

## **Northwest Colorado Council of Governments Title VI Civil Rights Complaint Process and Form**

The **Northwest Colorado Council of Governments** operates without regard to race, color, or national origin.

**Northwest Colorado Council of Governments** provides equal access to its programs and services to all members of the public. The following information serves to inform the public of its right to this access, and to educate members of the public so that they may understand their rights under the civil rights law which protects the receipt and benefit of services as defined by Title VI of the Civil Rights Act of 1964.

### **What is Title VI?**

Title VI is a section of the Civil Rights Act of 1964 requiring that "No person in the United States 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." Title VI does not address gender discrimination. It only covers race, color and national origin. Other Civil Rights laws prohibit gender discrimination.

For information on Title VI complaint and investigation procedures, or to fill out a Title VI complaint form, please see the following Northwest Colorado Council of Governments Title VI Complaint and Investigation Procedures and [Title VI Civil Rights Complaint Form](#). To obtain more information on Northwest Colorado Council of Governments' non-discrimination obligations, please submit a written request to: Northwest Colorado Council of Governments Attn: Executive Director-Title VI Coordinator, P.O. Box 2308, Silverthorne, CO 80498 or contact the CDOT Civil Rights & Business Resource Center, Colorado Department of Transportation, Title VI Coordinator, 4201 East Arkansas Ave. Denver, CO 80222

### **Northwest Colorado Council of Governments Title VI Complaint and Investigation Procedures**

The following procedures cover complaints filed under Title VI of the Civil Rights Act of 1964 for alleged discrimination in any program or activity administered by Northwest Colorado Council of Governments.

These procedures do not affect the right of the Complainant to file formal complaints with other State or Federal agencies or to seek private counsel for complaints alleging discrimination. Every effort will be made to obtain early resolution of complaints at the lowest level possible. The option of informal mediation meeting(s) between the affected parties and Northwest Colorado Council of Governments may be utilized for resolution. Any individual, group of individuals or entity that believes they have been subjected to discrimination prohibited under Title VI and related statutes may file a written complaint and send it to the following:

Executive Director-Title VI Coordinator  
Northwest Colorado Council of Governments  
P.O. Box 2308  
Silverthorne, CO 80498  
Phone: (970) 468-0295

Complaints may also be filed with the Federal Transit Administration's Office of Civil Rights no later than one-hundred eighty (180) calendar days after the date of the alleged discrimination at 12300 West Dakota Avenue, Suite 310, Lakewood, CO 80228-2583, Phone: (720) 963-3313.

The following measures will be taken to resolve Title VI complaints:

1.) A formal complaint must be filed within one-hundred eighty (180) calendar days of the alleged occurrence. Complaints shall be in writing and signed by the individual or his/her representative, and will include the Complainant's name, address and telephone number; name of the alleged discriminating person(s), basis of complaint (race, color, national origin), and the date of the alleged act or acts. A statement detailing the facts and circumstances of the alleged discrimination must accompany all complaints. A Northwest Colorado Council of Governments Title VI Complaint Form may be requested by calling (970) 468-0295 or writing Northwest Colorado Council of Governments at the address listed below. Northwest Colorado Council of Governments encourages individuals to submit Title VI complaints in writing using this form and mailing to:

Executive Director-Title VI Coordinator  
Northwest Colorado Council of Governments  
P.O. Box 2308  
Silverthorne, CO 80498  
Phone: (970) 468-0295

2.) In the case where a Complainant is unable or incapable of providing a written statement, a verbal complaint of discrimination may be made to the Executive Director, Northwest Colorado Council of Governments. Under these circumstances, the Complainant will be interviewed, and the Executive Director will assist the Complainant in converting the verbal allegations to writing.

3.) When a complaint is received, the Executive Director-Title VI Coordinator will provide written acknowledgment to the Complainant within ten (10) calendar days by registered mail.

4.) If a complaint is deemed incomplete, additional information will be requested, and the Complainant will be provided sixty (60) calendar days to submit the required information. Failure to do so may be considered good cause for a determination of no investigative merit.

5.) Within fifteen (15) calendar days from receipt of a complete complaint, Northwest Colorado Council of Governments will determine its jurisdiction in pursuing the matter and whether the complaint has sufficient merit to warrant investigation. Within five (5) calendar days of this decision, the Executive Director or his/her authorized designee will notify the Complainant and Respondent, by registered mail, informing them of the disposition.

a. If the decision is not to investigate the complaint, the notification shall specifically state the reason for the decision.

b. If the complaint is to be investigated, the notification shall state the grounds of Northwest Colorado Council of Governments' jurisdiction, while informing the parties that their full cooperation will be required in gathering additional information and assisting in the investigation.

6.) When Northwest Colorado Council of Governments does not have sufficient jurisdiction, the Executive Director or his/her authorized designee will refer the complaint to the appropriate State or Federal agency holding such jurisdiction.

7.) If the complaint has investigative merit, the Executive Director or his/her authorized designee will assign an investigator. A complete investigation will be conducted, and an investigative report will be submitted to the Executive Director within sixty (60) calendar days from receipt of the complaint. The report will include a narrative description of the incident, summaries of all persons interviewed, and a finding with recommendations and conciliatory measures where appropriate. If the investigation is delayed for any reason, the investigator will notify the appropriate authorities, and an extension will be requested.

8.) The Executive Director or his/her authorized designee will issue letters of finding to the Complainant and Respondent within ninety (90) calendar days from receipt of the complaint.

9.) If the Complainant is dissatisfied with Northwest Colorado Council of Governments' resolution of the complaint, he/she has the right to file a complaint with the Departmental Office of Civil Rights, U.S. Department of Transportation, 1200 New Jersey Ave., S.E. Washington D.C. 20590, Phone: 202-366-4648

# Northwest Colorado Council of Governments

## Title VI Civil Rights Complaint Form

Instructions: To submit a Title VI complaint to Northwest Colorado Council of Governments, please print and complete the following form, sign and return to: Northwest Colorado Council of Governments, Attention: Executive Director-Title VI Coordinator, P.O. Box 2308, Silverthorne, CO 80498. For questions or a full copy of Northwest Colorado Council of Governments' Title VI policy and complaint procedures, please submit a written request to the above address, call (970)468-0295 or e-mail [mobilitymanager@nwccog.org](mailto:mobilitymanager@nwccog.org)

### Section I:

1. Name (Complainant):

3. Home Address (Street No., City, State, Zip)

3. Phone:

4. Email Address:

5. Accessible format requirements? (please check preference)

Large Print

Other (please indicate)

### Section II:

6. Are you filing this complaint on your own behalf?  Yes  No

(If you answered "yes" to this question, please go to **Section III**.)

7. If you answered "no" to question 6, please describe your relationship to the person (Complainant) for whom you are filing and why you are filing for a third party:

8. Have you obtained permission of the aggrieved party (Complainant) to file this complaint on his or her behalf?

Yes  No

### Section III:

9. Have you previously filed a Title VI complaint with Northwest Colorado Council of Governments?  Yes  No

10. Have you filed this complaint with any other federal, state, or local agencies or with any federal or state court?

Yes  No

11. If "yes," please check all that apply:

Federal Agency  Federal Court  State Agency  State Court  Local Agency

12. If filed at an agency and/or court, please provide information for your point of contact at the agency/court where the complaint was filed:

Agency/Court:

Contact Name:

Address:

Phone Number:

**Section IV:**

13. Date of Incident:	14. If applicable, name of person(s) who allegedly discriminated against you:
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15. Discrimination based on (please check all that apply):      Race      Color      National Origin

16. Please provide a brief explanation of the incident and how you feel you were discriminated against, including how you feel others may have been treated differently than you. If you require additional space or have additional written material pertaining to your complaint, please attach to this form.

17. Why do you believe this event occurred?

19. How can this issue be resolved to your satisfaction?

20. Please list any person(s)/ we may contact for additional information to support or clarify your complaint:

Name:

Address:

Phone Number:

**Section V:**

Signature:

Date of filing:

**Please note: The Northwest Colorado Council of Governments cannot accept your complaint without a signature.**

Please mail your completed form to:

Executive Director-Title VI Coordinator  
Northwest Colorado Council of Governments  
P.O. Box 2308  
Silverthorne, CO 80498

**Northwest Colorado Council of Governments  
Title VI Civil Rights Plan Addendum  
November 30, 2016**

**Additional Information requested in Title VI Review letter Dated November 9, 2016.**

CDOT Civil Rights and Business Resource Center  
Title VI Requirements and Guidelines for Federal Transit Administration Recipients  
FTA Circular 4702.1B

**Title VI Notice of the Public Chap. III-4 FTA Circular 4702.1B Locations where notice is posted**

A copy of the NWCCOG Title VI Plan is posted

- in the lobby of the NWCCOG
- in the staff common area
- On the bulletin board at the Area Agency on Aging.
- Once approved, a link will be placed on our [www.mtnride.org](http://www.mtnride.org) website for the updates plan.

**List of transit related Title VI investigations Chap. III-5 FTA Circular 4702.1B**

We have had no investigations.

**Public Participation Plan Chap. III-5 FTA Circular 4702.1B**

We are committed to reaching out to engage minority and limited English proficient (LEP) populations. Not only on information of the services already available, but to request input on how we can better provide services and what additional services are needed. Our key publications, including brochures and flyers are available in Spanish and English. Intake forms and client reimbursement forms are in Spanish and English.

Our public participation plan includes the following components:

- Make periodic contacts with school districts and other community agencies that may know of minority and LEP persons or groups. Meet with these groups to solicit their input on our program and services.
- Work with the Human Services departments in our multi county area and the Family Intercultural Resource Center in Dillon to reach out to clients for their input on our Call Center.
- Identify additional agencies in our area that may serve minority and LEP populations
- Provide opportunities for minority and LEP populations participation at public meetings, through advertising and conduct of meetings, as appropriate

A recent outreach effort included a presentation at the Community Care Clinic in Frisco in October, 2016 to meet with the care navigators who serve primarily minority and low income clients. I requested their input on how best to serve their clients.

**Language Assistance Plan Chap. III-6 FTA Circular 4702.1B**

LEP plan is completed. See attached document. It includes the four factor analysis

**Race of Council members Chap. III-1 FTA Circular 4702.1B**

Regional Transportation Coordinating Council

25 members

White/non-Hispanic	24
Hispanic	
Black/African American	
Asian	
American Indian	
other	1

**Copy of Board minutes Chap. III-1 FTA Circular 4702.1B**

See attached

**Title VI Equity analysis for determination of site location Chap. III-11 FTA Circular 4702.1B**

We have not constructed new transportation facilities. We are a call center for transportation coordination.

**Type of transportation service we provide**

As mentioned above. We are a mobility management transportation coordination project. We have a call center with a website and toll free number. We work with existing transportation companies to provide rides for veterans, low income, older adults and people with disabilities. Our brochures are in English and Spanish.



## LIMITED ENGLISH PROFICIENCY PLAN Northwest Colorado Council of Governments

June 27, 2013  
Revised November 30, 2016

### I. INTRODUCTION

This Limited English Proficiency (LEP) Plan, for the Northwest Colorado Council of Governments has been developed in response to federal requirements included under Section 601 of Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), 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."

Federal Executive Order No. 13166, issued in August 2000 by President Clinton, "Improving Access to Services for Persons with Limited English Proficiency," was created to "... improve access to federally conducted and federally assisted programs and activities for persons who, as a result of national origin, are limited in their English proficiency (LEP)..." President Bush affirmed his commitment to Executive Order 13166 through a memorandum issued on October 25, 2001, by Assistant Attorney General for Civil Rights, Ralph F. Boyd, Jr. and Acting Assistant Attorney General, Loretta King directed a strengthening of enforcement of Title VI in a memorandum dated July 10, 2009.

As a sub-recipient of funds from the Federal Transit Administration (FTA), through the Colorado Department of Transportation (CDOT), this Limited English Proficiency (LEP) Plan for the Northwest Colorado Council of Governments has been developed to ensure compliance with Federal LEP regulations. It includes an assessment of the limited English proficiency needs of our area, an explanation of the steps we are currently taking to address these needs, and the steps we plan to take in the future to ensure meaningful access to our transit programs by persons with limited English proficiency.

### II. POLICY

It is the policy of the Northwest Colorado Council of Governments to ensure that our programs and activities, normally provided in English, are accessible to Limited English Proficiency (LEP) persons and thus do not discriminate on the basis of national origin in violation of the Title VI prohibition against national origin discrimination. The Northwest Colorado Council of Governments will, to the maximum extent feasible in its official deliberations and communications, community outreach and related notifications, provide appropriate alternative non-English formats for persons with LEP to access information and services provided.

### III. LIMITED ENGLISH PROFICIENCY NEEDS OF AREA

The *Four-Factor Analysis* developed by the FTA requires that information be included in LEP Plans regarding the number and percentage of LEP persons in our area, and the nature, frequency and importance of the contact we have with LEP persons in providing transit services. Each of these elements is addressed below.

#### Factor 1. Number and Percentage of LEP Persons in Our Area

##### 1. Permanent Population

CDOT has compiled the following data regarding LEP in your area:

TABLE 1 - Individuals Speaking English "Not Well" or "Not at All"

Data Category	Eagle County		Grand County		Jackson County		Pitkin County		Summit County		Houtt County		Garfield County	
	Total #	%	Total #	%	Total #	%	Total #	%	Total #	%	Total #	%	Total #	%
Total Population (5 years old & older)	47,554	100	13,794	100	1,439	100	15,922	100	25,934	100	21,874	100	51,185	100
Population Speaking English "Not Well" or "Not at All"	9565	20%	1228	9%	72	5%	2100	13%	2908	11%	198	1%	3939	8%
Population Speaking English "Not Well" or "Not at All"														
Spanish	7728	81%	745	61%	66	92%	1095	52%	2349	81%	103	52%	3933	100%
Other Indo-European	1455	15%	439	36%	6	8%	866	41%	424	15%	7	4%	2	0%
Asian and Pacific Islander	288	3%	9	1%	0	0%	65	3%	135	5%	88	44%	4	0%
Other	94	1%	35	3%	0	0%	74	4%	0	0%	0	0%	0	0%
Total	9565	100%	1228	100%	72	100%	2100	100%	2908	100%	198	100%	3939	100%

Data Category	Aspen		Basalt		Carbondale		Dillon		Eagle		Frisco	
	Total #	%	Total #	%	Total #	%	Total #	%	Total #	%	Total #	%
Total Population (5 years old & older)	6,188	100	3,577	100	5,599	100	563	100	5,564	100	2,554	100
Population Speaking English "Not Well" or "Not at All"	761	12%	581	16%	1087	19%	15	3%	926	17%	191	7%
Population Speaking English "Not Well" or "Not at All"												
Spanish	329	43%	392	67%	990	91%	7	47%	557	60%	104	54%
Other Indo-European	353	46%	25	4%	36	3%	8	53%	369	40%	87	46%
Asian and Pacific Islander	36	5%	164	28%	0	0%	0	0%	0	0%	0	0%
Other	43	6%	0	0%	61	6%	0	0%	0	0%	0	0%
Total	761	100%	581	100%	1087	100%	15	100%	926	100%	191	100%

Data Category	Glenwood Springs		Granby		Grand Lake		Gypsum		Hot Sulphur Springs		Kremmling		Minturn	
	Total #	%	Total #	%	Total #	%	Total #	%	Total #	%	Total #	%	Total #	%
Total Population (5 years old & older)	8,746	100	2,101	100	343	100	5,580	100	957	100	1,863	100	1,077	100
Population Speaking English "Not Well" or "Not at All"	1388	16%	159	8%	38	11%	1321	24%	19	2%	134	7%	165	15%
Population Speaking English "Not Well" or "Not at All"														
Spanish	1098	79%	124	78%	19	50%	1242	94%	7	37%	101	75%	130	79%
Other Indo-European	215	15%	20	13%	6	16%	23	2%	10	53%	27	20%	35	21%
Asian and Pacific Islander	72	5%	5	3%	0	0%	0	0%	0	0%	4	3%	0	0%
Other	3	0%	10	6%	13	34%	56	4%	2	11%	2	1%	0	0%
Total	1388	100%	159	100%	38	100%	1321	100%	19	100%	134	100%	165	100%

Data Category	Montezuma		Red Cliff		Silverthorne		Snowmass Village		Steamboat Springs		Vail		Walden	
	Total #	%	Total #	%	Total #	%	Total #	%	Total #	%	Total #	%	Total #	%
Total Population (5 years old & older)	77	100	217	100	3,542	100	2,657	100	11,425	100	5,056	100	614	100
Population Speaking English "Not Well" or "Not at All"	0	0%	46	21%	524	15%	295	11%	494	4%	287	6%	22	4%
Population Speaking English "Not Well" or "Not at All"														
Spanish	0	0%	43	93%	491	94%	105	36%	370	75%	196	68%	22	100%
Other Indo-European	0	0%	3	7%	21	4%	161	55%	86	17%	69	24%	0	0%
Asian and Pacific Islander	0	0%	0	0%	12	2%	29	10%	38	8%	0	0%	0	0%
Other	0	0%	0	0%	0	0%	0	0%	0	0%	22	8%	0	0%
Total	0	0%	46	100%	524	100%	295	100%	494	100%	287	100%	22	100%

Source: U.S. Census American Community Survey 2007-2011 estimates, population 5 years old and older, speaking another language in the home, who speak English "Not well" or "Not at All."

## 2. Visitor Population

*Since our call center will be coordinating transportation to medical appointments for veterans, senior citizens and the disabled to medical appointments residing in this multicounty region, there will be minimal use if any by the visitor population.*

## 3. Summary

Based on the research conducted in #1 and #2 above, following is a summary of the key questions.

- a. Do LEP populations exist (5% or 1,000 individuals-whichever is less)  
Yes, there is an LEP population in this region.
- b. What languages do they speak? In all counties Spanish is the predominant LEP language. In all but four towns, Spanish is the predominant language. In Aspen, Snowmass Village, Dillon and Hot Sulfur Springs, other Indo-European languages are predominant.
- c. Where are concentrations of LEP persons in your service area? The concentrations of LEP speaking populations are located in neighboring communities to the ski resort towns such as Silverthorne, Redcliff and Minturn. In these locations reside the service workers who are employed at the resorts and in construction. They are predominately Spanish speaking.

## **Factors 2 & 3 Nature, Frequency and Importance of LEP Contact**

### 1. Nature of Contact

What transit services do you provide? We are not the provider of transportation. We coordinate transportation by means of a One Call/One Click call center. Partner agencies will be providing the actual transportation.

What types of contact do you have or could you have with LEP persons? Verbal information will be provided by customer service call center staff and drivers - either in person or by phone. Information will be conveyed via the Internet and website, public meetings and focus groups.

### 2. Frequency of Contact

Monday – Friday 8:30 – 5:00PM.. Contact – Daily during operating hours.

### 3. Importance of Contact

The nature and importance of LEP contacts is high for public transportation services. Therefore, given the nature of our area, strategies to address this need have been developed and will continually be reviewed, and improved where needed.

## **Factor 4 Resources Available for LEP Outreach**

The resources available for LEP outreach include the Website, internet, local papers, County Departments of Health and Human Services, Community Care Clinics, Senior Centers, Veterans Service Officers, Veterans organizations including the DAV, Am Vets, VFW , American Legion, Veterans medical centers and Veteran projects at Workforce Centers.

## **CURRENT LEP EFFORTS**

We are committed to addressing the need to service LEP individuals. Our key publications, including brochures and flyers are available in Spanish and English. Intake forms and client reimbursement forms are also in Spanish and English. We will have a Title VI notice on our brochures and on our web site.

## **IV. PLANS FOR THE FUTURE LEP EFFORTS**

Given the current and potential future need to respond to individuals with Limited English proficiency our LEP Plan includes the elements identified below.

### **A. Identifying LEP Persons Who Need Language Assistance**

In order to identify future LEP needs with respect to our one call/one click call center we will undertake the following:

- Contact the CDOT Civil Rights & Business Resource Center for updated LEP statics
- Review Census updates as they become available;
- Periodically review perceived LEP needs with partner agencies and call center staff;
- Make periodic contacts with school districts and other community agencies that may know of LEP persons or groups.

### **B. Language Assistance Measures**

As the need arises, we will consider the following to respond to LEP needs:

- Work with the Human Services departments in our multi county area and the Family Intercultural Resource Center in Dillon to access their staff for translation services
- Further develop Spanish versions of marketing materials, customer complaint forms, public notices, and related information, as appropriate;
- Obtain copies of CDOT's "Basic Spanish for Transit Employees" and distribute to customer service staff.
- **We have a contract with CTS LanguageLink to provide translation services**  
<http://www.ctslanguageink.com>.
- Identify other community resources such as agencies serving LEP persons which may have resources to share.

### **C. Staff Training**

As the need arises, we will consider the following staff training topics:

- Federal LEP requirements, the NWCCOG LEP Plan and Title VI;
- Staff awareness training;
- Documenting language assistance requests;
- Use of any of the language assistance measures as described above.

### **D. Outreach Efforts**

As the need arises, we will consider the following outreach topics:

- Identify agencies in our area that may serve LEP populations
- Provide information on our call center to them, as appropriate

- Provide opportunities for LEP participation at public meetings, through advertising and conduct of meetings, as appropriate

#### **E. Monitoring and Updating Plan**

We will monitor and update this plan every 2-3 years, as needed. This will include:

- Reviewing our LEP Plan with staff and make adjustments, as needed
- Pay particular attention to demographic changes in our area and to any LEP-related complaints we receive.

The original plan was created June 27, 2013. It was updated on August 30, 2013 and January 11, 2016. The most recent update was made on November 30, 2016.

#### **F. Disseminating Our LEP Plan**

- Have copies of our plan available to give to agencies serving LEP populations in our area and or for individual requests;
- Post our plan on our website;
- Adopted by the Northwest Colorado Council of Governments Council and the Regional Transportation Coordinating Council