title VI plan and annual reports on the agency's behalf;
- Developing procedures for the prompt processing and disposition of complaints;
- Investigating complaints, compiling a complaint log and reporting to the Colorado Department of Transportation;
- Developing procedures for the collection and analysis of statistical data;
- Developing a program to conduct Title VI reviews of program areas;
- Conducting annual Title VI assessments of pertinent program areas;
- Developing Title VI information for dissemination to the general public and staff as needed;
- Attending relevant training and sharing information with staff as appropriate; and
- Establishing procedures for resolving deficiency status and reducing to writing the remedial action agreed to be necessary.

The Title VI Liaisons are responsible for:

- Coordinating with the Title VI Coordinator on agency-wide Title VI implementation; and
- Maintaining dialogue with the Title VI Coordinator to inform him/her of their division's activities regarding Title VI implementation.

An organizational chart follows.

Title VI Liaison Organizational Chart: DRCOG Divisions



PRIMARY PROGRAM AREA DESCRIPTIONS AND REVIEW PROCEDURES

Growth and Development

Program Area	General Description	Title VI/Non-Discrimination Concerns and Responsibilities	Review Procedures for Ensuring Non-Discrimination
<p>Metro Vision</p>	<p>As the regional planning commission per Colorado state statute, DRCOG prepares the plan for the physical development and social and economic health of the Denver region. For nearly two decades this plan has been known as Metro Vision.</p>	<p>Equal opportunity to participate in the planning process is the key Title VI/Non-Discrimination Concern/Responsibility.</p> <p>Key strategies include:</p> <ul style="list-style-type: none"> • <i>Metro Vision Listening Tour</i> (including focus groups that target older adults, low-income and minority residents, and disabled populations) • <i>Sustainable Communities Initiative</i> <p>A three-year effort that included numerous efforts to engage low-income and communities of color. (Example activities: training grassroots leaders, transit-corridor stakeholder committees, corridor-level citizens’ academies, public workshops, equity curriculum for regional trainings)</p>	<p>All Board and committee meetings are open to the public. Public comment is always included as an agenda item. Public participation is part of every step of the planning process.</p> <p>Staff reviews all steps in the preparation of planning documents to identify any potential discrimination. Action is taken to remedy the situation if there is any discrimination identified.</p>

Aging

Program Area	General Description	Title VI/Non-Discrimination Concerns and Responsibilities	Review Procedures for Ensuring Non-Discrimination
<p>Area Agency on Aging</p>	<p>As the designated area agency on aging (AAA) for the eight-county region, DRCOG plans and provides comprehensive services to address the needs of the region's population of older adults and people living with disabilities.</p>	<p>Non-discrimination is key to the Area Agency on Aging's success in serving clients as well as responsibilities in planning for the service area.</p>	<p>All Board and committee meetings are open to the public. Public comment is always included as an agenda item. Public participation is part of every step of the planning process.</p> <p>The Area Agency on Aging is required by the Older Americans Act to serve older adults in its service area with the greatest social and economic need.</p> <p>Additionally, the AAA is charged with serving low-income individuals who are 60 or older with an emphasis on those 75 and older, people in rural areas, low-income minorities, and Native American elders.</p>

Communications

Program Area	General Description	Title VI/Non-Discrimination Concerns and Responsibilities	Review Procedures for Ensuring Non-Discrimination
Communications and Marketing	<p>The Communications and Marketing division works to improve all aspects of internal and external communications, building awareness and perception of the organization and its mission. The department supports the success of divisions, programs, projects and initiatives by developing and designing promotional and informational communications materials targeted at numerous and various audiences. The division also translates the Board's policy into a clear and concise message that can be easily shared with the public, policymakers, legislators, media and other stakeholders. The division works closely with other DRCOG divisions, local, state and federal agencies, and other partner organizations to develop strategies to implement the Board's priorities.</p>	<p>Staff ensures that language assistance is available for Limited English Proficiency populations as needed.</p>	<p>If DRCOG receives a request for assistance in a language other than English, staff members will follow these steps, as needed:</p> <ul style="list-style-type: none"> • Take the person's name and contact information. • Use language identification flashcards, if needed, to determine the person's primary language. • If the individual speaks Spanish or another language in which someone on DRCOG staff is fluent, a DRCOG employee may be used as a first-response interpreter. For in-office assistance, an email will be sent immediately to all DRCOG staff to determine if there is a person on-site who speaks the desired language. • DRCOG also contracts with a telephone interpreter service for translation, when needed.

Transportation

Program Areas	General Description	Title VI/Non-Discrimination Concerns and Responsibilities	Review Procedures for Ensuring Non-Discrimination
<p>Regional Transportation Planning:</p> <ul style="list-style-type: none"> • <i>Regional Transportation Plan (RTP) and Metro Vision Regional Transportation Plan (MVRTP)</i> • <i>Transportation Improvement Program (TIP)</i> • <i>Air Quality Conformity</i> 	<p>The MVRTP is integrated with Metro Vision to address the mobility needs of people of all ages, incomes and abilities. It identifies the desired vision for the region's transportation system in which funding is unconstrained.</p> <p>The fiscally constrained RTP addresses federal requirements for the process of developing, and the content to be included within, a long-range transportation plan. Specifically, it defines transportation elements and services to be provided over the next 20 years based on reasonably expected revenues.</p> <p>DRCOG's Transportation Improvement Program (TIP) identifies all federally funded transportation projects to be completed in the Denver region over a four-year period. Under the Clean Air Act, DRCOG has responsibilities to ensure its transportation plans and programs support air quality goals and contribute to meeting air quality standards.</p>	<p>Equal opportunity to participate in the planning process is the key Title VI/ Non-Discrimination Concern/Responsibility.</p> <p>The RTP and the TIP must be shown to have proportional benefits and no disproportionate impacts on environmental justice communities.</p>	<p>All Board and committee meetings are open to the public. Public comment is always included as an agenda item. Public participation is part of every step of the planning process.</p> <p>Staff reviews all steps in the preparation of planning documents to identify any potential discrimination. Action is taken to remedy the situation if there is any discrimination identified.</p>

TITLE VI COMPLAINT PROCEDURES

Denver Regional Council of Governments Title VI Complaint Procedures

The Denver Regional Council of Governments (“DRCOG”) follows Title VI of the Civil Rights Act of 1964, a non-discrimination 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.

Herein follows the DRCOG complaint procedure to assist anyone who believes he/she has been negatively impacted.

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

In order to file a formal Title VI complaint against DRCOG or a recipient of Federal funds from DRCOG, the following steps need to be followed:

1. The complainant will contact the Coordinator. If a complaint is received by any other DRCOG staff member, that staff member will refer the complaint to the Coordinator.
2. The Coordinator will conduct an initial determination of the sufficiency of the complaint to be a potential violation of Title VI.
3. If it is determined that the complaint does not meet the basic criteria to be a violation of Title VI, then a determination will be made on whether the issue can be informally resolved or administratively closed. That determination will be communicated to the complainant.
4. If it is determined that the complaint meets the basic criteria of a potential violation of Title VI, then an investigation will be conducted by an investigator. The investigation will be completed within 60 days from the date it is determined the complaint is sufficient. A formal notice will be sent to the complainant.
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.
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, and telephone number, 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. 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
Division Director-Human Resources
Title VI Coordinator
1001 17th St.
Denver, CO 80202

The following resources are available:

1. Colorado Department of Transportation
2829 W. Howard Pl.
Denver, CO 80204
P 303-757-9234 | 800-925-3427
E dot_civilrights@state.co.us
2. Colorado Civil Rights Division
1560 Broadway
Lobby Level Welcome Center
Denver, CO 80202
Email: ccrd@dora.state.co.us
(303)894-2997 or (800) 262-4845
Fax: (303) 894-7830
V/TTD - Relay: 711
3. Department of Transportation FHWA
Civil Rights Division
(720) 963-3021

In some cases, DRCOG must forward complaints to either the Federal Highway Administration (FHWA) or Federal Transit Administration (FTA), or the Colorado Department of Transportation (CDOT) for investigation. If your complaint is forwarded to one of these agencies, you will be provided the name and contact information of the federal employee handling your complaint.

TITLE VI COMPLAINT FORM

TITLE VI COMPLAINT FORM

Section I					
Name:					
Address:					
Home phone:			Work phone:		
Email					
Accessible Requirements?		Format		Audiotape	
		Large print			
		TDD		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):					
<u>Title VI</u>			<u>Other Federal Non-Discrimination Statutes</u>		
[] Race [] Color [] National Origin			[] Gender [] Age [] Disability		
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 at the address below, or mail this form to:

Denver Regional Council of Governments
Division Director-Human Resources
Title VI Coordinator
1001 17th St.
Denver, CO 80202
303-455-1000

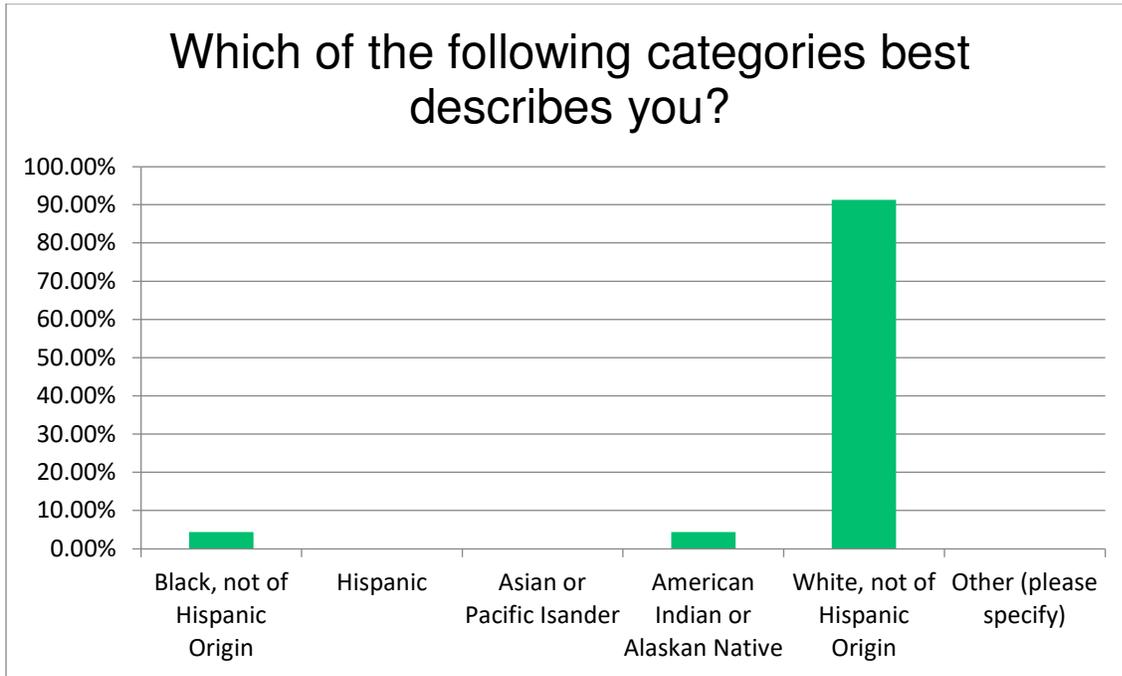
DATA COLLECTION

Program Area	Type of Data Collected and Process for Collecting	Intended Outcome of Data Analysis (for example: Title VI Purpose for Collecting the Data)
Transportation	Environmental justice spatial data- this data primarily comes from the U.S. Census and geographic information systems (GIS)	<i>Environmental Justice Report</i> and to inform transportation planning process (please see <i>Environmental Justice Report</i>)
	Limited English Proficiency (LEP) data- this data primarily comes from the Census	LEP Plan and used to inform transportation planning process (please see <i>Limited English Proficiency Plan</i>)
	Assessment of transportation needs for individuals with disabilities and older adults including strategies, activities and/or projects to address identified gaps between current services and needs. This information comes primarily from public and stakeholder input.	<i>Coordinated Public Transit Human Services Transportation Plan</i> and to inform the transportation planning process (please see draft <i>Coordinated Transit Plan</i> in <i>Metro Vision</i>)
Aging	The Area Agency on Aging Information and Assistance call center collects demographic data about its clients for the information and assistance, refugee, Colorado Choice Transitions, and options counseling programs. Data includes age, disability, income, ethnicity and race.	The data is used to determine the service needs of Area Agency on Aging clients, and will be used to target geographic areas for the enhanced provision of services.
Regional Planning	Fair Housing Equity Assessment–required by the Department of Housing and Urban Development (Sustainable Communities Initiative) provided analysis of: <ul style="list-style-type: none"> • Racial and ethnic distribution in the Denver Region, 1960- 2010 • Proportion of Census tract households linguistically isolated • Racially or ethnically concentrated areas of poverty in the Denver Region, 2010 	Data from the Fair Housing Equity Assessment helps give DRCOG an understanding of where Racially/Ethnically-Concentrated Areas of Poverty (RCAPs/ECAPs) are located and informs the Regional Housing Strategy developed under DRCOG’s Sustainable Communities Initiative.
	Regional Housing Strategy <ul style="list-style-type: none"> • Median household income by race, ethnicity, and age, by county, 2008-2012; • Poverty for all residents, non- and minority populations in the Denver Region and by county, 2010, and • Residential loan denials and majority minority in the Denver Region, 2013 	Data from the Regional Housing Strategy shapes the document’s recommendations for addressing regional housing needs in the Denver region. The findings also inform the region’s long-range plan (Metro Vision) and its housing element.
	Regional Equity Atlas <ul style="list-style-type: none"> • Distribution of race and ethnicity; in the Denver Region, and • Percent of children receiving free lunch by race in the Denver Region 	Data from the Regional Equity Atlas is available to the public to generate reports on demographic, economic and other data of the region or a particular community.

Program Area	Type of Data Collected and Process for Collecting	Intended Outcome of Data Analysis <i>(for example: Title VI Purpose for Collecting the Data)</i>
	Five-Year American Community Survey data from the U.S. Census Bureau at the block group and census tract levels on older adults and low-income individuals or households	Data forms part of performance measures for the region's long-range plan (Metro Vision) and informs the regional planning process.
	The Front Range Travel Model analysis includes income, age and gender.	This analysis informs DRCOG about the travel behaviors and needs of the populations studied.
Communications and Marketing	Limited English Proficiency (LEP)	Staff maintains a record of language assistance requests so needs may be accurately assessed in the future.

Racial Makeup of Transit Related Committees

Below is data showing the results of a voluntary anonymous survey of our Transportation Advisory Committee (TAC) members. The TAC is the only DRCOG committee that both advises on transit issues and has membership selected by DRCOG. This survey was conducted in August 2019.



Which of the following categories best describes you?

Answer Choices	Responses	
Black, not of Hispanic Origin	4.35%	1
Hispanic	0.00%	0
Asian or Pacific Islander	0.00%	0
American Indian or Alaskan Native	4.35%	1
White, not of Hispanic Origin	91.30%	21
Other (please specify)	0.00%	0
Answered	23	
Skipped	0	

PUBLIC PARTICIPATION

The following are excerpts from DRCOG's *Public Involvement Plan, People-Centered Planning, Projects and Services* and *Limited English Proficiency Plan*. Please refer to the documents, available on the [DRCOG website](#), for further details.

Public Involvement Plan, People-Centered Planning, Projects and Services and Limited English Proficiency Plan

DRCOG's Commitment to Engagement This public engagement plan provides the vision, the framework and the process for meaningfully engaging the public in regional decision-making.

DRCOG is committed to transparency and access to services, information and the decision-making process for people throughout the region. Because planning is about people and the communities they call home, it is about where and how the region's residents live, work and play, making life better for people of all ages, incomes and abilities. Community participation improves the relevance of plans, policies, services and projects, and helps DRCOG meet people's needs today and into the future.

Throughout this plan (DRCOG's *Public Involvement Plan, People-Centered Planning, Projects and Services* and *Limited English Proficiency Plan*), there is an emphasis on engaging individuals and segments of the public who are directly affected by a project. DRCOG staff is encouraged to both reach out to groups of people traditionally underrepresented and significantly affected by the decisions a project entails. However, leveraging DRCOG's existing, robust relationships with the jurisdictions where the members of the public reside will also be useful. Many DRCOG employees (especially within Regional Planning and Development and Transportation Planning and Operations divisions) are in regular conversation with jurisdiction staff. Colleagues should approach one another for their insights and for help reaching out to their established connections at member governments. In addition, employees in the Executive Office can help discern the best ways to reach out to elected officials from our member governments.

DRCOG is committed to an engagement model that fosters shared problem-solving, supportive partnerships and reciprocal relationships. DRCOG believes that the region's decision-makers need to hear its residents' full range of perspectives to better understand issues, explore alternatives and create a shared action plan. Through the principles outlined in this plan, DRCOG intends to demonstrate that it provides clear and concise information, is responsive to the people of the region and addresses ideas and concerns raised.

Principles To support the commitment described above, DRCOG uses the following principles to guide engagement:

EARLY ENGAGEMENT

DRCOG engages the public toward the beginning of each project, or when members of the public can have the greatest effect on shaping the direction of DRCOG's efforts.

ONGOING ENGAGEMENT

DRCOG engages the public throughout development of a project, or at specific phases identified early in the process. DRCOG provides members of the public with clear and specific timelines and methods for providing their perspectives.

TIMELY AND ADEQUATE NOTICE

DRCOG ensures that the public receives timely and adequate notice of opportunities for public engagement.

CONSISTENT ACCESS TO INFORMATION

DRCOG follows state, federal and funding partner requirements, as well as organization policies, regarding making supporting material available for topics on which it has invited members of the public to provide their perspectives.

INVITATION FOR PUBLIC REVIEW AND COMMENT

DRCOG invites public review of, and comment on, essential plans and programs. Invitations will be made no later than is required by federal and state requirements or funding partners (typically 30 to 45 days). For projects lacking specific partner requirements for public engagement, DRCOG will determine the appropriate length of the review period. Copies of public review drafts are made available at DRCOG’s office and website. Comments are accepted by mail, email and via drcog.org. Although DRCOG maintains a robust social media presence and promotes opportunities for public involvement through social media, comments are not directly accepted through social media (such as Facebook, Twitter or Instagram).

Current Plans and Programs with Specific Public Engagement Requirements

The following is a list of current plans and programs with established public engagement processes:

Public Hearing

When DRCOG conducts a formal public hearing, members of the public may testify for a maximum of three minutes each. Action is typically scheduled for the next regular meeting of the Board of Directors. Some plans and projects are also discussed in committee meetings prior to the formal public hearing.

PRODUCT	PUBLIC REVIEW PERIOD	PUBLIC HEARING
Active Transportation Plan	✓	
Area Agency on Aging four-year plan	✓	✓
Metro Vision Regional Transportation Plan (MVRTP), major updates and amendments	✓	✓
Metro Vision, major updates and amendments	✓	✓
MVRTP and/or TIP-associated documents demonstrating conformity with state air quality implementation plans	✓	✓
other various regional or modal transportation plans	✓	
public engagement plan	✓	
Transportation Improvement Program (TIP)	✓	✓

Consideration of Public Input

Comments collected during formal public comment periods and hearings are provided in their entirety and with staff responses to the Board of Directors when it is slated to take action. The format of these responses may vary based on the project, but will typically be incorporated into a matrix. In other instances, DRCOG balances its employees' professional expertise and technical analysis with perspectives gathered from the public during project development.

Response to Public Input

For formal comment periods and hearings, all comments are provided to the Board of Directors for consideration. During other opportunities for the public to provide their perspectives, DRCOG responds as is appropriate to the situation.

INVITATION AND CONSIDERATION OF PERSPECTIVES FROM THOSE TRADITIONALLY UNDER-REPRESENTED

DRCOG invites participation by members of populations traditionally under-represented in regional decision making processes due to demographic, geographic or economic circumstances, to allow DRCOG to appropriately consider their needs. Such populations include, but are not limited to, individuals who speak languages other than English, individuals representing diverse cultural backgrounds, low-income individuals, people with disabilities, older adults and young adults. DRCOG uses demographic and stakeholder analysis to identify communities for projects for which it seeks public engagement. Specific engagement strategies for seeking out and considering the needs of those traditionally underserved groups are detailed in Appendices D, E and F of this document. DRCOG's Limited English Proficiency plan guides staff in providing customer service to, and facilitating participation by, members of the public whose proficiency in English is limited.

REGULAR REVIEW OF PUBLIC ENGAGEMENT PROCESSES

DRCOG regularly reviews the implementation of this plan and the ability of the principles, steps, techniques and tools in this document to advance meaningful public engagement. DRCOG will use a variety of means to determine the effectiveness of engagement strategies including data collection, feedback from participants of public events, review of attendance at public events and evaluation of the implementation of a variety of techniques and tools. The outcomes of these evaluations will inform future engagement, and successful activities will be continued while those that underperform will be eliminated. A routine evaluation summary of engagement activities will also be compiled to share results of the organization's recent engagement efforts and review areas of success and potential improvement. In addition to DRCOG's commitment to continuous improvement and evaluation of its public engagement activities, the organization's efforts are periodically reviewed by funding partners and agencies such as the

Please refer to [*Public Involvement Plan, People-Centered Planning, Projects and Services Plan*](#) for more details.

Limited English Proficiency Plan

Identifying Individuals Who May Need Language Assistance

When encountering an LEP person whose language is unknown, DRCOG staff will use Language Identification Flashcards to identify that person's primary language (see Appendix A). Copies will be

stored in DRCOG's main lobby and public meeting rooms (Aspen, Birch, Douglas Fir, Black Canyon, Maroon Bells, Mesa Verde, Red Rocks, Royal Gorge, Seven Falls, and Trail Ridge). Language Identification Flashcards, as developed by the United States Census Bureau, bear the phrase "Mark this box if you read or speak [name of language]" translated into 38 different languages. The LEP person can then denote the language and staff can respond as appropriate to provide or obtain assistance. The Language Identification Flashcards may be downloaded at no cost at: <http://www.lep.gov/ISpeakCards2004.pdf>.

DRCOG will also make the Language Identification Flashcards available to the public through its website, so LEP persons contacting DRCOG online can communicate their primary language to DRCOG staff. DRCOG staff can then use that information to provide language assistance to the LEP person. DRCOG will also make the Language Identification Flashcards available at all public meetings. Once a LEP person's primary language is identified using the flashcards, DRCOG staff will assess the feasibility of providing written translation service and/or oral interpretation assistance for the LEP person.

For DRCOG activities focused on a specific geographic area of the region, US Census and Colorado Department of Education data will be consulted to determine if there are high concentrations of specific LEP groups in the area. DRCOG will maintain separate maps depicting concentrated areas of the five largest non-English speaking language groups (Spanish or Spanish Creole, Vietnamese, Chinese, African Languages and Korean) (see Appendix B).

Language Assistance Measures

If DRCOG receives a request for assistance in a language other than English, staff members will follow these steps, as needed.

- Take the person's name and contact information.
- Use the Language Identification Flashcards, if needed, to determine the person's primary language.
- If the individual speaks Spanish or another language fluent to someone on DRCOG staff, a DRCOG employee may be used as a first response interpreter. For in-office assistance, an email will be sent immediately to all DRCOG staff to determine if there is a person on-site who speaks the desired language.
- For TDM services, including Schoolpool, if assistance cannot be provided in the required language and formal interpretation is required, staff shall use the telephone interpreter service, Optimal Phone Interpreters at 877-746-4674. This service is offered at no charge to the caller, with DRCOG paying the provider fee.

Pages of the DRCOG website may be translated into a number of different languages using free online translation services such as Google Translate. Similarly, agendas, minutes, and other documents posted online can be translated as well.

DRCOG staff possesses limited in-house translation capabilities or expertise to assist LEP persons, and cannot accurately assess or guarantee the accuracy of translation services provided by others. Within its limited budget and capabilities, DRCOG pledges it will, to the best of its abilities, ensure LEP persons have a meaningful opportunity to participate in DRCOG activities and receive applicable services.

Staff Training

Applicable current and incoming staff members will be briefed on the DRCOG LEP Plan, language identification flashcards, and how to assist LEP persons. Staff will also be instructed to immediately inform the Communications and Marketing division's communications manager, who will maintain a record of language assistance requests so needs may be accurately assessed in the future.

Please refer to [DRCOG's Limited English Proficiency Plan](#) for more details.

ANNUAL WORK PLAN, GOALS, AND ACCOMPLISHMENTS REPORT

Information About Complaints

There were no Title VI complaints received in fiscal year 2018 and none so far in fiscal year 2019.

Activities and Accomplishments for 2018-2019

Activity	Description	Completion Date	Division Responsible
Update Limited English Proficiency (LEP) Plan	DRCOG updated its LEP Plan. The goal of the LEP Plan is to ensure all residents of the DRCOG region can, to the fullest extent practicable, participate in DRCOG activities.	April 2018	Communications and Marketing
Public Engagement Plan People-Centered Planning, Projects and Services	DRCOG adopted a new plan. This plan will serve as a guidebook to help DRCOG staff plan and implement effective public engagement, as well as a statement of DRCOG's commitment to providing our region's residents with opportunities to participate in regional planning decisions.	May 15, 2019	Communications and Marketing with assistance from all other divisions
Status and Impacts of DRCOG Transportation Planning and Programming with Environmental Justice Reports	DRCOG updated the <i>Environmental Justice Report</i> . There are two reports that include analysis of how Environmental Justice has informed major planning activities such as the <i>Regional Transportation Plan (RTP)</i> and the Transportation Improvement Program (TIP). One is for the 2040 Fiscally Constrained Regional Transportation Plan and 2016-2021 Transportation Improvement Program. The other is for the 2040 Metro Vision Regional Transportation Plan and 2018-2021 Transportation Improvement Program.	June 2018	Transportation Planning and Operations

Boomer Bond	DRCOG's Boomer Bond program is central to our efforts create lifelong communities and to move beyond the traditional service model that will fall short of meeting the needs of a growing older adult population. The program considers how the design of our communities, services and infrastructure must evolve to address these needs.	Ongoing	Area Agency on Aging, Regional Planning and Operations and Transportation Planning and Operations
Continue Data Collection	DRCOG will continue data collection described in the "Data Collection" chapter of this implementation plan.	Ongoing	Area Agency on Aging, Regional Planning and Operations, and Transportation Planning and Operations
Citizens' Academy	DRCOG assumed control and management of the Citizens' Academy, formerly a program of Transit Alliance. Transit Alliance was a Colorado nonprofit corporation whose mission was to empower citizens to lead the transformation of Colorado's mobility future. DRCOG has completed two academies so far.	Ongoing	Regional Planning and Development

Activities Planned for 2019-2020

Activity	Description	Anticipated Completion Date	Division Responsible
Establish Equity Committee to Guide Development of the 2050 Metro Vision Regional Transportation Plan	<p>Several MPOs have some variation of committee that helps put an equity lens on various activities, projects, and programs as well as serve as a bridge to communities that are harder to reach through more traditional public engagement strategies. Staff are currently working on starting a new committee to initially assist with development of the next Regional Transportation Plan and potentially help with other programs and projects agency-wide.</p>	Spring 2020	Transportation Planning and Operations
Limited English Proficiency (LEP) Training	<p>LEP training/review is included in the agenda at an all-staff meeting and is part of new hire orientation.</p>	Ongoing	Communications and Marketing
Continue Data Collection	<p>DRCOG will continue data collection described in the “Data Collection” chapter of this implementation plan.</p>	Ongoing	Area Agency on Aging, Regional Planning and Development, and Transportation Planning and Operations
Citizens’ Academy	<p>DRCOG assumed control and management of the Citizens’ Academy, formerly a program of Transit Alliance. Transit Alliance was a Colorado nonprofit corporation whose mission was to empower citizens to lead the transformation of Colorado’s mobility future.</p>	Ongoing	Regional Planning and Development
Boomer Bond	<p>Through the Boomer Bond, DRCOG engages directly with older adults and key local stakeholders to set priorities and discover policies and tools to create more age-friendly environments, allowing older adults to remain in their homes and communities for as long as they desire.</p>	Ongoing	Area Agency on Aging, Regional Planning and Operations and Transportation Planning and Operations

REQUIRED TITLE VI NONDISCRIMINATION CONTRACT PROVISIONS

The following provisions are attached to every applicable contract:

CIVIL RIGHTS ACT

During the performance of this contract, the Contractor, for itself, its assignees, and successors in interest, agrees as follows:

a. **Nondiscrimination.** In accordance with Title VI of the Civil Rights Act, as amended, 42 U.S.C. § 2000d, section 303 of the Age Discrimination Act of 1975, as amended, 42 U.S.C. § 6102, section 202 of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12132, and Federal transit law at 49 U.S.C. § 5332, Contractor agrees that it will not discriminate against any employee or applicant for employment because of race, color, creed, national origin, sex, age, or disability. In addition, Contractor agrees to comply with applicable Federal implementing regulations and other implementing requirements FTA may issue.

b. **Equal Employment Opportunity.** The following equal employment opportunity requirements apply to the Contract:

1. **Race, Color, Creed, National Origin, Sex.** In accordance with Title VII of the Civil Rights Act, as amended, 42 U.S.C. § 2000e, and Federal transit laws at 49 U.S.C. § 5332, Contractor agrees to comply with all applicable equal employment opportunity requirements of U.S. Department of Labor (U.S. DOL) regulations, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor," 41 CFR Parts 60 et seq., (which implement Executive Order No. 11246, "Equal Employment Opportunity," as amended by Executive Order No. 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity," 42 U.S.C. § 2000e note), and with any applicable Federal statutes, executive orders, regulations, and Federal policies that may in the future affect activities undertaken in the course of this Contract. Contractor agrees to take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, creed, national origin, sex, or age. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. In addition, Contractor agrees to comply with any implementing requirements FTA may issue.

2. **Age.** In accordance with section 4 of the Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C. § 623 and Federal transit law at 49 U.S.C. § 5332, Contractor agrees to refrain from discrimination against present and prospective employees for reason of age. In addition, Contractor agrees to comply with any implementing requirements FTA may issue.

3. **Disabilities.** In accordance with section 102 of the Americans with Disabilities Act, as amended, 42 U.S.C. § 12112, Contractor agrees that it will comply with the requirements of U.S. Equal Employment

Opportunity Commission, "Regulations to Implement the Equal Employment Provisions of the Americans with Disabilities Act," 29 CFR Part 1630, pertaining to employment of persons with disabilities. In addition, Contractor agrees to comply with any implementing requirements FTA may issue.

4. Contractor shall comply with the appropriate areas of the Americans with Disabilities Act of 1990 as enacted and from time to time amended and any other applicable federal, state, or local laws and regulations.

The parties hereby incorporate the requirements of 41 C.F.R. § 60-1.4(a) and 29 C.F.R. § 471, Appendix A to Subpart A, if applicable.

This contractor and subcontractor shall abide by the requirements of 41 CFR 60-300.5(a) and 41 CFR 60-741.5(a), if applicable. These regulations prohibit discrimination against qualified protected veterans and qualified individuals with disabilities, and require affirmative action by covered prime contractors and subcontractors to employ and advance in employment qualified protected veterans and qualified individuals with disabilities.

The following provisions are attached to every applicable Area Agency on Aging contract:

**ASSURANCE OF COMPLIANCE WITH THE DEPARTMENT OF
HEALTH AND HUMAN SERVICES REGULATION UNDER
TITLE VI OF THE CIVIL RIGHTS ACT OF 1964
AND SECTION 504 OF THE REHABILITATION ACT OF 1973**

The Contractor HEREBY AGREES to comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352) and all requirements imposed by or pursuant to Regulations of the Department of Health and Human Services (HHS) (45 CFR Part 80) issued pursuant to that title, and to comply with Section 504 of the Rehabilitation Act of 1973 (P.L. 93-112) and all requirements imposed by or pursuant to the Regulations of the HHS (45 CFR Part 84) issued pursuant to the Act, all as from time to time amended, to the end that, in accordance with Title VI, the Act and Regulations, no person in the United States shall, on the grounds of race, color, national origin, or nonqualified handicap, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Contractor receives Federal financial assistance from DRCOG, a recipient of Federal financial assistance from HHS; and HEREBY GIVES ASSURANCE THAT it will immediately take any measures necessary to effectuate this agreement.

If any real property or structure thereon is provided or improved with the aid of Federal financial assistance extended to the Contractor by DRCOG, this assurance shall obligate the Contractor, or in the case of any transfer of such property, any transferee, for the period during which the real property or structure 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. If any personal property is so provided, this assurance shall obligate the Contractor for the period during which it retains ownership or

possession of the property. In all other cases, this assurance shall obligate the Contractor for the period during which the Federal financial assistance is extended to it by DRCOG.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the Contractor by DRCOG, including installment payments after such date on account of applications for Federal financial assistance which were approved before such date. The Contractor recognizes and agrees that such Federal financial assistance will be extended in reliance on the representations and agreements made in this assurance, and that DRCOG or the United States or both shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the Contractor, its successors, transferees, and assignees.

DISADVANTAGED BUSINESS ENTERPRISES AND PARTICIPATION BY SMALL BUSINESS ENTERPRISES

It is the policy of the Denver Regional Council of Governments (DRCOG) that equal opportunity to participate in its procurements is provided to disadvantaged business enterprises as provided by applicable law. The selected respondent(s) shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of contracts.

DRCOG includes Disadvantaged Business Enterprise clauses in all applicable contracts and request for proposals (RFPs). These clauses are provided for reference:

- Procedures to ensure that DBEs are afforded opportunity to participate in federal-aid highway programs and activities
- “It is declared to be in the national interest to encourage and develop the actual and potential capacity of small businesses and to utilize this important segment of our economy to the fullest practicable extent in construction of Federal-aid highway systems, including the Interstate System. In order to carry out that intent and encourage full and free competition, the Secretary should assist, insofar as feasible, small business enterprises in obtaining contracts in connection with the prosecution of the highway program.” (23 USC § 304) and (49 CFR 26, effective February 2011)

All applicable respondents must complete and return with their response the “Disadvantaged Business Enterprise Program Information Request Form” provided on the next page.

NOTICE OF RIGHTS

Your Rights Against Discrimination Under Title VI of the Civil Rights Act of 1964

The Denver Regional Council of Governments (DRCOG) operates its programs and services without regard to race, color, national origin, sex, age and 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, sex or disability may file a discrimination complaint with DRCOG or the Colorado Department of Transportation.

To file a Title VI discrimination complaint, contact:

Title VI Coordinator
Denver Regional Council of Governments
1001 17th St.
Denver, CO 80202
303-455-1000

CDOT Civil Rights & Business Resource Center
2829 W. Howard Pl.
Denver, CO 80204
P 303-757-9234 | 800-925-3427
E dot_civilrights@state.co.us

**THE DENVER REGIONAL COUNCIL OF GOVERNMENTS
("DRCOG")**

**TITLE VI
LOCAL AGENCY ASSURANCE**

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs or activities receiving federal financial assistance. Related statutes and Presidential Executive Orders under the umbrella of Title VI address Environmental Justice (EJ) in minority and low-income populations, services to those individuals with Limited English Proficiency (LEP), and the protected bases of gender, age and disability. The Civil Rights Restoration Act of 1987 clarified the intent of Title VI to include all programs and activities of federal aid recipients and sub-recipients whether those programs and activities are federally funded or not. **Title VI refers to the umbrella of related authorities that require recipients (and sub-recipients) of federal financial assistance to assure nondiscrimination on the basis of race, color, national origin, age, gender, or disability.**

DRCOG is a recipient of federal financial assistance and as such it, as well as all of its responsible agents, contractors and consultants, is required to assure nondiscrimination. This assurance is required by the United States Department of Transportation Title VI Regulations at 49 CFR Part 21 (hereinafter referred to as the Regulations).

DRCOG hereby gives assurances that no person shall on the grounds of race, color, national origin, age, gender or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity conducted by DRCOG regardless of whether those particular programs and activities are federally-funded. It is the responsibility of every person within DRCOG and all DRCOG's external agents to incorporate and implement actions consistent with nondiscrimination in programs.

More specifically, and without limiting the above general assurance, DRCOG hereby gives the following specific assurances:

More specifically, and without limiting the above general assurance, DRCOG hereby gives the following specific assurances:

1. That it will promptly take any measures necessary to effectuate this agreement.
2. That each of DRCOG's programs, activities, and facility will be conducted and or operated in compliance with nondiscrimination requirements under all Federal laws and regulations.
3. That these assurances are given in consideration of and for the purpose of obtaining any and all federal grants, loans, contracts, property, discounts or other federal financial assistance extended by the United States Department of

Transportation. These assurances are binding on DRCOG, its recipients, sub-grantees, contractors, subcontractors, transferees, successors in interest, and other participants.

4. That DRCOG will insert a notification in all solicitations for bids for work or material subject to the Regulations that notifies all bidders that it will affirmatively ensure that disadvantaged business enterprises will be afforded full opportunity to submit bids in response to all invitations and will not be discriminated against on the grounds of race, color, national origin, age, gender or disability in consideration for an award. DRCOG will also adapt this notification for all proposals for negotiated agreements.
5. That DRCOG will insert appropriate nondiscrimination clauses in every contract subject to Title VI and the Regulations.
6. DRCOG will display Title VI information for employees and the public. This information shall include DRCOG's Nondiscrimination Policy, obligations and protections under Title VI, procedures on how to file a Title VI complaint, and contact information for DRCOG's Title VI Coordinator. This information shall be translated into languages other than English as needed and consistent with the Limited English Proficiency (LEP) requirements of Title VI.
7. DRCOG shall seek out and consider the input of minority, low income and LEP populations in the course of conducting public outreach and involvement activities. Public participation shall be encouraged early and often in consideration of social, economic and environmental impacts on all populations.



Signature of Authority

9/6/17

Date

Douglas W. REX
Name of Authority (please print)

Acting Executive Director
Title of Authority (please print)

**DENVER REGIONAL COUNCIL OF GOVERNMENTS
(DRCOG)
TITLE VI ASSURANCE
FISCAL YEAR 2016-2017**

1. There have been no lawsuits or complaints alleging discrimination on the basis of race, color, or national origin filed against the Denver Regional Council of Governments during the period of October 1, 2016 through September 6, 2017.
2. In addition to funding from the Federal Transit Administration, DRCOG routinely receives federal funds from the Federal Highway Administration and has also received funds from the Department of Health and Human Services, the Environmental Protection Agency, the U. S. Geological Survey, the Department of Agriculture, the Department of Housing and Urban Development, and the Department of State.
3. There were no civil rights compliance reviews performed on DRCOG by any local, state, or federal agency during the period of October 1, 2016 through September 6, 2017.
4. Title VI will be enforced by DRCOG for all of its contractors. All contracts with DRCOG include compliance measures which, in effect, state that failure to comply with Title VI requirements will result in termination of the contract.

This certification is a material representation of fact upon which reliance is placed when this transaction was made or entered into.

Executed this 6th day of September, 2017

By: 
Douglas W. Rex
Acting, Executive Director

ATTEST: 
Roxie Ronsen
Administrative Officer

APPENDIX

The following documents expand on DRCOG's Title VI Implementation Plan:

- I. *2040 MVRTP Coordinated Transit Plan*;
- II. *Denver Regional Council of Governments Limited English Proficiency (LEP) Plan*;
- III. 2018-2021 Transportation Improvement Program;
- IV. 2040 Metro Vision Regional Transportation Plan, and
- V. *DRCOG's Public Involvement Plan, People-Centered Planning, Projects and Services*.

Among other important civil rights related items, these documents include a demographic profile of the Denver region; a description of the procedures by which the mobility needs of minority populations are identified and considered within the planning process; maps that show the impacts of the distribution of projects funded in our Transportation Improvement Program; an analysis of the MPO's transportation system investments related to Environmental Justice (the previous two analyses are included in the Environmental Justice sections of the 2018-2021 and the Transportation Improvement Program and 2040 Metro Vision Regional Transportation Plan documents); and a description of the procedures by which the mobility needs of minority populations are identified and considered within the planning process. As previously noted, we just adopted DRCOG's *Public Involvement Plan, People-Centered Planning, Projects and Services*.