

APPENDIX A:
Policy Directive 604.0

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION
Office of Government Relations
4201 East Arkansas Avenue, Room 275
Denver, Colorado 80222
(303) 757-6772



To: All CDOT Employees

From: Heidi Humphreys – DAS / Herman Stockinger – OPGR / Katherine Williams - CRBRC

Re: Policy Directive 604.0 “Policy on Non-Discrimination”

Date: January 27, 2014

Background Policy Directive 604.0 “Policy on Non-Discrimination” updates Policy Directive 604.0 “Non-Discrimination in Federally Funded Programs Policy,” adopted July 7, 2004.

Rationale for Policy Directive Outlines CDOT’s general non-discrimination policy for all CDOT programs and activities. Also identifies and describes the forms of discrimination that are prohibited by federal law and highlights objectives related to access for persons with disabilities, access for persons with limited English proficiency, principles of environmental justice, and fair competition for federally funded contracts. This directive does not include CDOT’s Equal Employment Opportunity policy, which is set forth in Policy Directive 600.0.

Individuals/Entities Impacted in Policy Directive This Policy Directive applies to all operations of CDOT, including all offices, divisions, regions, and branches of CDOT, its contractors and anyone who acts on CDOT’s behalf. This Policy Directive also applies to the operations of any department or agency to which CDOT extends federal financial assistance. Federal financial assistance includes grants, training, use of equipment, donations of surplus property, and other assistance.

Implementation The Division of Administrative Services (DAS), Civil Rights and Business Resource Center shall implement this directive.

Effective Date January 22, 2014

Review Date On or before January 2019

COLORADO DEPARTMENT OF TRANSPORTATION		<input checked="" type="checkbox"/> POLICY DIRECTIVE <input type="checkbox"/> PROCEDURAL DIRECTIVE
Subject POLICY ON NON-DISCRIMINATION		Number 604.0
Supersedes 604 (7/1/04) 611 (4/15/10)	Effective 1.22.14	Originating Office Civil Rights & Business Resource Center, Division of Administrative Services

I. Purpose

To ensure that no person shall, on the ground of race, color, national origin, sex, disability, or age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in the operations of the Colorado Department of Transportation ("CDOT") or of any department or agency to which CDOT extends federal financial assistance.

II. Authority

See Appendix A. This Policy Directive is intended to meet Federal Highway Administration and Federal Transit Authority requirements.

III. Applicability

This Policy Directive applies to all operations of CDOT, including all offices, divisions, regions, and branches of CDOT, its contractors and anyone who acts on CDOT's behalf. This Policy Directive also applies to the operations of any department or agency to which CDOT extends federal financial assistance. Federal financial assistance includes grants, training, use of equipment, donations of surplus property, and other assistance.

IV. Policy

1. It is CDOT's policy that no person shall on the ground of race, color, national origin, sex, disability, or age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in any operation of CDOT or of any department or agency to which CDOT extends federal financial assistance.

A. Examples of prohibited types of discrimination based on race, color, national origin, sex, disability, or age include:

- (1) Denial to an individual any service, financial aid, or other benefit;
- (2) Distinctions in the quality, quantity, or manner in which a benefit is provided;
- (3) Segregation or separate treatment;
- (4) Restriction in the enjoyment of any advantages, privileges, or other benefits provided;

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(5) Discrimination in any activities related to highway and infrastructure or facility built or repaired; and

(6) Discrimination in employment.

B. Prohibited discrimination may be intentional or unintentional. Seemingly neutral acts that have disparate impacts on individuals of a protected group and lack a substantial legitimate justification are a form of prohibited discrimination. Instances where seemingly neutral acts may result in discrimination include:

(1) Utilizing criteria or methods of administration that have the effect of subjecting persons to discrimination or have the purpose or effect of substantially reducing the likelihood that persons can benefit from the objectives of a program or activity with respect to persons;

(2) Using different standards or requirements for determining whether a person satisfies any admissions, enrollment, quota, eligibility, membership, or other requirement for any service, financial aid, or other benefit; and

(3) Determining the site or location of a facility that has the effect of excluding persons, denying them the benefits of, or otherwise subject to them discrimination.

C. Harassment and retaliation are also forms of discrimination. Harassment includes a wide range of abusive and humiliating verbal or physical behaviors that are directed against a particular person because of race, color, national origin, sex, disability, or age. This Policy Directive prohibits retaliation against any person because he or she has reported alleged discrimination under this Policy Directive or has testified, assisted or participated in any manner in an investigation of such report, or has opposed such discrimination. No one shall intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with their rights against discrimination.

D. As part of this Policy Directive, CDOT adheres to the following objectives, which shall not be interpreted in any way to limit the general policy stated above:

(1) Access for Persons with Disabilities – No qualified disabled person shall, solely by reason of his or her disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination. Aids, benefits, and services, to be equally effective, are not required to produce the identical result or level of achievement for disabled and non-disabled persons, but must afford persons with disabilities equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement, in the most integrated setting that is reasonably achievable. Even if separate or different aid, benefits, or services are available to handicapped persons, a qualified disabled person shall

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not be denied the opportunity to participate in the programs or activities that are not separate or different.

(2) Access for Persons with Limited English Proficiency – Individuals who have a limited ability to read, write, speak, or understand English are considered limited English proficient (“LEP”). Language for LEP individuals can be a barrier to accessing important benefits or services, understanding and exercising important rights, complying with applicable responsibilities, or understanding other information provided by CDOT. Ignoring LEP populations may constitute discrimination on the basis of national origin. CDOT shall seek to communicate with LEP populations and provide LEP individuals meaningful access to CDOT programs and activities.

(3) Principles of Environmental Justice – CDOT will meaningfully engage all sectors of the public, including low-income and minority populations, potentially affected by CDOT projects. To help ensure the fair distribution of the benefits and burdens associated with CDOT programs and activities, CDOT will be guided by the following environmental justice principles:

- (a) To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority and low-income populations;
- (b) To ensure the full and fair participation by all potentially affected communities in CDOT’s decision-making process; and
- (c) To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.

(4) Fair Competition for Federally-Funded Contracts – A Disadvantaged Business Enterprise (“DBE”) is a business that is owned and controlled by a socially and economically disadvantaged individual or individuals. The objectives of CDOT’s DBE program are to:

- (a) To ensure nondiscrimination in the award and administration of federally-assisted contracts in CDOT’s highway, transit, and airport programs;
- (b) To create a level playing field on which DBEs can compete fairly for federally-assisted contracts;
- (c) To ensure that CDOT’s DBE program is narrowly tailored in accordance with applicable law;
- (d) To ensure that only firms that fully meet this part’s eligibility standards are permitted to participate as DBEs;

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- (e) To help remove barriers to the participation of DBEs in federally-assisted contracts; and
- (f) To assist the development of firms that can compete successfully in the marketplace outside the DBE program.

V. Implementation Plan

1. This Policy Directive shall be effective immediately upon approval by the Transportation Committee.
2. The Civil Rights & Business Resource Center ("CRBRC") shall implement this Policy Directive and will coordinate education and training to ensure compliance with this Policy Directive. All CDOT employees, its contractors, and anyone who acts on behalf of CDOT, including any department or agency to which CDOT extends federal financial assistance, shall be responsible for assuring that the proscribed discrimination does not occur. Should the potential for discrimination be discovered, action to eliminate the potential shall be taken.
3. Notices informing individuals of their rights under this Policy Directive will be posted on CDOT's internal and external webpages, and be displayed in public office areas. These notices will also be consistent with CDOT's policy for communicating with LEP populations.
4. As required by federal law, the CRBRC and regional civil rights staff shall be responsible for acquiring non-discrimination assurances, investigating discrimination complaints, conducting reviews of program areas, and preparing required reports.

VI. Review Date

This Policy Directive shall be reviewed on or before January 2019.

Hermon F. Stockinger III
Secretary, Transportation Commission

1-22-14
Effective Date

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APPENDIX A: Authority for Policy Directive 604.0

Federal Statutes

Title VI of the 1964 Civil Rights Act, 42 U.S.C. § 2000d

Age Discrimination Act of 1975, 42 U.S.C. § 6101

Federal Aid Highway Act of 1970, 49 U.S.C. § 306

Federal Aid Highway Act of 1973, 23 U.S.C. § 324

Civil Rights Restoration Act of 1987, Pub. L. No. 100-259, 102 Stat. 28

Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101 – 12213

Rehabilitation Act of 1973 § 504, 29 U.S.C. § 794

Federal Transit Laws, 49 U.S.C. § 5332

Federal Regulations

23 CFR §1.36 – Compliance with Federal laws and regulations

23 CFR pt. 200 – Title VI Program and Related Statutes – Implementation and Review Procedures

23 CFR pt. 771 – Environmental Impact and Related Procedures

28 CFR pt. 35 – Nondiscrimination on the Basis of Disability in State and Local Government Services

28 CFR pt. 36 – Nondiscrimination on the Basis of Disability in Public Accommodations and in Commercial Facilities

28 CFR pt. 42, subpart C – Nondiscrimination in Federally Assisted Programs – Implementation of Title VI of the Civil Rights Act of 1964

49 CFR pt. 21 – Nondiscrimination in Federally-Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964

49 CFR pt. 26 – Participation By Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs

49 CFR pt. 27 – Nondiscrimination on the Basis of Disability in Programs or Activities Receiving Federal Financial Assistance

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49 CFR § 37.5 – Nondiscrimination – Transportation Services for Individuals with Disabilities (ADA)

Executive Orders

Exec. Order No. 12898, 59 Fed. Reg. 7629 – Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations

Exec. Order No. 13166, 65 Fed. Reg. 50121 – Improving Access to Services for Persons with Limited English Proficiency

APPENDIX B:

Title VI Nondiscrimination Procedural Directive 604.1



COLORADO

Department of Transportation

Office of Policy and Government Relations
2829 W. Howard Place, Suite 562
Denver, CO 80204

RELEASE MEMORANDUM

TO: All CDOT Employees
FROM: Michael P. Lewis, Executive Director
RE: New Procedural Directive 604.1 "Title VI Non-Discrimination"
DATE: August 3, 2018

1. Name of New Procedural Directive: "Title VI Non-Discrimination"

2. Rationale for New Directive: This new Procedural Directive 604.1 "Title VI Non-Discrimination" is required by FHWA and explains CDOT's responsibilities in complying with Title VI for non-discrimination related to CDOT's activities and programs. Many of the responsibilities outlined in PD 604.1 are for specific programs listed in Appendix A, and those programs have already been complying with everything in the PD.

One of the key requirements in PD 604.1 for all employees is to send complaints of discrimination from external entities to CDOT's Title VI Coordinator in the Civil Rights & Business Resource Center at CDOT. For help in implementing this PD, questions should also be directed to the Title VI Coordinator.

3. Individuals/Entities/Projects Impacted by Procedural Directive: All employees who work in programs that affect external entities.

4. PD 604.1 will be implemented by: Title VI Coordinator in the Civil Rights & Business Resource Center at CDOT Headquarters.



COLORADO DEPARTMENT OF TRANSPORTATION		<input type="checkbox"/> POLICY DIRECTIVE
		<input checked="" type="checkbox"/> PROCEDURAL DIRECTIVE
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Title VI Non-Discrimination		604.1
Effective	Supersedes	Originating Office
8/3/18	New	Civil Rights & Business Resources Center

I. PURPOSE

The purpose of this Directive is to ensure the public that interacts with CDOT programs and activities are protected against discrimination under Title VI of the Civil Rights Act of 1964 with regard to race, color, national origin, sex, disability, or age. Additionally, this Directive shall be read in conjunction with Policy Directive 604.0 "Policy on Non-Discrimination" with regard to CDOT's compliance with environmental justice.¹

II. AUTHORITY

Executive Director, pursuant to § 43-1-105, C.R.S.

[Policy Directive 604.0 "Policy on Non-Discrimination"](#)

[CDOT Title VI Implementation Plan](#)

[CDOT Limited English Proficiency \("LEP"\) Plan](#)

See Appendix B for a list of federal authority

III. DEFINITIONS

"Limited English Proficiency" or "LEP" means an individual whose primary language is not English, and who has limited ability to read, write, speak, or understand English. See CDOT LEP Plan.

"Reasonable Steps" for purposes of LEP services shall mean ensuring meaningful access to CDOT's programs and activities by LEP persons, which is contingent upon a number of factors. While designed to be a flexible and fact-dependent standard, the starting point is an individualized assessment that balances the four following factors: (1) The number or proportion of LEP persons eligible to be served, or likely to be encountered by the program or grantee; (2) the frequency with which LEP individuals come into contact with the program; (3) the nature and importance of the program activity or service provided by the program to people's lives; and (4) the resources available to the grantee/recipient and cost. "Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons," 67 Fed. Reg. 41455, 41459 (June 18, 2002); See Also CDOT LEP Plan;

¹ Procedural Directive 600.6 "Internal Discrimination Complaint Procedures" sets forth the process to be followed for complaints filed by CDOT employees and applicants.

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“Synopsis of DOT Guidance to Recipients on Special Language Service to Limited English Proficient (LEP) Beneficiaries,” at https://www.fhwa.dot.gov/cadiv/docs/special_lang.pdf.

IV. APPLICABILITY

This Procedural Directive applies to all divisions, regions and offices of CDOT. Where stated, specific requirements apply to the CDOT programs identified in Appendix A.

V. PROCEDURES

A. General Requirements

1. All CDOT Division Directors shall ensure that all contracts and agreements, solicitations for bids and Requests for Proposals regardless of the funding source include the required nondiscrimination language from the USDOT Standard Title VI/Non-Discrimination Assurances, DOT Order No. 1050.2A. See information on this requirement at Civil Rights & Business Resources Center’s (CRBRC) website at www.codot.gov/business/civilrights/titlevi.
2. All CDOT employees whose job responsibilities include publishing notices of meetings to which the public is invited shall:
 - a) Include in all notices the language set forth in the LEP Guidance Document (<https://www.codot.gov/business/civilrights/titlevi>). The meeting notice must include Limited English Proficiency interpretation and translation services if the contact person listed in the meeting notice receives a request for translation or interpretation services, the contact person shall consult with the Title VI Coordinator in the CRBRC.
 - b) For questions on this requirement, contact the Title VI Coordinator in the CRBRC.
3. All program managers, division directors and supervisors in the programs identified in Appendix A shall comply with the Title VI Implementation Plan and the requirements of this Directive.
4. All CDOT employees must cooperate with the Title VI Coordinator in providing any and all requested information.
5. All CDOT employees shall notify the Title VI Coordinator of any potential Title VI related issues (i.e., potential discrimination of members of the public engaging in business with CDOT).
6. All CDOT employees, including Regional Civil Rights Managers, shall notify the Title VI Coordinator within three business days of any written or verbal complaints of discrimination they receive from a member of the public engaging in business with CDOT.

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- a) A Title VI complaint is the method whereby a person engaging in business with CDOT may allege discrimination based on race, color, national origin, sex, age or disability.
- b) All Title VI complaints must be forwarded to the Title VI Coordinator.
- c) The Title VI Coordinator shall be responsible for managing the investigation process for discrimination complaints. With the exception of FHWA-related complaints, the Title VI Coordinator shall determine whether CDOT is responsible for conducting the investigation. The Title VI Coordinator shall forward all relevant complaints to FHWA.
- d) If CDOT is specifically designated by the respective federal agency as the appropriate party to conduct the investigation, the respective Regional Civil Rights Manager and the Title VI Coordinator shall collaborate on who should conduct an investigation of the complaint. All investigations shall follow the discrimination complaint procedures, which are available at www.codot.gov/business/civilrights/titlevi.
- e) After a complaint investigation is completed all relevant documents related to the complaint investigation shall be submitted to the Title VI Coordinator.
- f) All pertinent CDOT employees shall cooperate with the Title VI Coordinator or Regional Civil Rights Manager in the investigation.
- g) If the complaint is communicated verbally, the person shall be offered the option of completing the complaint form on the CRBRC webpage or they may contact the Title VI Coordinator directly (<https://www.codot.gov/business/civilrights/titlevi>). The form is available in Spanish and other languages upon request.

B. Title VI Coordinator

The Title VI Coordinator in the CRBRC or his/her designee shall be the Department's resource on compliance with Title VI requirements. The Title VI Coordinator shall coordinate efforts with respective federal agencies regarding Title VI complaints. The Title VI Coordinator is responsible for the following:

1. Updating public notices and disseminating updated notices to the Regional Civil Rights Managers;
2. Tracking all complaints submitted to the respective federal agency to note the date forwarded by the Title VI Coordinator. If CDOT is designated by the federal agency to investigate the complaint, the Title VI Coordinator shall track the date that CDOT was notified as the investigating agency, and the date the investigation was concluded;
3. Conducting investigations and processing and maintaining a log of all external discrimination complaints in coordination with Regional Civil Rights Managers and the federal agency;

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4. Conducting program area audits for Title VI compliance in accordance with the CDOT Title VI Program Plan;
5. Reviewing and commenting on Title VI/environmental justice issues in Environmental Impact Statements (EIS) and Environmental Assessment (EA) Finding of No Significant Impact (FONSIs);
6. Recommending appropriate action to program managers or the division director as identified in Appendix A where Title VI issues are involved;
7. Providing Title VI/environmental justice training, information, and technical assistance to CDOT staff and programs;
8. Ensuring that Title VI Liaisons are trained to comply with the requirements for collection of demographic data (i.e. at least race and ethnicity);
9. Serving as a contact on Title VI matters for the U.S. Department of Transportation and its federal funding recipients;
10. Conducting subrecipient oversight to ensure nondiscrimination in the award and administration of funds received from CDOT. To such end, CRBRC may conduct desk audits, site reviews, and/or other investigations to ensure compliance with Title VI;
11. Reviewing new policy/procedural directives to comply with Title VI requirements prior to implementation;
12. Advising CDOT employees on Title VI LEP services;
13. Collecting information on minority representation on decision-making and advisory boards;
14. Meeting semi-annually with all program managers or designee to ensure Title VI compliance is met, including any reporting requirements; and
15. Completing annual program reviews and implementing programmatic changes to fulfill annual goals for Title VI compliance in furtherance of ensuring non-discrimination.

C. Regional Civil Rights Managers

Regional Civil Rights Managers are responsible for:

1. Title VI Public Notices. Ensuring that CDOT's English and Spanish non-discrimination notices apprising the public of the protections against discrimination afforded to them by

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Title VI are posted in their respective Region's facilities. Additional notices may be requested by contacting CRBRC.

2. Access for LEP persons. In the event a member of the public requests LEP services, the Regional Civil Rights Managers shall be notified and the request shall be directed to the HQ Title VI Liaison (see (V)(D) below).

3. Demographic Data Collection. Working with the Title VI Liaison to ensure that demographic data is provided to the Title VI Coordinator.

4. Title VI Complaints. Please see (V)(A)(6) above.

D. Title VI Liaisons for CDOT Programs Identified in Appendix A

Division directors for programs included in Appendix A shall be responsible for the following.

1. Pursuant to Policy Directive 604.0 "Policy on Non-Discrimination," incorporate environmental justice evaluations into their processes by following the Federal Highway Administration Environmental Justice Reference Guide and ensure that their respective programs implement and consider the FHWA-identified environmental justice principles in transportation decision-making. Divisions receiving Federal Transit Administration funding shall incorporate environmental justice principles into their processes by following the Federal Transit Administration's Environmental Justice Policy Guidance for FTA Recipients.

2. Develop and maintain a program-specific language assistance plan in accordance with CDOT's LEP Plan. The measures described in a language assistance plan must be tailored to the needs of LEP individuals affected or likely to be affected by the particular program area.

3. Assign a liaison responsible for carrying out the Title VI responsibilities. The Title VI Liaison shall:

a) Meet at a minimum on a semi-annual basis with the Title VI Coordinator to provide an update on the program area's Title VI-related initiatives and progress made toward annual goals.

b) Maintain a record of all translated materials and requests for language assistance, including the language requested and assistance provided, and submit such information to the Title VI Coordinator by September 1 of each year.

c) Work with the Title VI Coordinator to comply with the requirements for collection of demographic data (i.e. at least race and ethnicity) by doing the following:

(i) At every meeting where the specific program is attempting to gather input from impacted citizens and affected communities, ensuring that best efforts are made to collect voluntary demographic data (i.e. at least race and ethnicity) from meeting attendees;

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(ii) Collecting the data using the template Data Collection form (attached as Appendix C) or by some other method as approved by the Title VI Coordinator and the respective federal agency;

(iii) Analyzing the data to determine whether traditionally underserved populations attended the meeting, provided input, and whether modifications should be made to the program’s public involvement strategy;

(iv) Providing the demographic data to the Title VI Coordinator to determine whether traditionally underserved populations are participating in the decision making and whether modifications should be made to the specific program’s public involvement strategy;

(v) Coordinating with the Title VI Coordinator to complete a site or location equity analysis during the planning stage of the CDOT facility/project to ensure the location is selected without regard to race, color or national origin, pursuant to 49 C.F.R. 21.5(b)(3);

(vi) Engaging in outreach to persons potentially impacted by the siting of the facility/project determined on a project by project basis and in coordination with the Title VI Coordinator; and

(vii) Complying with the Title VI Coordinator’s requests for information as necessary to complete CDOT’s annual program area reviews, implement programmatic changes to fulfill annual goals, and ensure nondiscrimination in the respective program area. As further described in the Title VI Implementation Plan, each Title VI Liaison shall notify the Title VI Coordinator of any potential Title VI related issues.

VI. DOCUMENTS REFERENCED IN THIS DIRECTIVE

[Policy Directive 604.0 "Policy on Non-Discrimination"](#)

[CDOT Title VI Implementation Plan](#)

[CDOT Limited English Proficiency \(“LEP”\) Plan](#)

VII. IMPLEMENTATION PLAN

The Office of Policy and Government Relations shall post this Procedural Directive on CDOT’s intranet as well as on public announcements.

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The Civil Rights & Business Resources Center shall provide this Procedural Directive to pertinent personnel and ensure the Directive's implementation, including any training on Title VI compliance.

VIII. REVIEW DATE

This Procedural Directive shall be reviewed on or before August 2023.



Michael P. Lewis
Executive Director



Date of Approval

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Appendix A

The following CDOT divisions or programs must adhere to the requirements of Title VI non-discrimination as set forth in the Title VI Implementation Plan and this Procedural Directive:

Multimodal Planning Branch, Division of Transportation Development

Environmental Programs Branch, Division of Transportation Development

Applied Research and Innovation Branch, Division of Transportation Development

Safety (which includes Office of Transportation and Safety (OTS) and Transportation Systems Management & Operations (TSM&O))

Right-of-Way Office, Project Development Branch, Division of Project Support

Construction (as coordinated by CRBRC staff)

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Appendix B

Federal Statutes

Title VI of the 1964 Civil Rights Act, 42 U.S.C. § 2000d

Age Discrimination Act of 1975, 42 U.S.C. § 6101

Federal Aid Highway Act of 1970, 49 U.S.C. § 306

Federal Aid Highway Act of 1973, 23 U.S.C. § 324

Civil Rights Restoration Act of 1987, Pub. L. No. 100-259, 102 Stat. 28

Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101 – 12213

Rehabilitation Act of 1973 § 504, 29 U.S.C. § 794

Federal Transit Laws, 49 U.S.C. § 5332

Federal Regulations

23 C.F.R. §1.36 – Compliance with Federal laws and regulations

23 C.F.R. pt. 200 – Title VI Program and Related Statutes – Implementation and Review Procedures

23 C.F.R. pt. 771 – Environmental Impact and Related Procedures

28 C.F.R. pt. 35 – Nondiscrimination on the Basis of Disability in State and Local Government Services

28 C.F.R. pt. 36 – Nondiscrimination on the Basis of Disability in Public Accommodations and in Commercial Facilities

28 C.F.R. pt. 42, subpart C – Nondiscrimination in Federally Assisted Programs – Implementation of Title VI of the Civil Rights Act of 1964

49 C.F.R. pt. 21 – Nondiscrimination in Federally-Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964

49 C.F.R. pt. 26 – Participation By Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs

49 C.F.R. pt. 27 – Nondiscrimination on the Basis of Disability in Programs or Activities Receiving Federal Financial Assistance

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49 C.F.R. § 37.5 – Nondiscrimination – Transportation Services for Individuals with Disabilities (ADA)

Executive Orders

Exec. Order No. 12898, 59 Fed. Reg. 7629 – Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations

Exec. Order No. 13166, 65 Fed. Reg. 50121 – Improving Access to Services for Persons with Limited English Proficiency

Federal Highway Administration (FHWA)

“Memorandum: Processing of Title VI Complaints,” from Nichole McWhorter, HCR-20, issued by FHWA, June 13, 2018



Appendix C

TITLE VI PUBLIC INVOLVEMENT SURVEY

Completing this form is voluntary but encouraged.

You are not required to provide the information requested in order to participate in this meeting. Thank you for your participation.

Title VI of the Civil Rights Act of 1964 requires the Colorado Department of Transportation (CDOT) to provide opportunity for everyone to comment on transportation programs and activities that may affect their community. Title VI specifically states 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 benefit of, or otherwise be subjected to discrimination under any program, service, or activity receiving federal financial assistance."

By completing this form you are helping CDOT to comply with Title VI of the Civil Rights Act of 1964 and related statutes, which require the collection of statistical data to aid in assessing CDOT's outreach efforts among those who are affected or interested in this project. Your participation is voluntary but it helps CDOT ensure that it is inclusive of all members of the community. It will not be used for any other purpose.

Meeting Purpose:			Location of Meeting:				Date:	
Please check all that apply. Check Race/Ethnicity								
	List zip code	Indicate M=Male or F=Female	White	African American	Hispanic/Latino	Native American	2 or more races	Other
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APPENDIX C:

The U.S. Department of Transportation (USDOT)
Standard Title VI/Non-Discrimination Assurances

(Signed version uploaded separately in Civil
Rights Connect)

The United States Department of Transportation (USDOT) Standard Title VI/Non-Discrimination

Assurances

DOT Order No. 1050.2A

The Colorado Department of Transportation (herein referred to as the "Recipient"), **HEREBY AGREES THAT**, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT), through the Federal Highway Administration (FHWA), Federal Transit Administration (FTA), and Federal Aviation Administration (FAA), is subject to and will comply with the following:

Statutory/Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 C.F.R. Part 21 (entitled Non-discrimination In Federally-Assisted Programs Of The Department Of Transportation-Effectuation Of Title VI Of The Civil Rights Act Of 1964);
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);

The preceding statutory and regulatory cites hereinafter are referred to as the "Acts" and "Regulations," respectively.

General Assurances

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure 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 otherwise subjected to discrimination under any program or activity, "for which the Recipient receives Federal financial assistance from DOT, including the FHWA, FTA, or FAA.

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Non-discrimination requirements (The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these non-discrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted FHWA, FTA, and FAA assisted programs:

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23(b) and 21.23(e) of 49 C.F.R. § 21 will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.
2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all FHWA, FTA and FAA programs and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

"The Colorado Department of Transportation, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."

3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
 - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:

- a. the period during which the property 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; or
 - b. the period during which the Recipient retains ownership or possession of the property.
9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, the Colorado Department of Transportation also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the FHWA, FTA, and FAA's access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by the FHWA, FTA, or FAA. You must keep records, reports, and submit the material for review upon request to FHWA, FTA, or FAA, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

Colorado Department of Transportation gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the FHWA, FTA, and FAA. This ASSURANCE is binding on Colorado Department of Transportation, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the FHWA, FTA, and FAA funded programs. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

Colorado Department of Transportation

(Name of Recipient)

by _____

(Signature of Authorized Official)

DATED _____

APPENDIX A

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, (*Title of Modal Operating Administration*), as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Non-discrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the (*Title of Modal Operating Administration*) to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the (*Title of Modal Operating Administration*), as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of a contractor's noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the (*Title of Modal Operating Administration*) may determine to be appropriate, including, but not limited to:
 - a. withholding payments to the contractor under the contract until the contractor complies; and/or
 - b. cancelling, terminating, or suspending a contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment,

unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the **(Title of Modal Operating Administration)** may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

APPENDIX B

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that the Colorado Department of Transportation will accept title to the lands and maintain the project constructed thereon in accordance with **(Name of Appropriate Legislative Authority)**, the Regulations for the Administration of **(Name of Appropriate Program)**, and the policies and procedures prescribed by the **(Title of Modal Operating Administration)** of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. § 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the Colorado Department of Transportation all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto Colorado Department of Transportation and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and will be binding on the Colorado Department of Transportation its successors and assigns.

The Colorado Department of Transportation, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed [,] [and]* (2) that the Colorado Department of Transportation will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended [, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction].*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to make clear the purpose of Title VI.)

APPENDIX C

CLAUSES FOR TRANSFER OF REAL PROPERTY ACQUIRED OR IMPROVED UNDER THE ACTIVITY, FACILITY, OR PROGRAM

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the Colorado Department of Transportation pursuant to the provisions of Assurance 7(a):

- A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that:
 - 1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
- B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, Colorado Department of Transportation will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.*
- C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the Colorado Department of Transportation will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the Colorado Department of Transportation and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

APPENDIX D

CLAUSES FOR CONSTRUCTION/USE/ACCESS TO REAL PROPERTY ACQUIRED UNDER THE ACTIVITY, FACILITY OR PROGRAM

The following clauses will be included in deeds, licenses, permits, or similar instruments/agreements entered into by Colorado Department of Transportation pursuant to the provisions of Assurance 7(b):

- A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, "as a covenant running with the land") that (1) no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.
- B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Non-discrimination covenants, Colorado Department of Transportation will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.*
- C. With respect to deeds, in the event of breach of any of the above Non-discrimination covenants, Colorado Department of Transportation will there upon revert to and vest in and become the absolute property of Colorado Department of Transportation and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

APPENDIX E

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

Pertinent Non-Discrimination Authorities:

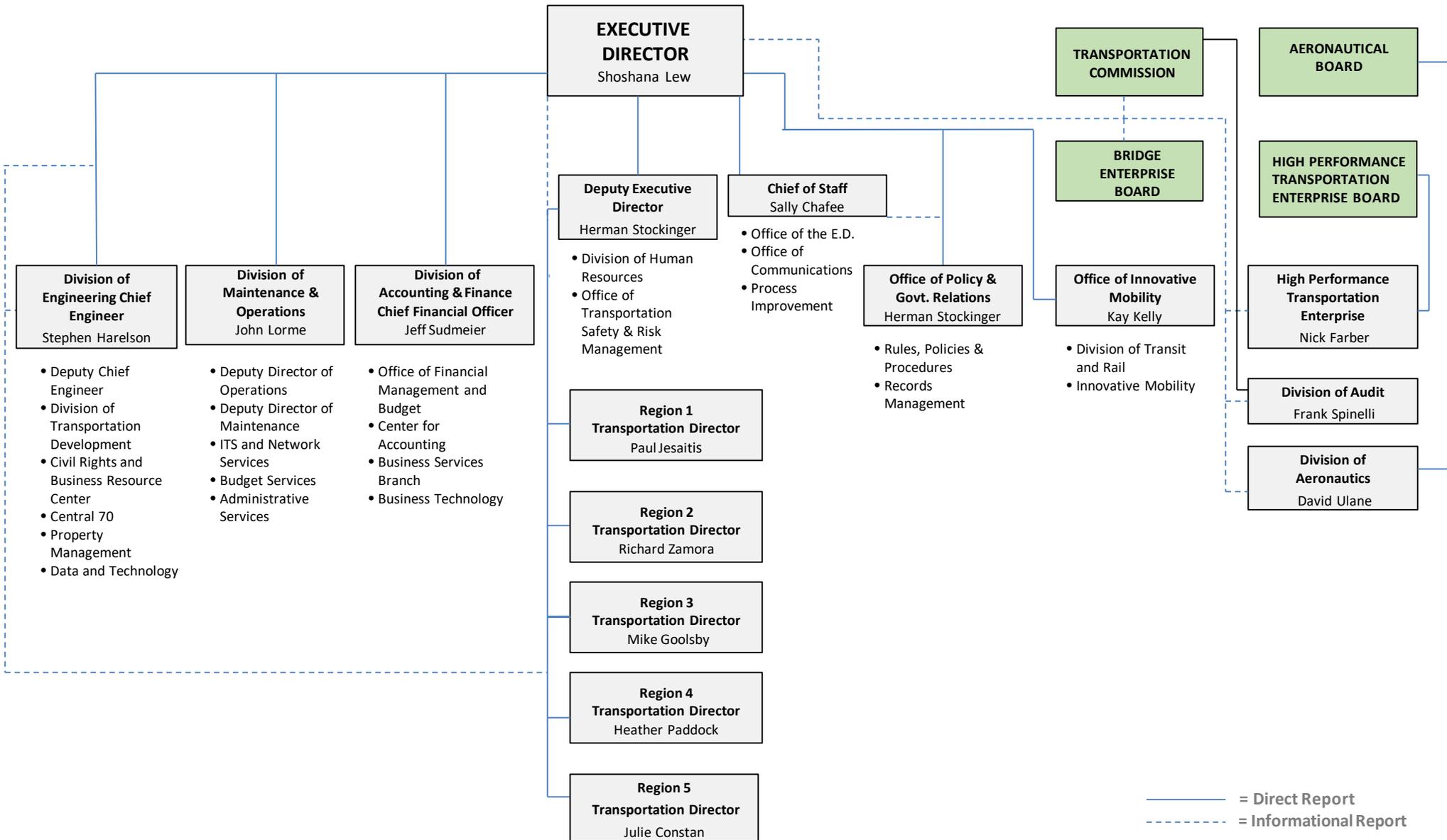
- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of Limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).

APPENDIX D:
CDOT Organizational Charts

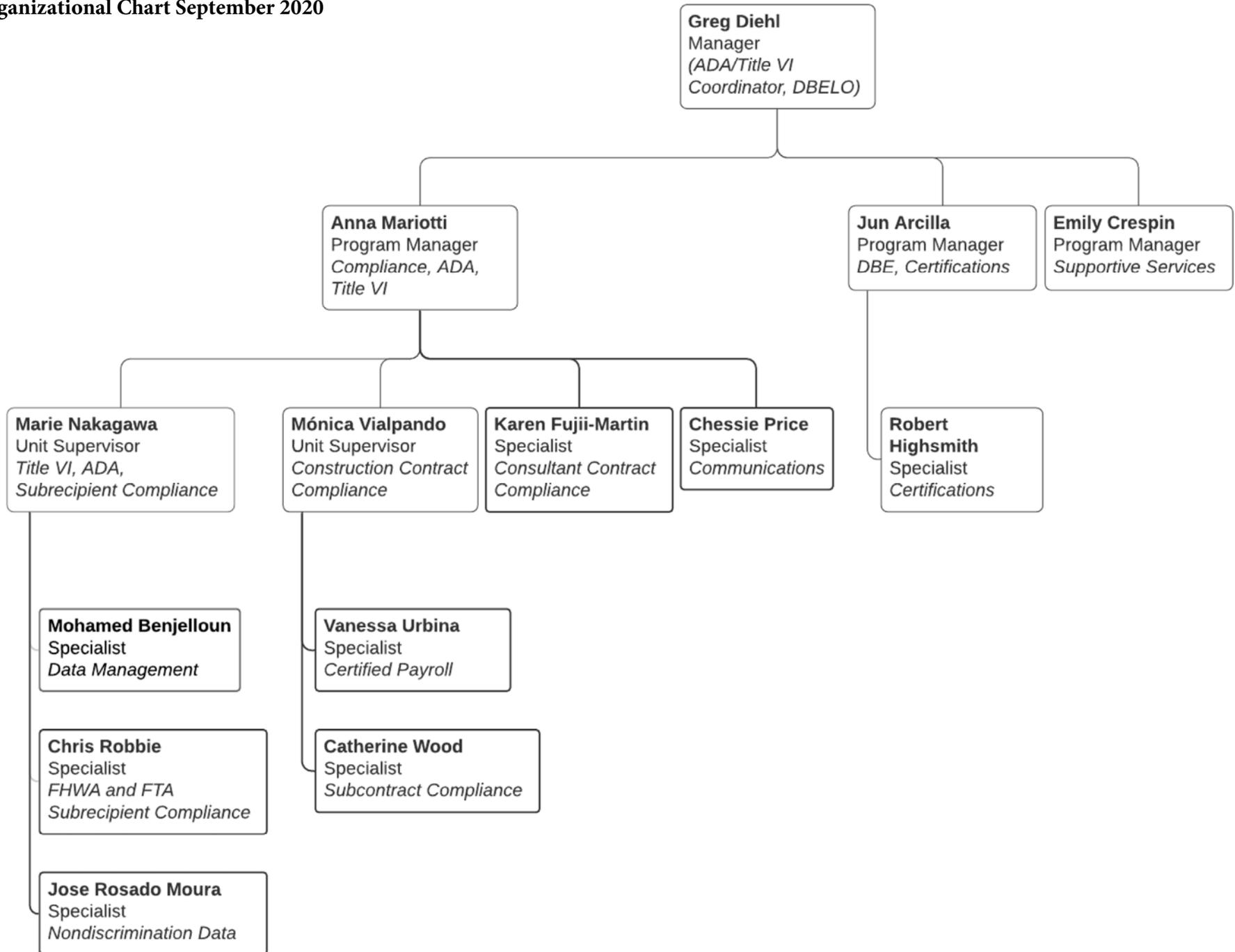


COLORADO

Department of Transportation



Civil Rights and Business Resource Center
Organizational Chart September 2020



APPENDIX E:

Connect2DOT Program Overview

Connect2DOT



Connecting Small Businesses to CDOT Opportunities and Assistance

Connect2DOT is a Colorado Department of Transportation (CDOT) program in partnership with the Colorado Small Business Development Center (SBDC) Network designed to help small businesses in the transportation industry become more competitive and successful in contracting with CDOT and other government agencies.

The following assistance services are provided **FREE** for construction and engineering firms interested in pursuing transportation-related projects and growing their business.

Consulting

- ➔ DBE/ESB Certification
- ➔ Contractor/A&E Prequalification
- ➔ Cost Accounting/Certified Payrolls
- ➔ Finance/Bonding
- ➔ HR/Operations
- ➔ Marketing/Networking
- ➔ Estimating/Bidding
- ➔ Teaming/Proposals
- ➔ Contractor Compliance
- ➔ Contract Management/Legal

Training

We offer 40+ workshops every year at various SBDC locations around the state and as live webinars. Below is a sample of the training which covers a range of topics from exploring CDOT contracting to successfully performing on projects. Additional business topics are available through the local SBDCs. Please check upcoming training classes at Connect2DOT.org/event-calendar or ColoradoSBDC.org/training.

- ➔ Introduction to Contracting with CDOT
- ➔ DBE & ESB Certifications
- ➔ Marketing to Prime Contractors
- ➔ Developing a Capabilities Statement
- ➔ Navigating CDOT Contracting Systems
- ➔ Understanding CDOT Plans & Specs
- ➔ Construction Scheduling & PM
- ➔ Estimating and Bidding Projects
- ➔ Safety and OHSA
- ➔ Leading Edge for Transportation

Technical Support

- ➔ Connect2DOT.org
- ➔ Construction Bid Matching Service
- ➔ CDOT Mentor-Protégé Program
- ➔ CDOT & SBA Bond Assistance Program
- ➔ CDOT Project Take-Offs
- ➔ CDOT Prequalification and MPA

Outreach and Events

- ➔ Industry News and Announcements
- ➔ CDOT Project Opportunities
- ➔ Tradeshows & Expos
- ➔ Reverse Trade Fairs
- ➔ Prime Contractor Meet and Greets
- ➔ Small Business Collaborative Forums

Contact:

Cathy Kramer
Program Manager

2829 W. Howard Pl.
Denver, CO 80204

P: 720-624-6728
F: 303-604-6314

info@connect2dot.org

www.connect2dot.org

Schedule a Consulting Appointment Today!

www.connect2dot.org/need-assistance

Sign Up for News and Upcoming Opportunities:

www.connect2dot.org/website/newsletter



APPENDIX F:

Title VI Requirements and Template for
CDOT FHWA Subrecipients

Title VI Requirements for FHWA Subrecipients



Civil Rights and Business Resource Center
2829 W. Howard Place, Suite 139
Denver, CO 80204
303-757-9234

August 2020

Introduction

Title VI of the Civil Rights Act of 1964 and related nondiscrimination statutes require that recipients and subrecipients of federal financial assistance ensure that no one is excluded from participation in, denied the benefits of, or subjected to discrimination on the basis of race, color, national origin, sex, age, or disability in any federally-assisted program and activity. Title VI should not be confused with Title VII, which prohibits employment discrimination.

For Title VI purposes, the term “program or activity” means all of the operations of a department, agency, special district, or other instrumentality of a local government. For example, if a local agency’s public works department receives any federal financial assistance, Title VI program requirements apply to every part of that public works department whether federally funded or not. However, Title VI program requirements do not apply to all other departments of the local agency unless the federal assistance is transferred to such departments.

While the original Title VI law only prohibits discrimination on the basis of race, color and national origin, the Federal Highway Administration (FHWA) “Title VI Program” incorporates related statutes that have been passed since 1964 and, therefore, prohibits discrimination on the basis of race, color, national origin, sex, age, and disability. Recipients and subrecipients of federal financial assistance must also comply with federal policies regarding Environmental Justice and Limited English Proficiency. The U.S. Department of Transportation (USDOT)’s Title VI implementing regulations are contained in 49 CFR Part 21 and the FHWA’s Title VI regulations are in 23 CFR Part 200.

Agencies or municipalities that receive federal funds from CDOT are referred to as subrecipients. Subrecipients that receive FHWA funds through CDOT are required to establish a Title VI program that is subject to review by CDOT pursuant to 23 CFR 200.9(b)(7). The purpose of the program is to not only prohibit discrimination but to ensure nondiscrimination through policies, procedures and regular program reviews.

CDOT’s Civil Rights & Business Resource Center (CRBRC) monitors CDOT subrecipients for Title VI compliance. The following is a summary of items that are required as part of a subrecipient’s Title VI program:

A. Title VI Plan

Subrecipients are required to submit a Title VI Plan to the CRBRC that documents procedures used for complying with FHWA’s Title VI requirements. Subrecipients may also create their Title VI Plan using CDOT’s Title VI template. Whether the subrecipient uses CDOT’s template or develops its own format for a Title VI Plan, it must contain the following:

- **Nondiscrimination Policy Statement:** A subrecipient must provide a statement of its commitment to nondiscrimination and Title VI compliance that is signed by a top official

and circulated throughout the organization and general public. The policy statement should define federal financial assistance and describe specific forms of prohibited discrimination.

- **Standard DOT Title VI Assurances:** A Title VI Plan must include the USDOT's Standard Title VI Assurances (DOT 1050.2A) in which the subrecipient assures that its program will be conducted in a nondiscriminatory manner. The Standard Assurances should have been included and signed with your agency's intergovernmental agreement with CDOT. The subrecipient must ensure that it has a copy of the signed Standard Assurances or executes one to be included in the plan.

The subrecipient is also responsible for ensuring that the applicable appendix of the Standard Assurances is included in each federally-assisted contract. Moreover, the Standard Assurances require specific language to be included in requests for proposals of work. A template of the Standard Assurances and its appendices are available at https://www.faa.gov/about/office_org/headquarters_offices/acr/com_civ_support/non_disc_pr/media/dot_order_1050_2A_standard_dot_title_vi_assurances.pdf. The Standard Assurances should be signed annually by the subrecipient.

- **Title VI Coordinator:** The subrecipient must designate a Title VI Coordinator who is responsible for managing and monitoring Title VI compliance, providing reports to CDOT, and handling Title VI complaints. Subrecipients should also provide an organizational chart, or at the very least, describe the Title VI Coordinator's placement in the agency and how they interact with and have easy access to management.
- **Primary Program Area Descriptions:** The Title VI Plan must describe the nature of the subrecipient's primary program areas and the way in which the subrecipient seeks to ensure nondiscrimination in each area. For example, a city's public works department may have divisions for transportation planning and right of way services. Each of these program areas has unique Title VI-related responsibilities to ensure nondiscrimination. For example, planning must ensure equal access to the planning process and equal consideration of the interests of minority populations, and right of way must ensure equal treatment of minority populations throughout the acquisition process.
- **Program Review, Compliance, and Enforcement Procedures:** The subrecipient must develop procedures for identifying and addressing potential discrimination or discriminatory procedures within the agency. The Title VI Plan must include a description of how the subrecipient's pertinent program areas are reviewed for Title VI compliance. The Title VI Plan must also outline compliance and enforcement procedures that eliminate and address discrimination and resolve deficiencies when non-compliance occurs.

Subrecipients administering federal aid contracts are also required to monitor prime contractors and subcontractors for Title VI compliance. A description of this process

should also be included in the Title VI Plan.

- **Data Collection and Analysis:** FHWA requires subrecipients to develop procedures for the collection of statistical data of participants in, and beneficiaries of, the subrecipient's programs and activities. Collecting data helps identify and prioritize problem areas and evaluate the effectiveness of policies and programs to ensure nondiscrimination. The Title VI Plan must describe how the subrecipient plans to collect Title VI-related data on an ongoing basis. For example, the subrecipient may collect data such as meeting attendees, board member demographics, or persons/communities affected by acquisitions and relocations. Subrecipients may also rely on U.S. Census data to collect relevant demographic information for their service area. For more information on collecting Census data, visit https://www.fhwa.dot.gov/civilrights/programs/title_vi/data_collection_analysis.cfm or <https://www.fhwa.dot.gov/civilrights/programs/docs/Title%20VI%20Data%20collection.pdf>.

Subrecipients must also provide an analysis of any Title VI data collected, including how it relates to the subrecipient's programs and activities.

- **Staff Training:** The Title VI Plan must indicate how and when agency staff is trained on Title VI related policies and procedures.
- **Complaint Procedures:** Subrecipients must develop Title VI complaint procedures that address how to handle Title VI complaints. Subrecipients are encouraged to utilize CDOT's FHWA complaint procedures template. At a minimum, a Title VI complaint procedure must include the subrecipient's specific contact information on how and where to file a complaint, as well as a section on how to file a complaint directly with FHWA. Complainants should also have 180 days from the last alleged discrimination to file a complaint.

All FHWA Title VI complaints received by a subrecipient must be forwarded to CDOT within three (3) business days. CDOT will then forward any Title VI complaints to FHWA for processing. A subrecipient's Title VI complaint procedure must be posted on their website and translated into any language that meets the Limited English Proficient (LEP) Safe Harbor threshold (e.g., LEP language groups that constitute five percent (5%) or 1,000 persons, whichever is less, of the total population of persons eligible to be served by the subrecipient).

- **Dissemination of Title VI Information:** Title VI Plans must include community outreach and public education procedures relating to nondiscrimination under Title VI. At a minimum, Title VI Plans must include the following:
 - **Notice of Rights:** Members of the public must be informed of their rights against discrimination on the basis of race, color and national origin under Title VI and how they can file a Title VI discrimination complaint. The Notice must include information on how to file a complaint directly with FHWA. The Notice must be made available on the agency's website and be posted in locations accessible to the public. The Notice must also be translated into any language that meets the

Limited English Proficient (LEP) Safe Harbor threshold (e.g., LEP language groups that constitute five percent (5%) or 1,000 persons, whichever is less, of the total population of persons eligible to be served by the subrecipient). Please see CDOT's Notice template as an example.

- **Public Participation Plan:** The Title VI Plan must describe procedures for eliciting and soliciting participation by minority communities. The Title VI Plan must identify how the subrecipient communicates with and conducts outreach to minority and Limited English Proficient (LEP) individuals. The process must address how input from minority populations is considered during agency decision-making.
- **Review of Local Directives:** Title VI Plans must include an assurance by subrecipients that they will review local city and county directives for Title VI implications, and if needed, will provide an interpretation of how Title VI related directives could impact program areas.

B. Language Assistance Plan

Limited English Proficient (LEP) individuals are those individuals for whom English is not their primary language and have a limited ability to speak, read, write, or understand English. Failure to provide language assistance for LEP persons may result in national origin discrimination. Therefore, pursuant to Executive Order 13166, FHWA subrecipients are required to perform an LEP analysis of their service area and develop a plan for providing language assistance and outreach to LEP populations.

The following is the four-factor analysis which must be used to determine what measures are necessary to provide meaningful access for LEP individuals:

1. **Identify the number or proportion** of LEP persons eligible to be served or likely to be encountered by the subrecipient.
2. **Determine the frequency** with which LEP persons come into contact with the subrecipient.
3. **Determine the nature and importance** of the program, activity, or service provided by the subrecipient.
4. **Identify the resources** available to the subrecipient and the costs.

After analyzing these four factors, subrecipients must establish an outreach plan for providing language assistance to LEP individuals. For more information on the Language Assistance Plan, please refer to the USDOT's LEP Guidance at <https://www.transportation.gov/civil-rights/civil-rights-awareness-enforcement/dots-lep-guidance>.

C. Environmental Justice

Executive Order 12898 directs federal agencies to identify and address the disproportionately high and adverse human health and environmental effects of their actions on minority and low- income populations. Subrecipients are required to comply with the federal government's Environmental Justice (EJ) policy by integrating EJ principles into their programs. This can be

accomplished by describing how minority and low-income data is collected, describing how EJ populations are included in public participation activities, and analyzing how a subrecipients' actions impact EJ populations. For more information, please visit <https://www.transit.dot.gov/regulations-and-guidance/fta-circulars/environmental-justice-policy-guidance-federal-transit>.

D. CDOT Compliance Reviews

FHWA requires CDOT to conduct Title VI compliance reviews of its subrecipients. Compliance reviews focus on determining whether the subrecipient has met the criteria of FHWA's Title VI program and that the subrecipient is ensuring nondiscrimination in its programs and activities. CDOT staff may evaluate the subrecipient's Title VI Plan and related documents, interview individuals with Title VI responsibilities, and/or conduct a site visit as part of the process.

The subrecipient's completed Title VI and Language Assistance Plans should be readily available for CDOT review. If you would like assistance in completing these plans, contact the CDOT CRBRC at the information provided below.

Title VI Resources

FHWA Title VI Guidance and Resources

https://www.fhwa.dot.gov/civilrights/programs/title_vi/

CDOT Title VI Guidance and Resources

<https://www.codot.gov/business/civilrights/titlevi>

Contact Us

Chris Robbie, Civil Rights Specialist

Christopher.robbie@state.co.us

Marie Nakagawa, Nondiscrimination and Subrecipient Compliance Manager

Marie.nakagawa@state.co.us

Note: The following is a suggested Title VI Plan template for Colorado Department of Transportation (CDOT) FHWA subrecipients (i.e. agencies or municipalities who receive FHWA federal financial assistance through CDOT). For specific Title VI Plan requirements, refer to CDOT's Title VI Requirements for FHWA Subrecipients. Information is also available on the FHWA's website at https://www.fhwa.dot.gov/civilrights/programs/title_vi/. Please delete italicized language in yellow highlights before submitting your Title VI Plan to CDOT.

Title VI Plan for CDOT FHWA Subrecipient

(Name of agency/subrecipient and department)

(Date)

Prepared by: _____
(Name and Job Title)

I. Nondiscrimination Policy Statement

It is the policy of _____ (Agency Name) that no person shall on the grounds of race, color, national origin, sex, disability, or age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in any operation of _____ (Agency Name) as provided by Title VI of the Civil Rights Act of 1964 and related statutes.

This policy applies to all operations of _____ (Agency Name), including its contractors and anyone who acts on behalf of _____ (Agency Name). This policy also applies to the operations of any department or agency to which _____ (Agency Name) extends federal financial assistance. Federal financial assistance includes grants, training, use of equipment, donations of surplus property, and other assistance.

Prohibited discrimination may be intentional or unintentional. Seemingly neutral acts that have disparate impacts on individuals of a protected group and lack a substantial legitimate justification are a form of prohibited discrimination. Harassment and retaliation are also prohibited forms of discrimination.

Examples of prohibited types of discrimination based on race, color, national origin, sex, disability, or age include: Denial to an individual any service, financial aid, or other benefit; Distinctions in the quality, quantity, or manner in which a benefit is provided; Segregation or separate treatment; Restriction in the enjoyment of any advantages, privileges, or other benefits provided; and Discrimination in any activities related to highway and infrastructure or facility built or repaired.

Title VI compliance is a condition of receipt of federal funds. The Title VI Coordinator is authorized to ensure compliance with this policy, Title VI of the Civil Rights Act of 1964, 42 U.S.C § 2000d and related statutes, and the requirements of 23 Code of Federal Regulation (CFR) pt. 200 and 49 CFR pt. 21.

(Top Agency or Department Official)

Date

II. Standard DOT Title VI Assurances

(Please include a copy of the subrecipient's signed USDOT Standard Title VI Assurances for this section (see DOT 1050.2A), which should have been included and signed with your agency's intergovernmental agreement with CDOT. The assurances may also be attached and referenced as an appendix to this Title VI Plan.)

Please note that subrecipients are also responsible for ensuring that the applicable appendix of the Standard Assurances is included in each federally-assisted contract. Moreover, the Standard Assurances require specific language to be included in requests for proposals of work. A template of the Standard Assurances and its appendices are available at https://www.faa.gov/about/office_org/headquarters_offices/acr/com_civ_support/non_disc_pr/m/edia/dot_order_1050_2A_standard_dot_title_vi_assurances.pdf. The Standard Assurances should also be signed annually by the subrecipient.)

III. Title VI Coordinator

_____ (top agency official) is responsible for assuring compliance with the provisions of Title VI of the Civil Rights Act of 1964 and related nondiscrimination statutes, and has directed that nondiscrimination is required of all agency employees, contractors, and agents pursuant to 23 CFR Part 200 and 49 CFR Part 21.

_____ (Agency) has created the position of _____ to perform the duties of the Title VI Coordinator and to ensure implementation of _____ (Agency's) Title VI program. The position of _____ is located within _____ (name of department or division).

The Title VI Coordinator is responsible for:

- Submitting an FHWA Title VI Plan and Language Assistance Plan to CDOT;
- Responding to and coordinating with any CDOT Title VI Compliance Reviews;
- Developing Title VI complaint procedures and forwarding any Title VI complaints to CDOT within three (3) business days;
- Reviewing, monitoring, and enforcing Title VI responsibilities within the agency;
- Collecting and analyzing data related to Title VI;
- Ensuring that staff is adequately trained on Title VI policies;
- Disseminating Title VI information to the public, including providing notice and opportunities for public participation;
- Reviewing local directives for Title VI implications;
- Incorporating Environmental Justice principles into programs and activities; and
- Ensuring that the Title VI Plan remains up to date.

Add any other information about the Title VI Coordinator's responsibilities and/or the agency's organizational structure. An organizational chart should be attached as a supplement to this

description, or, at a minimum, a description of the Title VI Coordinator's placement in the agency and how they interact with and have easy access to management.

IV. Primary Program Area Descriptions

Program Area	General Description	Title VI/Nondiscrimination Concerns and Responsibilities
<i>Ex: Right of Way</i>		
<i>Ex: Planning</i>		
<i>Ex: Environmental</i>		

V. Program Review, Compliance, and Enforcement Procedures

Please describe your agency's review procedures to ensure Title VI compliance within the agency and varying program areas. This section must also include compliance and enforcement procedures that eliminate and address discrimination, and resolve deficiencies when non-compliance occurs. If your agency administers federal aid contracts, your agency must also monitor prime and subcontractors for Title VI compliance.

VI. Data Collection and Analysis

Describe your agency's process for collecting and analyzing data of participants and beneficiaries of your agency's programs and activities. Examples include tracking the race/ethnicity of participants or beneficiaries of your programs or activities; tracking the race/ethnicity of members of the public participating in public meetings; and collecting U.S. Census data on populations impacted by your agency's projects. For more information on U.S. Census data, visit

https://www.fhwa.dot.gov/civilrights/programs/title_vi/data_collection_analysis.cfm or <https://www.fhwa.dot.gov/civilrights/programs/docs/Title%20VI%20Data%20collection.pdf>.

Please also provide an analysis of this data, including how it relates to the subrecipient's programs and activities.

VII. Staff Training

Please describe how and when agency staff is trained on Title VI related policies and procedures.

VIII. Complaint Procedures

Title VI Plans must include Title VI complaint procedures for how individuals may file a Title VI complaint. FHWA Title VI complaints must be forwarded to CDOT within three (3) business days. CDOT will then forward any Title VI complaints to FHWA for processing. Title VI complaint procedures must be posted on an agency's website and translated into any language that meets the Limited English Proficient (LEP) Safe Harbor threshold (e.g., LEP language groups that constitute five percent (5%) or 1,000 persons, whichever is less, of the total population of persons eligible to be served by the subrecipient). Agencies are encouraged to use the following template:

FHWA Title VI Complaint Procedure for _____ (Agency)

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, and national origin in programs and activities that receive Federal financial assistance (*See* 23 CFR Part 200 and 49 CFR Part 21).

Who is eligible to file an FHWA Title VI complaint?

The Federal Highway Administration (FHWA) requires that _____ (Agency) report Title VI discrimination complaints. Anyone who believes they have been excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any _____

(Agency) program or activity related to road and highway transportation programs because of their race, color, or national origin may file an FHWA Title VI complaint.

Discrimination includes lack of access, harassment, retaliation and disparate impacts from a program or activity. Harassment includes a wide range of abusive and humiliating verbal or physical behaviors. Retaliation includes intimidating, threatening, coercing, or engaging in other discriminatory conduct against anyone because they filed a complaint or otherwise participated in a discrimination investigation.

How do you file a complaint?

Title VI complaints must be filed within 180 days from the last date of the alleged discrimination, unless the time for filing is extended by the processing agency. Reasonable efforts will be made to assist persons with disabilities, non-English speakers, and others unable to file a written complaint. For assistance in filing a complaint, please contact _____ (Agency’s Title VI Coordinator).

Complaints should be filed in writing and signed, and may be submitted via mail, email, fax or in person to:

_____ (agency contact information)

Complaints may also be filed directly with the following agencies:

Colorado Department of Transportation
Civil Rights & Business Resource Center
2829 W. Howard Place, Suite 139
Denver, CO 80204
dot_civilrights@state.co.us
Phone: (800) 925-3427
Fax: (303) 952-7088

Federal Highway Administration, Colorado Division
12300 West Dakota Avenue, Suite 180
Lakewood, Colorado 80228
Phone: (720) 963-3000
Fax: (720) 963-3001

Federal Highway Administration

U.S. Department of Transportation Office of Civil Rights
1200 New Jersey Avenue, SE
8th Floor E81-105
Washington, DC 20590
Civilrights.fhwa@dot.gov
Phone: (202) 366-0693
Fax: (202) 366-1599

What happens after a complaint is filed?

_____ (Agency) must forward any Title VI complaint related to a Federal-aid highway program to the Colorado Department of Transportation (CDOT) within three (3) business days. CDOT will then forward the Title VI complaint to the appropriate FHWA Division Office for further processing.

Once an FHWA Title VI complaint is received, _____ (Agency) will log the complaint information in its records. After forwarding the complaint to CDOT, _____ (Agency) will provide the complainant with the name and contact information of the CDOT employee responsible for coordinating the complaint.

FHWA Headquarters Office of Civil Rights (HCR) will determine whether a Title VI complaint is accepted or dismissed, as well as whether FHWA or CDOT will investigate the complaint. FHWA HCR will notify the complainant, as well as appropriate agencies, on its decision. For more information, please visit the FHWA website at https://www.fhwa.dot.gov/civilrights/programs/title_vi/titleviqa.cfm.

Complainants are encouraged, but not required, to use the following complaint form when filing a complaint with _____ (Agency) or CDOT. At a minimum, each complaint should contain a written explanation of the alleged discrimination, complainant's contact information, the basis of the complaint (e.g., race, color, national origin), the names of specific individuals or agencies involved, sufficient information to understand the facts that led the complainant to believe that discrimination occurred in a program or activity that receives Federal financial assistance, and date(s) of the alleged discrimination.

FHWA Title VI Complaint Form

Contact information of person completing this complaint:

Name _____
Address _____ City _____ Zip _____
Phone: _____
Email: _____

Basis of Complaint (circle all that apply):

Race
Color
National Origin

Who discriminated against you?

Name _____

Name of Organization _____

Address _____ City _____ Zip _____

Phone _____

How were you discriminated against? (Please provide specific details - attach additional pages if more space is needed)

Where did the discrimination occur?

Dates and times discrimination occurred?

Were there any other witnesses to the discrimination?

Name	Organization/Title	Work Telephone	Home Telephone

--	--	--	--

How would you like to see this situation resolved?

Have you filed your complaint, grievance, or lawsuit with any other agency or court?

Who _____ When _____
Status (pending, resolved, etc.) _____ Result, if known _____
Complaint number, if known _____

Do you have an attorney in this matter?

Name _____ Phone _____
Address _____ City _____ Zip _____

Signed: _____ Date: _____

IX. Dissemination of Title VI Information

Title VI Plans must include community outreach and public education procedures relating to nondiscrimination under Title VI. At a minimum, Title VI Plans must include a Notice of Rights and a Public Participation Plan.

a. Title VI Notice

The Title VI Notice must inform members of the public of their rights against discrimination based on race, color, and national origin under Title VI and how they can file a Title VI complaint. The Notice must include information on how to file a complaint directly with FHWA. The Notice must be made available on the agency's website and be posted in locations accessible to the public. The Notice must also be translated into any language that meets the Limited English Proficient (LEP) Safe Harbor threshold (e.g., LEP language groups that constitute five percent (5%) or 1,000 persons, whichever is less, of the total population of persons eligible to be served by the subrecipient)). Agencies may use the following template:

Your Rights against Discrimination under Title VI of the Civil Rights Act of 1964

_____ (Agency) operates its programs and services without regard to race, color, or national origin. Anyone who believes they have been excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any _____ (Agency) program or activity related to road and highway transportation programs because of their race, color, or national origin may file a Title VI discrimination complaint.

To file an FHWA Title VI discrimination complaint, contact:

_____ (Agency contact)

Title VI complaints related to Federal-aid highway programs may also be filed directly with the following agencies:

Colorado Department of Transportation
Civil Rights & Business Resource Center
2829 W. Howard Place, Suite 139
Denver, CO 80204
dot_civilrights@state.co.us
Phone: (800) 925-3427
Fax: (303) 952-7088

Federal Highway Administration, Colorado Division
12300 West Dakota Avenue, Suite 180
Lakewood, Colorado 80228
Phone: (720) 963-3000
Fax: (720) 963-3001

Federal Highway Administration
U.S. Department of Transportation Office of Civil Rights
1200 New Jersey Avenue, SE
8th Floor E81-105
Washington, DC 20590
Civilrights.fhwa@dot.gov
Phone: (202) 366-0693
Fax: (202) 366-1599

b. Public Participation Plan

Agencies should also provide a public participation plan that describes the agency's procedures for eliciting and soliciting participation by minority communities. The Title VI Plan must identify how the subrecipient communicates with and conducts outreach to minority and Limited English Proficient (LEP) individuals. The process must also address how input from minority populations is considered during agency decision-making.

X. Review of Local Directives

Title VI Plans must include an assurance by subrecipients that they will review local city and county directives for Title VI implications, and if needed, will provide an interpretation of how those directives that implicate Title VI impact program areas.

_____ (Agency) will review local city and county directives for Title VI implications. If directives are identified as implicating Title VI, _____ (Agency) will provide an interpretation of how those directives impact program areas. _____ (Agency) will include such information in its Title VI Plan.

XI. Language Assistance Plan

Limited English Proficient (LEP) individuals are those individuals for whom English is not their primary language and have a limited ability to speak, read, write, or understand English. Failure to provide language assistance for LEP persons may result in national origin discrimination. Therefore, pursuant to Executive Order 13166, FHWA subrecipients are required to perform an LEP analysis of their service area and develop a plan for providing language assistance and outreach to LEP populations.

The following is the four-factor analysis which must be used to determine what measures are necessary to provide meaningful access for LEP individuals:

- 1. Identify the number or proportion** of LEP persons eligible to be served or likely to be encountered by the subrecipient.
- 2. Determine the frequency** with which LEP persons come into contact with the subrecipient.
- 3. Determine the nature and importance** of the program, activity, or service provided by the subrecipient.
- 4. Identify the resources** available to the subrecipient and the costs.

After analyzing these four factors, subrecipients must establish an outreach plan for providing language assistance to LEP individuals. For more information on the Language Assistance Plan, please refer to the USDOT's LEP Guidance at <https://www.transportation.gov/civil-rights/civil-rights-awareness-enforcement/dots-lep-guidance>.

APPENDIX G:

Complaint Procedures (English)



CDOT Discrimination Complaint Procedure

Federal law prohibits discrimination on the basis of race, color, national origin, age, sex, or disability in any CDOT program or activity. This prohibition applies to all branches of CDOT, agencies and organizations that receive money from CDOT, contractors, consultants, and anyone else who acts on CDOT's behalf.

Federal law requires that CDOT investigate if designated to do so by FHWA, track, and report discrimination complaints. Complaints must be filed in writing and will be investigated within sixty days of submission. If you need assistance to file your complaint or need interpretation services, please contact the CDOT Civil Rights and Business Resource Center (CRBRC) toll free at (800) 925-3427.

Este procedimiento de queja y el Formulario de Queja de Discriminación están disponibles en español en www.codot.gov/business/civilrights/espanol o llamando a la línea gratuita (800) 925-3427.

Who is eligible to file a complaint?

Anyone who believes they have been excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any CDOT program or activity because of their race, color, national origin, age, sex, or disability may file a complaint.

Discrimination includes lack of access, harassment, retaliation and disparate impacts from a program or activity. Harassment includes a wide range of abusive and humiliating verbal or physical behaviors. Retaliation includes intimidating, threatening, coercing, or engaging in other discriminatory conduct against anyone because they filed a complaint or otherwise participated a discrimination investigation.

How do you file a complaint?

Complaints must be filed in writing within **180 days** from the last date of the alleged discrimination. However, contact the CRBRC if you believe your complaint may fall outside this deadline. The CRBRC will respond with a confirmation that the complaint was received within 10 days of submission.

CDOT will make reasonable efforts to assist persons with disabilities, non-English speakers, and others unable to file a written complaint. For assistance in filing a complaint, please contact the Civil Rights & Business Resource Center at (800) 925-3427.

While not required, complainants are encouraged to use the Discrimination Complaint Form which can be found at www.codot.gov/business/civilrights/your-rights.

Complaints may submitted via email, fax or in person to one of the following:

Civil Rights & Business Resource Center Title VI Coordinator
2829 W. Howard Pl., 1st Floor Denver, CO 80204
dot_civilrights@state.co.us
Phone: (800) 925-3427
Fax: (303) 952-7088

CDOT Region 1 Civil Rights Office
Regional Civil Rights Manager
2829 W. Howard Pl., 1st Floor
Denver, CO 80204
Phone: (303) 757-9385
Fax: (303) 365-7033

CDOT Region 2 Civil Rights Office
Regional Civil Rights Manager
905 Erie Ave.
Pueblo, CO 81002
Phone: (719) 546-5432
Fax: (719) 562-5525

CDOT Region 3 Civil Rights Office
Regional Civil Rights Manager
222 South 6th St.
Grand Junction, CO 81501-2769
Phone: (970) 683-6227
Fax: (970) 683-6210

CDOT Region 4 Civil Rights Office
Regional Civil Rights Manager 10601
W. 10th Street
Greeley, CO 80634
Phone: (970) 350-2107
Fax: (970) 350-2178

CDOT Region 5 Civil Rights Office
Regional Civil Rights Manager
3803 N. Main Ave.
Durango, CO 81301
Phone: (970) 385-1403
Fax: (970)385-1429

Complaints may also be filed directly with one of the following agencies:

Federal Highway Administration, Colorado Division
12300 West Dakota Avenue, Suite 180
Lakewood, Colorado 80228
Phone: (720) 963-3000
Fax: (720) 963-3001

Federal Transit Administration
Office of Civil Rights
Attention: Complaint Team
East Building, 5th Floor - TCR
1200 New Jersey Avenue, SE
Washington, DC 20590
Phone: (888) 446-2511
<https://www.transit.dot.gov/regulations-and-guidance/civil-rights-ada/file-complaint-fta>

What happens after a complaint is filed with CDOT?

Most complaints will be investigated within **sixty 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.

Complaints related to employment with CDOT will be investigated by the Office of Strategic Workforce Solutions or regional civil rights staff in accordance with CDOT policy. All other complaints will be investigated by the CRBRC or regional civil rights staff and, upon completion of the investigation, formal findings will be issued to the complainant. You may specify if there is a particular individual or individuals that you feel should not investigate your complaint due to conflict of interest or other reasons.

Complaints alleging Title VI violations against CDOT should be filed in writing, directly with the Federal Transit Administration or the Federal Highway Administration listed above. If your complaint is received by CDOT, but needs to be forwarded to one of these agencies, you will be provided the name and contact information of the federal employee handling your complaint.

Federal law prohibits retaliation against individuals because they have filed a discrimination complaint or otherwise participated in a discrimination investigation. Any alleged retaliation should be reported in writing to the investigator.

Questions?

Contact the Civil Rights & Business Resource Center toll free at (800) 925-3427 or email dot_civilrights@state.co.us

APPENDIX H:

Complaint Procedures (Spanish)



Procedimiento para quejas por discriminación del CDOT

Las leyes federales prohíben la discriminación en base a la raza, el color, el país de procedencia, la edad, el sexo o las discapacidades en todos los programas y en todas las actividades del CDOT. Esta prohibición se aplica a todas las ramas del CDOT y a los organismos y a las organizaciones que reciben dinero del CDOT, contratistas, consultores y cualquier otra persona que actúe en representación del CDOT.

Las leyes federales requieren que el CDOT investigue, controle e informe las quejas por discriminación. Las quejas deben presentarse por escrito y se investigarán dentro de los sesenta días posteriores a recibirse. Si necesita ayuda para presentar su queja o necesita servicios de interpretación, comuníquese con el Centro de Recursos de Derechos Civiles y Negocios (Civil Rights and Business Resource Center, CRBRC) del CDOT en el (800) 925-3427 (llamada gratuita).

¿Quiénes son elegibles para presentar una queja?

Toda persona que piense que ha sido excluida de la participación, que le negaron beneficios o que sufrió discriminación en relación con cualquier programa o actividad del CDOT debido a su raza, color, país de procedencia, edad, sexo o discapacidad puede presentar una queja.

La discriminación incluye falta de acceso, acoso, represalias e impactos desproporcionados en un programa o en una actividad. El acoso incluye una extensa variedad de conductas verbales o físicas abusivas y humillantes. Las represalias incluyen la intimidación, las amenazas, la coacción o las conductas discriminatorias contra una persona por haber presentado una queja o haber participado en una investigación de discriminación.

¿Cómo se presentan las quejas?

Las quejas deben presentarse por escrito dentro de los **180 días** posteriores a la fecha de la presunta discriminación. Sin embargo, comuníquese con el CRBRC si piensa que su queja puede estar fuera de este plazo límite.

El CDOT tomará medidas razonables para asistir a las personas con discapacidades o que no hablen inglés y a otras personas que no puedan presentar una queja por escrito. Para obtener ayuda para presentar una queja, comuníquese con el Centro de Recursos de Derechos Civiles y Negocios (Civil Rights and Business Resource Center) en el (800) 925-3427.

Aunque esto no es obligatorio, se recomienda a las personas que presentan la queja que usen el formulario de quejas por discriminación que se encuentra en www.coloradodot.info/business/civilrights/espanol.html

Las quejas pueden presentarse por correo electrónico, fax o en persona a:

CDOT CRBRC (Headquarters)

Coordinador de Título VI (Title VI
Coordinator)
4201 East Arkansas Ave., Room 150
Denver, CO 80222
dot_civilrights@state.co.us
Teléfono: (800) 925-3427
Fax: (303) 952-7088

CDOT Region 1 Civil Rights Office

Gerente regional de derechos civiles
(Regional Civil Rights Manager)
2000 South Holly Street
Denver, CO 80222
Teléfono: (303) 757-9385
Fax: (303) 365-7033

CDOT Region 2 Civil Rights Office

Gerente regional de derechos civiles
(Regional Civil Rights Manager)
905 Erie Ave.
Pueblo, CO 81002
Teléfono: (719) 546-5432
Fax: (719) 562-5525

CDOT Region 3 Civil Rights Office

Gerente regional de derechos civiles
(Regional Civil Rights Manager)
222 South 6th St.
Grand Junction, CO 81501-2769
Teléfono: (970) 683-6227
Fax: (970) 683-6210

CDOT Region 4 Civil Rights Office

Gerente regional de derechos civiles
(Regional Civil Rights Manager)
1420 2nd Street
Greeley, CO 80632
Teléfono: (970) 350-2107
Fax: (970) 350-2178

CDOT Region 5 Civil Rights Office

Gerente regional de derechos civiles
(Regional Civil Rights Manager)
3803 N. Main Ave.
Durango, CO 81301
Teléfono: (970) 385-1403
Fax: (970)385-1429

También pueden presentarse quejas directamente ante uno de estos organismos:

Federal Highway Administration, Colorado Division

12300 West Dakota Avenue, Suite 180
Lakewood, Colorado 80228
Phone: (720) 963-3000
Fax: (720) 963-3001

Federal Transit Administration

Office of Civil Rights
Attention: Complaint Team
East Building, 5th Floor - TCR
1200 New Jersey Avenue, SE
Washington, DC 20590
Teléfono: (888) 446-2511
<https://www.transit.dot.gov/regulations-and-guidance/civil-rights-ada/file-complaint-fta>

¿Qué ocurre después de presentar una queja ante el CDOT?

La mayoría de las quejas se investigan dentro de los **sesenta días**. La investigación de una queja incluye entrevistar a todos los participantes y a los testigos principales. El investigador también puede solicitar información pertinente como libros, registros, información electrónica y otras fuentes de información de todos los participantes.

Las quejas relacionadas con el empleo en el CDOT serán investigadas por la Oficina de Soluciones Estratégicas de la Fuerza Laboral (Office of Strategic Workforce Solutions) o por el personal de derechos civiles en conformidad con las políticas del CDOT. Todas las demás quejas serán investigadas por el CRBRC o por el personal de derechos civiles y, después de finalizada la investigación, se enviarán las determinaciones formales a la persona que presentó la queja. Puede especificar si hay personas en específico que piensa que no deben investigar su queja debido a conflictos de intereses u otros motivos.

Las quejas que alegan violaciones del Título VI contra CDOT se deben presentar por escrito, directamente ante la Administración Federal de Tránsito (Federal Transit Administration) o la Administración Federal de Carreteras (Federal Highway Administration) que se mencionó anteriormente. Si el CDOT recibe su queja, pero necesita ser enviada a una de estas agencias, se le proporcionará el nombre y la información de contacto del empleado federal que maneja su queja.

Las leyes federales prohíben las represalias contra las personas por presentar una queja por discriminación o por participar en una investigación de discriminación. Toda presunta represalia debe informarse por escrito al investigador.

¿Tiene alguna pregunta?

Comuníquese con el Centro de Recursos de Derechos Civiles y Negocios (Civil Rights and Business Resource Center) en el (800) 925-3427 (llamada gratuita) o por correo electrónico a dot_civilrights@state.co.us

APPENDIX I:

Complaint Form (English)

Dates and times discrimination occurred?

Were there any other witnesses to the discrimination?

Name	Organization/Title	Work Telephone	Home Telephone

How would you like to see this situation resolved?

Have you filed your complaint, grievance, or lawsuit with any other agency or court?

Who _____ When _____
Status (pending, resolved, etc.) _____ Result, if known _____
Complaint number, if known _____

Do you have an attorney in this matter?

Name _____ Phone _____
Address _____ City _____ Zip _____

Signed _____ Date _____

Complaints may be submitted via email, fax or in person to one of the following:

Civil Rights & Business Resource

Center Title VI Coordinator
2829 W. Howard Pl., 1st Floor
Denver, CO 80204
dot_civilrights@state.co.us
Phone: (800) 925-3427
Fax: (303) 952-7088

CDOT Region 1 Civil Rights Office

Regional Civil Rights Manager
2829 W. Howard Pl., 1st Floor
Denver, CO 80204
Phone: (303) 757-9385
Fax: (303) 365-7033

CDOT Region 2 Civil Rights Office

Regional Civil Rights Manager
905 Erie Ave.
Pueblo, CO 81002
Phone: (719) 546-5432
Fax: (719) 562-5525

CDOT Region 3 Civil Rights Office

Regional Civil Rights Manager
222 South 6th St.
Grand Junction, CO 81501-2769
Phone: (970) 683-6227
Fax: (970) 683-6210

CDOT Region 4 Civil Rights Office

Regional Civil Rights Manager
10601 W. 10th Street
Greeley, CO 80634
Phone: (970) 350-2107
Fax: (970) 350-2178

CDOT Region 5 Civil Rights Office

Regional Civil Rights Manager
3803 N. Main Ave.
Durango, CO 81301
Phone: (970) 385-1403
Fax: (970) 385-1429

Complaints may also be filed directly with one of the following agencies:

Federal Highway Administration, Colorado Division

12300 West Dakota Avenue, Suite 180
Lakewood, Colorado 80228
Phone: (720) 963-3000
Fax: (720) 963-3001

Federal Transit Administration

Office of Civil Rights
Attention: Complaint Team
East Building, 5th Floor - TCR
1200 New Jersey Avenue, SE
Washington, DC 20590
Phone: (888) 446-2511

<https://www.transit.dot.gov/regulations-and-guidance/civil-rights-ada/file-complaint-fta>

APPENDIX J:

Complaint Form (Spanish)

Indique las fechas y las horas en que ocurrió la discriminación

¿Hubo testigos de la discriminación?

Nombre	Organización/cargo	Teléfono laboral	Teléfono personal

¿De qué manera le gustaría que se resuelva esta situación?

¿Presentó su queja, descargo o juicio ante otro organismo o en los tribunales?

Quién _____ Cuándo _____
Estado (pendiente, resuelto, etc.) _____ Resultado, si lo conoce _____
Número de queja, si lo conoce _____

¿Tiene un abogado para este tema?

Nombre _____ Teléfono _____
Dirección _____ Ciudad _____ Código postal _____

Firma _____ Fecha _____

Pueden enviarse quejas por correo electrónico, por fax o en persona a:

Civil Rights & Business Resource Center

Coordinador de Título VI (Title VI
Coordinator)

2829 W. Howard Pl., 1st Floor

Denver, CO 80204

dot_civilrights@state.co.us

Teléfono: (800) 925-3427

Fax: (303) 952-7088

CDOT Region 1 Civil Rights Office

Gerente regional de derechos civiles
(Regional Civil Rights Manager)

2000 South Holly Street

Denver, CO 80222

Teléfono: (303) 757-9385

Fax: (303) 365-7033

CDOT Region 2 Civil Rights Office

Gerente regional de derechos civiles
(Regional Civil Rights Manager)

905 Erie Ave.

Pueblo, CO 81002

Teléfono: (719) 546-5432

Fax: (719) 562-5525

CDOT Region 3 Civil Rights Office

Gerente regional de derechos civiles
(Regional Civil Rights Manager)

222 South 6th St.

Grand Junction, CO 81501-2769

Teléfono: (970) 683-6227

Fax: (970) 683-6210

CDOT Region 4 Civil Rights Office

Gerente regional de derechos civiles
(Regional Civil Rights Manager)

1420 2nd Street

Greeley, CO 80632

Teléfono: (970) 350-2107

Fax: (970) 350-2178

CDOT Region 5 Civil Rights Office

Gerente regional de derechos civiles
(Regional Civil Rights Manager)

3803 N. Main Ave.

Durango, CO 81301

Teléfono: (970) 385-1403

Fax: (970)385-1429

También pueden presentarse quejas directamente ante los siguientes organismos:**Federal Highway Administration, Colorado Division**

12300 West Dakota Avenue, Suite 180

Lakewood, Colorado 80228

Teléfono: (720) 963-3000

Fax: (720) 963-3001

Federal Transit Administration

Office of Civil Rights

Attention: Complaint Team

East Building, 5th Floor - TCR

1200 New Jersey Avenue, SE

Washington, DC 20590

Teléfono: (888) 446-2511

<https://www.transit.dot.gov/regulations-and-guidance/civil-rights-ada/file-complaint-fta>

APPENDIX K:

Title VI Notice (English)



COLORADO
Department of
Transportation

Request for Access to CDOT Programs & Activities

It is CDOT's objective to provide access to CDOT programs and activities for all individuals.

The following services are available:

Interpretation & Translation Services: CDOT provides reasonable language assistance free of charge upon request. Contact the Civil Rights & Business Resource Center at (800) 925-3427 to make translation or interpretation requests related to any CDOT public meeting or service.

Access for the Visually and Hearing Impaired: Dial 711 or (800) 659-3656 to reach *Relay Colorado*. *Relay Colorado* is a free service that provides full telephone access to people who are deaf, hard of hearing, deaf-blind or speech-disabled.

Accessible Meeting Locations & Facilities: CDOT strives to provide services and hold meetings in locations accessible to people with disabilities. Contact the Civil Rights & Business Resource Center at (800) 925-3427 to make an accommodation request.

Your Rights Against Discrimination

The Colorado Department of Transportation 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 CDOT program or activity because of their race, color, national origin, age, sex or disability may file a discrimination complaint with CDOT, the Federal Highway Administration or the Federal Transit Administration.

To file a complaint, please contact one of the following:

CDOT Civil Rights & Business Resource Center
2829 West Howard Place,
Suite 139
Denver, CO 80204
800.925.3427
dot_civilrights@state.co.us

Federal Highway Administration, Colorado Division
12300 West Dakota Avenue,
Suite 180
Lakewood, CO 80228
720.963.3000

Federal Transit Administration, Office of Civil Rights
Attention: Complaint Team
East Building, 5th Floor TCR
1200 New Jersey Ave. SE
Washington, DC 20590

Si necesita informacion en Espanol, favor contactar (800) 925-3427.



APPENDIX L:

Title VI Notice (Spanish)



COLORADO
Department of
Transportation

Solicitud de acceso a los programas y a las actividades del CDOT

El CDOT tiene el objetivo de proporcionar acceso a sus programas y a sus actividades a todas las personas.

Están disponibles los servicios siguientes:

Servicios de interpretación y traducción: El CDOT proporciona ayuda razonable en otros idiomas a pedido. Comuníquese con el Centro de Recursos de Negocios y Derechos Civiles (CRBRC) en el (800) 925-3427 para solicitar traducciones o interpretaciones en relación con cualquier reunión pública o servicio del CDOT.

Acceso para las personas con problemas visuales y auditivos: Marque 711 o (800) 659-3656 para comunicarse con Relay Colorado. Relay Colorado es un servicio gratuito que ofrece acceso telefónico completo a las personas sordas, que tienen problemas para escuchar, sordas y ciegas o que tienen problemas del habla.

Ubicaciones para las reuniones e instalaciones: El CDOT se esfuerza por proporcionar servicios y llevar a cabo reuniones en ubicaciones accesibles para las personas con discapacidades. Comuníquese con el CRBRC en el (800) 925-3427 para solicitar accesibilidad.

Sus derechos contra la discriminación

El Departamento de Transporte de Colorado (CDOT) opera sus programas y servicios sin discriminar respecto de la raza, el color, el país de procedencia, el sexo, la edad o las discapacidades. La persona que piense que la excluyeron de la participación, que le negaron beneficios o que sufrió discriminación en relación con cualquier programa o actividad del CDOT debido a su raza, color, país de procedencia, edad, sexo o discapacidad puede presentar una queja ante el CDOT, la Administración Federal de Carreteras (Federal Highway Administration) o la Administración Federal de Tránsito (Federal Transit Administration).

Para presentar una queja, comuníquese con uno de los siguientes:

**CDOT Civil Rights &
Business Resource Center**
2829 West Howard Place,
Suite 139
Denver, CO 80204
800.925.3427
dot_civilrights@state.co.us

**Federal Highway Administration,
Colorado Division**
12300 West Dakota Avenue,
Suite 180
Lakewood, CO 80228
720.963.3000

**Federal Transit
Administration, Region 8**
1961 Stout Street,
Suite 13-301
Denver, CO 80202
303.362.2400

APPENDIX M:

Colorado Statewide LEP Data

Colorado LEP Demographic Data

Colorado has a total population of 4,860,145 people. Colorado has a total Limited English Proficient (LEP) population of 310,065, which is 6.4% of Colorado's overall population. The following table shows the top five languages spoken by LEP persons in Colorado and their percentage of the total Colorado population, according to the U.S. Census Bureau.¹

Language	Number of LEP Persons	Percent of Colorado Population
Spanish	226,453	4.66%
Vietnamese	12,078	0.25%
Chinese ²	10,489	0.22%
Korean	8,475	0.18%
African Languages ³	7,932	0.17%

Demographic data by county and CDOT Transportation Region

CDOT is geographically structured into five Transportation Regions. The following pages contain LEP demographic data for each CDOT Transportation Region and the counties within in each region using U.S. Census data for people who do not speak English as their primary language and speak English "less than very well."

Census data is also supplemented with data from the Colorado Department of Education.⁴ The presence of English Language Learners in schools may indicate the presence of greater LEP populations. In addition to the languages listed in the U.S. Census tables, the following pages also list additional languages found in the school data.

CDOT Region 1

CDOT Region 1 is comprised of the five counties listed in the table below. LEP individuals make up 8.8% of Region 1's total population. LEP individuals that speak Spanish represent 6.4% of Region 1's

¹ Data tabulated by the Migration Policy Institute, "Limited English Proficient Individuals in the United States: Linguistic Diversity at the County Level (February 2013)." Data was tabulated using the US Census Bureau's 2010-2014 American Community Survey, Table B16001 "Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over." For more information about LEP data, visit http://www.lep.gov/demog_data/demog_data.html.

² The US Census Bureau groups the following languages under the "Chinese" language category: Chinese, Hakka, Kan, Hsiang, Cantonese, Mandarin, Fuchow, Formosan, and Wu.

³ The US Census Bureau's "African language" classification includes Amharic, Afro-Asiatic languages, Nilo-Saharan languages, and Niger-Congo languages. For a full listing of these languages, visit <https://www.census.gov/hhes/socdemo/language/about/>.

⁴ Colorado Department of Education, English Language Learner student count, grades preschool through 12, October 2015. This data is available upon request from CDOT's Civil Rights & Business Resource Center.

population. Adams, Arapahoe, and Denver counties have the largest Spanish-speaking LEP populations in Region 1. Other prevalent LEP populations in Region 1 include Vietnamese, Russian, and Korean speakers.

Region 1, U.S. Census Data

County	Total Population	Total LEP Population	Spanish LEP Population	Other Languages ⁵
Adams	424,235	52,820 (12.45%)	44,305 (11.2%)	Vietnamese (2,136 people) Russian (1,000) Chinese (700) African Languages (500)
Arapahoe	556,245	50,332 (9.05%)	28,310 (5.09%)	Korean (3,467) African Languages (2,900) Russian (2,181) Vietnamese (2,462) Chinese (1,873) Arabic (1,248) Other Asian ⁶ (1,456) Other Indic ⁷ (624) French (813) Tagalog (567)
Broomfield	50,287	2,601 (4.7%)	1,388 (2.51%)	-
Clear Creek	8,722	26	18	-
Denver	589,391	67,832 (11.51%)	51,593 (8.75%)	Chinese (1,975) Russian (1,653) Other Indic languages (915) Vietnamese (3,868) Arabic (1,191) African Languages (2,127) Other Asian (750)

⁵ LEP number estimates are displayed only if 500 persons or more.

⁶ The US Census Bureau’s “Other Asian languages” classification includes Turkic languages, Dravidian languages, and Tibetan-Burman languages. For a full listing of these languages, visit http://www.census.gov/hhes/socdemo/language/about/02_Primary_list.pdf

⁷ For a full listing the US Census Bureau’s “Other Indic languages,” visit http://www.census.gov/hhes/socdemo/language/about/02_Primary_list.pdf.

Douglas	279,291	6,896(2.47%)	3,198 (1.15%)	Chinese (894) Korean (666)
Gilpin	5,295	66 (1.25%)	66	-
Jefferson	516,473	16,844(3.26%)	9,213 (1.78%)	Vietnamese (1,600) Chinese (600) Russian (500) Korean (500)
Region 1	2,429,939	197,417(8.1%)	138,091(5.6%)	

In addition to the languages listed in the table on the previous page, school data indicates the presence of the following language population groups:⁸

Adams County: Hmong, Lao.

Arapahoe County: Amharic, Japanese, Burmese, Nepali, Hindi, Pa’o Karen, Tigrigna, Tamil and Somali.

City and County of Denver: Burmese, West Central Oromo, Pa’o Karen, Amharic, French, Nepali, Somali, Swahili and Tigrigna.

Douglas County: Hindi.

CDOT Region 2

CDOT Region 2 is comprised of the 14 counties listed in the table below. LEP individuals make up 4% of Region 2’s population. The largest LEP group is Spanish at 3.6%. Most of the Spanish-speaking LEP population in Region 2 is found in El Paso and Pueblo counties.

Region 2, U.S. Census Data

County	Total Population	Total LEP Population	Spanish LEP Population	Other Languages⁹
Baca	3,498	89 (2.8%)	71	-
Bent	5,757	425 (7.38%)	402(6.98%)	-
Crowley	5,351	472 (8.82%)	454(8.48%)	-
Custer	4143	9 (0.22%)	9 (0.22%)	-
El Paso	599,826	22932(3.82%)	14582(2.43%)	Korean (1,742 people) German (659) Tagalog (542)

⁸ The languages listed here were not the only languages identified in the Colorado Department of Education data. These languages and the languages listed in the U.S. Census table were the most prevalent languages identified in the Colorado Department of Education data.

⁹ LEP number estimates are displayed only if 500 persons or more.

				Chinese (931) Vietnamese (930) Arabic (513)
Fremont	44,891	2,675 (5.96%)	2,028(4.52%)	-
Huerfano	6,367	251 (3.94%)	204 (3.20%)	-
Kiowa	1,322	7 (0.53%)	7 (0.53%)	-
Las Animas	14,030	508(3.62%)	415 (2.96%)	-
Otero	17,530	996 (4.5%)	885 (5.05%)	-
Park	15,525	164(1.06%)	139 (0.90%)	-
Prowers	11447	775 (6.77%)	688 (6.01%)	-
Pueblo	150,658	6,632(4.40%)	5800(3.58%)	-
Teller	22,356	235 (1.06%)	111 (0.50%)	-
Region 2	902,701	36,170 (4.0%)	25,795(2.8%)	

In addition to the languages listed in the table above, school data indicates the presence of the following language population groups:¹⁰

EL Paso County: Nepali.

CDOT Region 3

CDOT Region 3 is comprised of the 15 counties listed in the table below. LEP individuals make up 6.5% of Region 3's total population. LEP individuals that speak Spanish represent 5.7% of Region 3's population. The majority of the Spanish-speaking LEP population in Region 3 is located in Eagle and Garfield counties.

Region 3, U.S. Census Data

County	Total Population	Total LEP Population	Spanish LEP Population	Other Languages¹¹
Delta	28,813	1,087 (3.8%)	975 (3.4%)	-
Eagle	49,414	6,220 (12.6%)	5,780 (11.7%)	-
Garfield	52,410	5,094 (9.7%)	4,943 (9.4%)	-

¹⁰ The languages listed here were not the only languages identified in the Colorado Department of Education data. These languages and the languages listed in the U.S. Census table were the most prevalent languages identified in the Colorado Department of Education data.

¹¹ LEP number estimates are displayed only if 500 persons or more.

Grand	13,704	300 (2.2%)	174 (1.2%)	-
Gunnison	14,752	317 (2.1%)	238 (1.6%)	-
Hinsdale	806	0	0	-
Jackson	1,334	9 (0.7%)	9 (0.7%)	-
Lake	6,753	716 (10.6%)	626 (9.2%)	-
Mesa	137,942	3,797(2.7%)	3,177 (2.3%)	-
Moffat	12,322	696 (5.6%)	635 (5.1%)	-
Montrose¹²	38,534	1,988 (6.3%)	1,899(6.0%)	
Pitkin	16,503	667(4.0%)	469(2.8%)	-
Rio Blanco	6,287	221 (3.3%)	209 (3.3%)	-
Routt	22,354	592(2.6%)	307 (1.3%)	-
Summit	27,051	1,940 (7.2%)	1828(6.7%)	-
Region 3	428979	23,644 (5.5%)	21,269 (4.9%)	

In addition to the languages listed in the table above, school data indicates the additional presence of the following language population groups:¹³

Gunnison County: El Nayar Cora.

Note: CDOT Region 3 includes counties with many tourists and seasonal workers. The data here does not reflect the languages likely to be encountered because of these groups.

CDOT Region 4

CDOT Region 4 is comprised of the 13 counties listed in the table below. LEP individuals make up 5.5% of Region 4's total population. LEP individuals that speak Spanish represent 4.5% of Region 4's population. The majority of the Spanish-speaking LEP population in Region 4 is located in Boulder, Larimer, and Weld counties.

Region 4, U.S. Census Data

¹² Parts of Montrose County are located in CDOT Region 3 and Region 5. However, for this LEP Plan, Montrose County data is analyzed as part of Region 3 because much of the county's population, including the City of Montrose, is located in Region 3.

¹³ The languages listed here were not the only languages identified in the Colorado Department of Education data. These languages and the languages listed in the U.S. Census table were the most prevalent languages identified in the Colorado Department of Education data.

County	Total Population	Total LEP Population	Spanish LEP Population	Other Languages ¹⁴
Boulder	289,106	16,085 (6.2%)	12,800 (4.6%)	Chinese (1,194 people) Korean (536)
Cheyenne	1,988	77 (4.8%)	75	-
Elbert	21,517	301(1.34%)	185 (0.82)	-
Kit Carson	7,592	480 (6.32%)	465 (6.12%)	-
Larimer	294,054	6,534(2.22%)	4,324 (1.47%)	-
Lincoln	5,193	354 (6.82%)	329 (6.34%)	-
Logan	21,476	938 (4.37%)	890 (4.14%)	-
Morgan	26,222	3,416 (13.03%)	3,042 (11.60%)	-
Phillips	4,084	524 (12.86%)	518 (12.68%)	-
Sedgwick	2,244	63 (2.81%)	59 (2.63%)	-
Washington	4,531	109 (2.41%)	109 (2.41%)	-
Weld	245,113	17,368 (7.09%)	15,607(6.37%)	
Yuma	9,303	744 (8.0%)	738 (7.93%)	
Region 4	932,423	46,993 (5.0%)	39,141(4.2%)	

In addition to the languages listed in the table above, school data indicates the presence of the following language population groups:¹⁵

Weld County: Burmese, Karen Pa’o, Somali.

CDOT Region 5

CDOT Region 5 is comprised of the 14 counties¹⁶ listed in the table below. LEP individuals make up 3.3% of Region 5’s total population. LEP individuals that speak Spanish represent 2.3% of Region 5’s population.

Region 5, U.S. Census Data

¹⁴ LEP number estimates are displayed only if 500 persons or more.

¹⁵ The languages listed here were not the only languages identified in the Colorado Department of Education data. These languages and the languages listed in the U.S. Census table were the most prevalent languages identified in the Colorado Department of Education data.

¹⁶ A part of Montrose County is also located in CDOT Region 5. However, for this LEP Plan, Montrose County data is analyzed as part of Region 3 because much of the county’s population, including the City of Montrose, is located in Region 3.

County	Total Population	Total LEP Population	Spanish LEP Population	Other Languages ¹⁷
Alamosa	14,937	1,051 (7.04%)	957 (6.41%)	-
Archuleta	11,516	276 (0.9%)	176 (1.53%)	-
Chaffee	17,374	562 (1.8%)	559 (3.2%)	-
Conejos	7,600	604 (7.9%)	575 (7.5%)	-
Costilla	3,416	408 (11.94%)	395 (11.56%)	-
Dolores	1,671	2 (0.12%)	0	-
La Plata	49,689	731 (1.47%)	524 (1.05%)	-
Mineral	695	5 (0.72%)	5 (0.72%)	-
Montezuma	23,997	470 (2.1%)	265 (1.10%)	-
Ouray	4,418	54 (1.22%)	44 (1.0%)	-
Rio Grande	11,079	751 (7.2%)	715 (6.3%)	-
Saguache	5,806	655 (11.28%)	637 (10.97%)	-
San Juan	623	12 (1.93%)	12 (1.93%)	-
San Miguel	7,194	259 (3.6%)	248 (3.45%)	-
Region 5	160,015	5,840 (3.6%)	5,112 (3.2%)	-

In addition to the languages listed in the table above, school data indicates the presence of the following language population groups:¹⁸

Alamosa: Eastern Q’anjob’al.

Montezuma: Navajo.

¹⁷ LEP number estimates are displayed only if 500 persons or more.

¹⁸ The languages listed here were not the only languages identified in the Colorado Department of Education data. These languages and the languages listed in the U.S. Census table were the most prevalent languages identified in the Colorado Department of Education data.