

Transportation Advisory Committee

Meeting date: August 26, 2024

Agenda Item #: 5 (Attachment C)

Nondiscrimination Program Update

Agenda item type: Action

Summary

2024 update to the Title VI Implementation Plan, Limited English Proficiency Plan, Americans with Disabilities Act Program Access Plan, and Disadvantaged Business Enterprise Program Plan, which together make up DRCOG's Nondiscrimination Program.

Background

DRCOG is a recipient of federal financial assistance. All agencies that receive federal funds are required to comply with various nondiscrimination laws and regulations, including Title VI of the Civil Rights Act of 1964, which forbids discrimination against anyone in the U.S. because of race, color or national origin.

Further, DRCOG adheres to other federal nondiscrimination statutes that afford legal protection, including the Americans with Disabilities Act of 1990, which prohibits discrimination against people with disabilities in all areas of public life. DRCOG is also committed to engaging and involving all residents of the Denver region, including those with limited English proficiency, in its activities.

Every three years, DRCOG prepares the Title VI Implementation Plan, Limited English Proficiency Plan and Americans with Disabilities Act Program Access Plan and have developed a new Disadvantaged Business Enterprise Program Plan for its Federal Transit Administration Section 5310 grant program.

Staff initiated an update in the spring of this year. Major updates include leveraging DRCOG's new Equity Index and incorporating new state accessibility requirements. The drafts of the four nondiscrimination plans were the subject of a public review and comment period June 16-July 17, including a public hearing conducted by the DRCOG Board of Directors July 17, 2024.

Action by others

None

Previous discussion/action

Transportation Advisory Committee – [April 29, 2024](#)

Recommendation

Move to recommend to the Regional Transportation Committee adoption of the Title VI Implementation Plan and the associated Limited English Proficiency Plan, Americans with Disabilities Act Program Access Plan and Disadvantaged Business Enterprise Program Plan.



Attachments

1. Staff presentation
2. [Nondiscrimination Plans](#)

For more information

If you need additional information, please contact Alvan-Bidal Sanchez, Regional Transportation Planning Program Manager, at 720-278-2341 or asanchez@drcog.org; or Cole Neder, Senior Transit Planner, at 309-373-4940 or cneder@drcog.org.

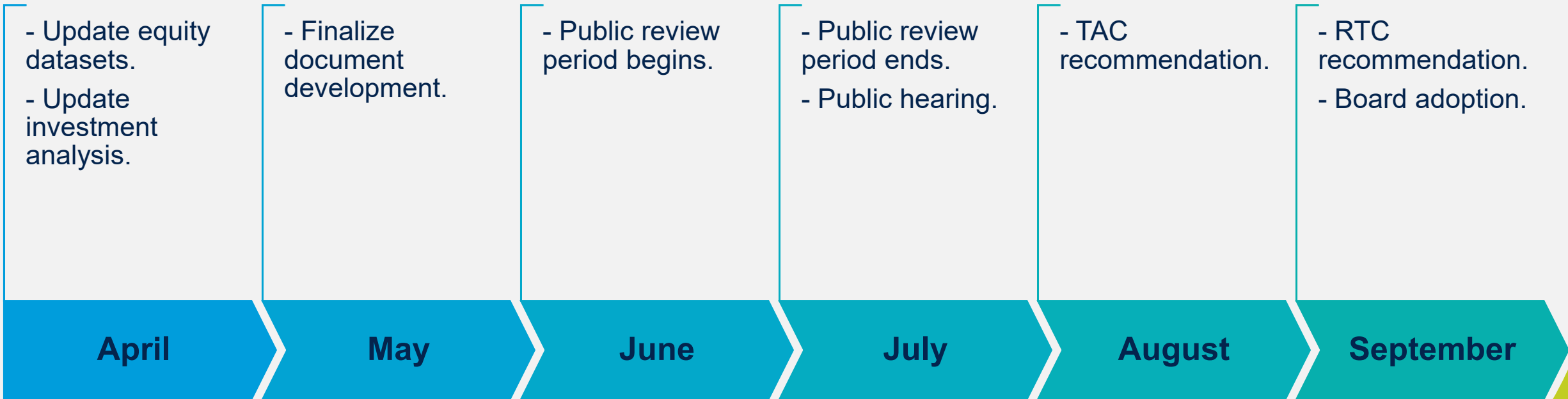




Nondiscrimination program update

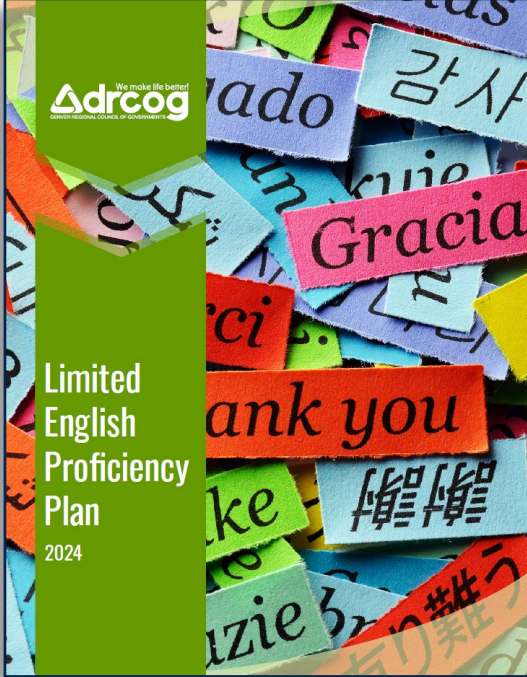
Transportation Advisory Committee: August 26, 2024

Schedule



Federal deadline: **October 1.**

Nondiscrimination program overview



Demographic profile of the Denver region

People of color

The U.S. Census Bureau defines racial categories generally as "a social definition of race recognized in this country and not an attempt to define race biologically, anthropologically or genetically." An individual can report as white, Black or African American, Asian, American Indian and Alaska Native, Native Hawaiian and other Pacific Islander,

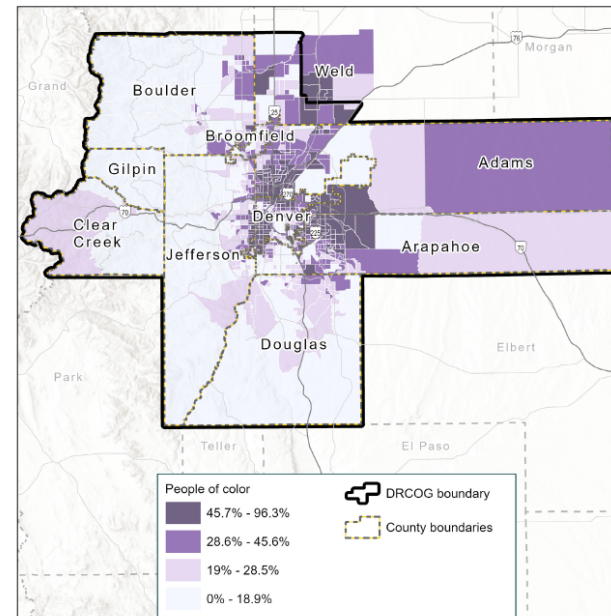
some other race, or multiple races. Ethnicity is used to determine whether an individual is of Hispanic origin or not, so an individual of Hispanic origin may report as any race. The number of people of color is calculated by subtracting the non-Hispanic or Latino white population from the total population, which yields all people of color and Hispanic or Latino people.

Table 2.1 People of color by county

County	Number	Percent
Adams County	273,104	22.36%
Arapahoe County	276,506	22.64%
Boulder County	78,078	6.39%
		1.54%
		0.11%
		26.85%
		6.08%
		0.07%
		11.17%
		2.80%
		100.00%

Map 2.1 illustrates information related to people of color (including racial and ethnic minorities) for the population within the Denver region. This information was collected at the census tract level. Individuals of color account for approximately 36% of the total population within the region.

Map 2.1 Distribution of people of color



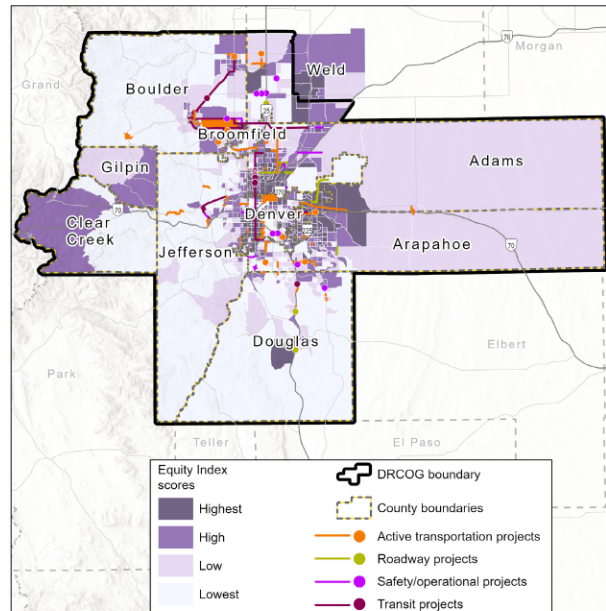
Title VI Implementation Plan 15

Marginalized communities:

- People of color.
- People with low income.
- People with limited English proficiency.
- Older adults ages 60 and older.
- Youth ages 17 and younger.
- People with a disability.
- Households without a motor vehicle.
- People born outside the United States.
- Single-parent households.
- Housing-cost burdened households.

Transportation investment analysis

Map 5.1 Transportation investments compared to equity index scores



Project types

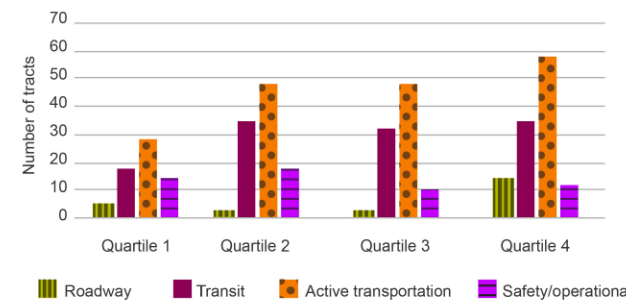
Adjacent to project locations, there are 120 tracts in the fourth quartile, while only 66 tracts fall in the first quartile, indicating that

projects are generally distributed in more marginalized communities, as shown in the following chart, with the exception of safety/operational projects.

Table 5.3 Equity index scores by project type

Project type	Mean equity index score	Median equity index score
Roadway	33.0	38.0
Transit	27.7	23.9
Active transportation	28.7	24.9
Safety/operational	24.9	22.1
All projects	28.2	24.7
Region	25.7	23.0

Project proximity to marginalized communities by project type



Additional information included



Policies and procedures.



Board and committee structure.



Staff divisions and major plans and programs.



Subrecipient monitoring.



Data.



Public participation.

Limited English proficiency assessment of the Denver region

Map 2.1 Distribution of people with limited English proficiency

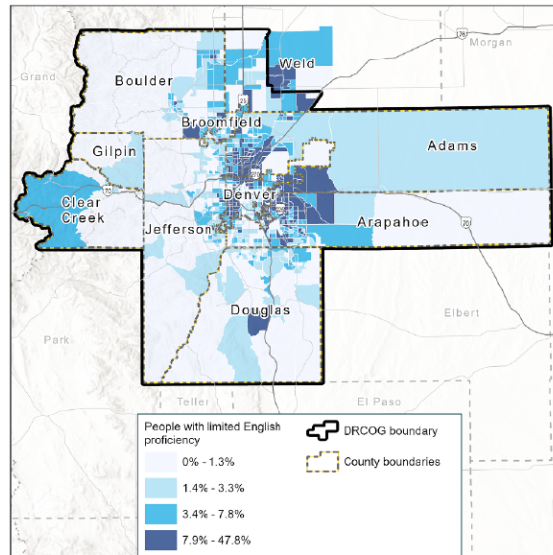


Table 2.1: Language groups spoken at home by people 5 years and older with limited English proficiency

Language	Total	Percent
Spanish	136,422	4.32%
Asian and Pacific Island languages	33,951	1.07%
Other Indo-European languages	22,713	0.72%
Other Languages	14,470	0.46%
Total population with limited English proficiency (5 years and older)	207,556	6.57%
Total regional population (5 years and older)	3,160,836	100%

Table 2.1, derived from the 2017-2022 American Community Survey, shows top language groups spoken at home in the Denver region by the number of people 5 years old and older with limited English proficiency who speak those particular languages.

Transportation and the Colorado Department of Transportation recommend consulting school board data because it is easy to obtain, reliable and accurate. Such data for the entire state, compiled by the Colorado Department of Education, is available in [Appendix B](#) as a map limited to the Denver region.

Table 2.2, derived from the 2017-2022 American Community Survey, shows top language groups spoken by people 5 years old and older with limited English proficiency, by county, within the DRCOG planning area.

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Additional information:

- County-level breakdowns.
- Language identification flashcards.
- Map of English language learners by school district.

Four-factor analysis

- **Factor 1:** The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity, or service of the recipient or grantee.
- **Factor 2:** The frequency with which LEP individuals come in contact with the program.
- **Factor 3:** The nature and importance of the program, activity, or service provided by the recipient to people's lives.
- **Factor 4:** The resources available to the recipient and costs.

Information included



Office space.



Website features.



Public meetings.



Planning process.



Subrecipient monitoring.

5310 Disadvantaged Business Enterprise Program Plan



- DRCOG anticipates issuing contracts to recipients and subrecipients **greater (in total) than \$250,000.**
- Outlines the overall program, including **reporting** and **monitoring** requirements, **goal calculation**, and agency **forms and processes.**

Nondiscrimination documents available for review through Wednesday, July 17.

Review the draft Title VI Implementation Plan, Limited English Proficiency Plan, Americans with Disabilities Act Program Access Plan and Disadvantaged Business Enterprise Plan.

What's the significance of the nondiscrimination plans?

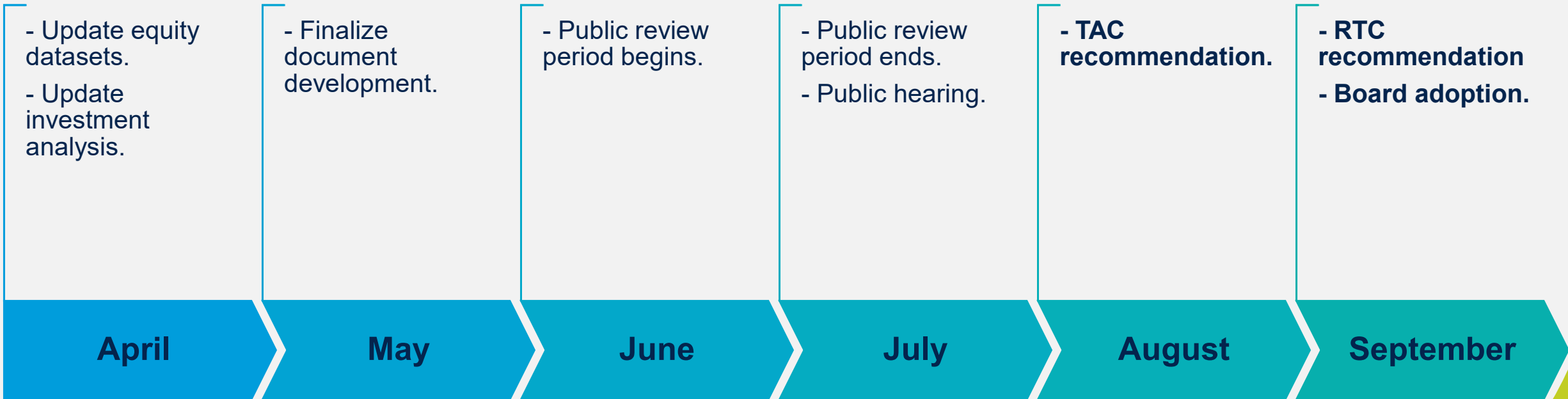
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Public review

- Posted for **public review and comment** June 16-July 17.
- Promoted through **website announcements, social media posts**, and **eblast**.
- Shared with **CDOT, RTD, FHWA**, and **FTA** for review and feedback.

Next steps



Federal deadline: **October 1.**

Proposed motion

- Move to recommend to the Regional Transportation Committee adoption of the Title VI Implementation Plan and the associated Limited English Proficiency Plan, Americans with Disabilities Act Program Access Plan and Disadvantaged Business Enterprise Program Plan.

Thank you!

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