

Southwest Colorado Council of Governments

Title VI Program



December 10, 2020

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TITLE VI PROGRAM

PART I.

General Title VI Requirements for All Grant Partners

BACKGROUND

The Southwest Colorado Council of Governments is responsible for the oversight of the Regional Transit Coordinating Council, which encompasses the Southwest Colorado region that includes Archuleta, Dolores, La Plata, Montezuma and San Juan Counties. The Regional Transit Coordinating Council works with regional transit and human services providers to guarantee that each organization has the resources and information needed to operate efficiently and effectively, this includes coordination for regional transportation planning and policy development.

NOTICE TO THE PUBLIC

SWCCOG's notice to the public is attached as Appendix A.

COMPLAINT INSTRUCTIONS AND FORM

SWCCOG's complaint procedures are attached as Appendix C. A copy of SWCCOG's complaint form is attached as Appendix D. The complaint procedures and form are available at www.swccog.org.

TITLE VI COMPLAINTS, INVESTIGATIONS AND LAWSUITS

Not applicable.

PUBLIC PARTICIPATION ELEMENT

The SWCCOG encourages public input and involvement from all residents or their representatives. The SWCCOG posts agendas for all meetings, which are open to the public, at the SWCCOG offices and on the SWCCOG website at www.swccog.org. Generally, SWCCOG meetings are held in downtown Durango, Colorado, which is centrally located in the SWCCOG's region. Occasionally meetings will be held in other locations throughout the region. Care is taken to ensure all meeting locations are accessible. Video and/or phone conferencing is also available for all SWCCOG meetings.

The SWCCOG, through the Regional Transit Coordinating Council, has actively sought to coordinate with health and human service providers, and educational and community organizations to maximize diversity of representation. SWCCOG staff is available to address community organizations as requested. SWCCOG staff fields inquiries from the public regarding transportation projects and other planning activities. SWCCOG frequently updates its website to allow residents to learn about and follow SWCCOG activities. While LEP persons are encouraged to participate directly in SWCCOG's regional activities, they are often more engaged at the local level with SWCCOG member governments or in association with local projects. This type of engagement is critical, as the feedback received at the local level can then be communicated to SWCCOG's regional programs.

LIMITED ENGLISH PROFICIENCY (LEP) ELEMENT

It is and shall be the policy of the Southwest Colorado Council of Governments to provide timely meaningful access for limited English Proficiency persons to SWCCOG programs and activities. The SWCCOG will take reasonable steps to ensure that persons with limited English Proficiency (LEP) have meaningful access and opportunity to participate in our services, activities, and programs.

Factor 1 - Number or proportion of LEP individuals eligible to be served: A summary of the number and percentage of population that “speaks English less than very well” in the Southwest Colorado 5-County region is outlined below:

Data Category	Archuleta			Dolores			La Plata			Montezuma			San Juan			5-County Region		
	Total #	% of Population	% of LEP Population	Total #	% of Population	% of LEP Population	Total #	% of Population	% of LEP Population	Total #	% of Population	% of LEP Population	Total #	% of Population	% of LEP population			
Total Population (5 years old & older)	11,972	100.0%		1,673	100.0%		51,684	100.0%		24,200	10000.0%		539	100.0%		90,068		
Population Speaking English "Well" "Not Well" or "Not at All"	289	2.4%		8	0.0%		786	1.5%		491	2.1%		9	1.7%		1583		
Population Speaking English "Well" "Not Well" or "Not at All" Spanish	254	2.1%	88%	0	0.0%	0%	648	1.3%	82%	288	1.2%	59%	9	1.7%	100%	1199	1.3%	76%
Other Indo-European	19	0.2%	7%	8	0.5%	100%	34	0.1%	4%	48	0.2%	10%	0	0.0%	0%	109	0.1%	7%
Asian and Pacific Islander	16	0.1%	6%	0	0.0%	0%	17	0.0%	2%	59	0.2%	12%	0	0.0%	0%	92	0.1%	6%
Other	0	0.0%	0%	0	0.0%	0%	87	0.2%	11%	96	0.4%	20%	0	0.0%	0%	183	0.2%	12%
Total	289	2.4%	100%	8	0.5%	100%	786	1.5%	100%	491	2.0%	100%	9	1.7%	100%	1583	1.8%	100%

Source: U.S. Census American Community Survey 2013-2017 estimates, population 5 years old and older, speaking another language in the home, who speak English "Well" "Not well" or "Not at All."

Factor 2 - Frequency with which LEP persons come into contact with the program: LEP persons are most likely to reference materials published by the program. LEP persons may also wish to attend meetings or reference meeting materials.

Factor 3 - Nature and importance of LEP contact, program, information, or service provided: Information about public services provided in the region as well as strategies to improve delivery of and access to public services throughout the region.

Factor 4 - Resources available to the subrecipient for LEP outreach and cost of associated with providing that outreach: The SWCCOG’s annual budget includes a line for general contracted services, which could be used for translation of publications or online materials or interpretation services as needed.

Language assistance services provided: All staff have ready access to language identification flashcards to assist with identification of an LEP person’s primary language. The SWCCOG will maintain a list of bilingual staff who are able to serve as translators. The SWCCOG may also coordinate with partner agencies who have bilingual staff, or use internet- or telephone-based translation and interpretation services as appropriate.

Notice to LEP persons about the availability of language assistance: The following language will be included on printed and online publications as well as on the SWCCOG website:

If information is needed in another language, contact info@swccog.org

Si se necesita información en otro idioma, contacto info@swccog.org

Monitor, evaluation, and updates to language access plan: At a minimum of every three years, or more often as necessary, staff will review and update this LEP policy and written LEP reference materials.

Train employees to provide timely and reasonable language assistance to LEP populations: All staff have ready access to a copy of this policy, language identification flashcards, and other written reference materials to assist with providing language access for LEP persons.

PLANNING AND ADVISORY BOARDS

The SWCCOG is responsible for the oversight of the Regional Transit Coordinating Council. Membership on the Regional Transit Coordinating Council is voluntary and not specifically designated. Information relative to racial makeup of the Transit Council will be updated if/when the membership of the committee is formalized. The SWCCOG, through the Regional Transit Coordinating Council, has actively sought to coordinate with health and human service providers, and educational and community organizations to maximize diversity of representation.

FACILITY LOCATION EQUITY ANALYSIS

The SWCCOG has not constructed any facilities in the past three years.

PART II.

REQUIREMENTS FOR FIXED ROUTE TRANSIT PROVIDERS ONLY

Not applicable.

PART III.

METROPOLITAN PLANNING ORGANIZATIONS (MPOs) ONLY

Not applicable.

APPENDICES

Appendix A: Notice to The Public (English and Spanish versions)

Appendix B: Complaint/Investigations Table

Appendix C: Americans with Disabilities Act (ADA) and Title VI Complaint Procedure

Appendix D: ADA and Title VI Complaint Form

Appendix E: Sample Service Standards for Fixed Route Provider

Appendix F: Sample Policies for Fixed Route Provider

Appendix G: Staff LEP survey

APPENDIX A

Notice to Beneficiaries (English)

Notifying the Public of Rights under Title VI

Southwest Colorado Council of Governments

The Southwest Colorado Council of Governments operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the Southwest Colorado Council of Governments.

For more information on the Southwest Colorado Council of Government's civil rights program and the procedures to file a complaint, contact 970-779-4592; email info@swccog.org; or visit www.swccog.org.

A complainant may file a complaint directly with the Federal Transit Administration by filing a complaint with the Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE Washington, DC 20590

If information is needed in another language, contact info@swccog.org
Si se necesita información en otro idioma, contacto info@swccog.org

APPENDIX B

INVESTIGATIONS/COMPLAINTS CHART

Type	Date	Summary (basis)	Status	Action(s) taken
Complaints and Investigations Naming the recipient				
Lawsuits				

APPENDIX C

AMERICANS WITH DISABILITIES ACT (ADA) AND TITLE VI COMPLAINT PROCEDURE

In accordance with the American Disabilities Act of 1990 and the Civil Rights Act of 1964, any person who believes she or he has been discriminated against on the basis of disability, race, color, or national origin by the Southwest Colorado Council of Governments (hereinafter referred to as "SWCCOG") may file an ADA or a Title VI complaint by completing and submitting the SWCCOG's ADA and Title VI Complaint Form. The SWCCOG investigates complaints received no more than 180 days after the alleged incident. The SWCCOG will process complaints that are complete.

Once the complaint is received, the SWCCOG will review it to determine if our office has jurisdiction. The complainant will receive an acknowledgement letter informing her/him whether the complaint will be investigated by our office.

Most complaints will be investigated within 60 days. Investigating a complaint includes interviewing all parties involved and key witnesses. The investigator may also request relevant information such as books, records, electronic information, and other sources of information from all involved parties.

After the investigator reviews the complaint, she/he will issue one of two letters to the complainant: a closure letter or a letter of finding (LOF). A closure letter summarizes the allegations and states that there was not an ADA or Title VI violation and that the case will be closed. An LOF summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member, or other action will occur. If the complainant wishes to appeal the decision, she/he has 30 days after the date of the letter or the LOF to do so.

A person may also file a complaint directly with the Federal Transit Administration, at FTA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 2059

If information is needed in another language, contact info@swccog.org
Si se necesita información en otro idioma, contacto info@swccog.org

APPENDIX D

ADA AND TITLE VI COMPLAINT FORM

Section I:				
Name:				
Address:				
Telephone (Home):			Telephone (Work):	
Electronic Mail Address:				
Accessible Format Requirements?	Large Print		Audio Tape	
	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 not, please supply the name and relationship of the person for whom you are complaining:				
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:				
Name of agency complaint is against:				
Contact person:				
Title:				
Telephone number:				
I believe the discrimination I experienced was based on (check all that apply): <input type="checkbox"/> Disability <input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin				
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 discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form.				

Section IV		
Have you previously filed an ADA or Title VI complaint with SWCCOG?	Yes	No
Section V		
Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?		
<input type="checkbox"/> Yes <input type="checkbox"/> No		
If yes, check all that apply:		
<input type="checkbox"/> Federal Agency: _____		
<input type="checkbox"/> Federal Court _____	<input type="checkbox"/> State Agency _____	
<input type="checkbox"/> State Court _____	<input type="checkbox"/> Local Agency _____	
Please provide information about a contact person at the agency/court where the complaint was filed.		
Name:		
Title:		
Agency:		
Address:		
Telephone:		

You may attach any written materials or other information that you think is relevant to your complaint.

Signature and date required below

Signature

Date

Please submit this form by mail to the address below:

Southwest Colorado Council of Governments
295 Girard Street, Ste B
Durango, CO 81303

APPENDIX E

SERVICE STANDARDS (REQUIREMENT FOR ALL FIXED ROUTE TRANSIT PROVIDERS)

Not applicable

APPENDIX F

SERVICE POLICIES (REQUIREMENT FOR ALL FIXED ROUTE TRANSIT PROVIDERS)

Not applicable

APPENDIX G
STAFF LEP SURVEY

The Southwest Colorado Council of Governments is studying the language assistance needs of its clients so that we can better serve, communicate, and increase access with Limited English Proficient persons. Please complete the following survey and return it to Miriam Gillow-Wiles, Executive Director by _____, 2020.

How often do you come into contact with persons who do not speak English or have trouble understanding you when you speak English to them? (Circle one)

Daily

Weekly

Monthly

Less frequently than monthly

What languages are spoken? Please list.

What languages other than English do you understand or speak?

Would you be willing to serve as a translator when needed?