

Title VI Plan for CDOT FHWA Subrecipient

COUNTY OF CLEAR CREEK, STATE OF COLORADO

March 12, 2015

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I. Non-Discrimination Policy Statement

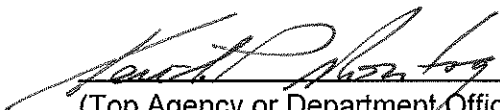
It is the policy of Clear Creek County that no person shall on the grounds of race, color, national origin, sex, disability, or age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in any operation of Clear Creek County as provided by Title VI of the Civil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

This policy applies to operations of Clear Creek County, including its contractors and anyone who acts on behalf of Clear Creek County. This policy also applies to the operations of any department or agency to which Clear Creek County extends federal financial assistance. Federal financial assistance includes grants, training, and 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; Discrimination in any activities related to highway and infrastructure or facility built or repaired; and Discrimination in employment.

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)
Keith Montag, County Manager

3/16/15
Date

II. Organization, Staffing, and Structure

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

Clear Creek County has created the position of County Manager to perform the duties of the Title VI Coordinator and ensure implementation of agency's Title VI program. The position of County Manager is located within County Manager's office (name of department or division).

The Title VI Coordinator is responsible for:

- Submitting a Title VI plan and annual reports on the agency's behalf;
- Developing procedures for the prompt processing and disposition of complaints;
- Investigating complaints, compiling a complaint log, and reporting to CDOT.
- Developing procedures for the collection and analysis of statistical data.
- Developing a program to conduct Title VI reviews of program areas;
- Conducting annual Title VI assessments of pertinent program areas;
- Developing Title VI information for dissemination;
- Establishing procedures for resolving deficiency status and reducing to writing the remedial action agreed to be necessary.

The County Manager may delegate to other staff elements of the Title VI responsibilities as that becomes reasonably necessary or convenient for timely fulfilling the Title VI responsibilities.

III. Primary Program Area Descriptions & Review Procedures

The County Manager's office engages in the following program areas:

Program Area	General Description	Title VI/Non-Discrimination Concerns and Responsibilities	Review Procedures for Ensuring Non-Discrimination
Greenway	Greenway planning, development and construction	Compliance with Uniform Act in acquisition of right of way	Use outside agency to conduct Uniform Act prescribed acquisition processes
		Contracting	Rely on CDOT procedures and templates for all aspects of solicitation of interest, proposals, bids and contracting

IV. Title VI Complaint Procedures

The complaint procedure is on the County's website and is posted in the Courthouse public lobby. It is available in English. Limited English Proficiency services are offered at all County offices.

Discrimination Complaint Procedure for Clear Creek County

Federal law prohibits discrimination on the basis of race, color, national origin, age, sex, or disability in any Clear Creek County program or activity. This prohibition applies to all branches of Clear Creek County, its contractors, consultants, and anyone else who acts on behalf of Clear Creek County to the extent provided in Title VI of the Civil Rights Act of 1964.

Federal law requires that Clear Creek County investigate, 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 County Manager at 303-679-2309 (Agency's Title VI Coordinator).

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 Clear Creek County 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 Clear Creek County Manager at 303-679-2309 (Agency's Title VI Coordinator) if you believe your complaint may fall outside this deadline.

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 Clear Creek County Manager (Agency's Title VI Coordinator) or the Administrative Assistant, at 303-679-2309.

Complaints may be submitted via mail, email, fax or in person to:

County Manager

Delivery address: County Courthouse, 405 Argentine Street

Mail address: P.O. Box 2000

Georgetown, CO 80444

FAX: 303-679-2440

Complaints may also be filed directly with the following agencies:

Colorado Department of Transportation
Civil Rights & Business Resource Center
4201 East Arkansas Ave., Room 150
Denver, CO 80222
dot_civilrights@state.co.us
Phone: (800) 925-3427
Fax: (303) 952-7088
dot_civilrights@state.co.us

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

What happens after a complaint is filed?

Title VI complaints must 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. 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.

In some cases, complaints will be forwarded to either the Colorado Department of Transportation or the Federal Highway Administration for investigation. If your complaint is forwarded to one of these agencies, you will be provided the name and contact information of the 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.

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 _____

VI. Data Collection

Program Area	Type of Data Collected & Process for Collecting	Intended Outcome of Data Analysis (i.e. Title VI Purpose for Collecting the Data)
Greenway	We will track the race/ethnicity of residents relocated as a part of the Greenway Program.	Enable evaluation whether acquisitions have a skewed impact and, hence, whether acquisitions may have improper criteria.
	We will invite stakeholder involvement through the Context Sensitive Solutions Process. We expect this to include advertised public meetings to solicit public comment on proposed plans. We will do a visual characterization of attendees; we will evaluate whether to invite self-identification by attendees.	Enable public input on Greenway design.

VII. Public Participation

According to the Census Bureau, (American FactFinder, U.S. Census Bureau, Dataset S1601, Clear Creek County, Colorado, 2009-2013 American Community Survey 5-year Estimates), the County's estimated population of 5 years age and over is 8649, of which only 0.6% speak English less than "very well." The source (Dataset S2101) classifies the county's population as 96.1% white (93.6% white, not Hispanic or Latino), 4.8% one or mixed-race Hispanic or Latino, 0.7% Black or African American, 1.2% American Indian and Alaska native.

Meetings of the governing bodies and commissions of Clear Creek County are open to the public and are advertised in public locations. People can sign up to receive agendas of meetings. Notices and agendas of meetings also are posted in advance on the County's website.

The County has a few native Spanish speakers in its employ and they do incidental translation work for customers of County services. The routine source of assistance for Limited English Proficient individuals is a translation service available by telephone. Notices of that are available at the customer service counters in all County departments. We provide sign language translation at meetings if given advance notice. Notices of meetings invite people to tell us if they have particular needs for access to the meetings.

We have not identified minority populations in Clear Creek County to reach out to.

VIII. Notice of Rights

A notice of rights is posted in the Courthouse public lobby. The notice is on the County's website at <http://www.co.clear-creek.co.us/DocumentCenter/Home/View/1033> .

Colorado Department of Transportation
Civil Rights & Business Resource Center
4201 East Arkansas Avenue, Room 150
Denver, CO 80222
(303)757-9234
dot_civilrights@state.co.us