

TITLE VI

POLICY STATEMENT & PLAN



INTRODUCTION

Smart Commute Metro North Transportation Management Organization (“Smart Commute” or “TMO”) has developed a Title VI Plan (“Plan”) to help ensure that all citizens within our service area can access our programs. The three outcomes of the Plan are:

1. Produce an annual report for interested stakeholders and the public on our previous year’s outreach efforts and activities. This helps ensure we are providing meaningful access to the benefits, services, information, and other important portions of our programs and activities to the communities that we serve. Hosting our Plan online affords disadvantaged communities the opportunity to provide input on what parts of our Plan work, and how we can improve our outreach activities.
 2. Document complaints and the process used to resolve any grievances of alleged discrimination based on race, color, national origin, creed, sex, sexual orientation, gender identity, gender expression, marital status, disability, ancestry, or age.
 3. Post our Title VI Policy and the most recent annual report in a prominent, conspicuous, and accessible location on our website ([click here to link to our Title VI Policy and Plan on the “About Us” page](#)), offices (as applicable), and using a project management software program to foster internal communications. Regarding office space, the TMO has not occupied a physical office since 2021 and is currently using electronic means to ensure all employees and board members can access vital documents, including our Title VI Plan and process.
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TITLE VI OVERVIEW FOR SUBRECIPIENTS

The TMO is a federal subrecipient through the Colorado Department of Transportation (“CDOT”) and the Regional Transportation District (“RTD” or “District”) and endeavors to comply with Title VI of the Civil Rights Act of 1964 and FTA Circular 4702.1B; as applicable, to the Colorado Revised Statute (CRS) §24-34-601; and [CDOT Policy Directive 604.0](#).



TITLE VI OVERVIEW FOR SUBRECIPIENTS

(CONTINUED)

Subrecipients shall submit Title VI Programs to the primary recipient from whom they receive funding to assist in their compliance efforts. Such Programs may be submitted and stored electronically at the option of the primary recipient. Subrecipients may choose to adopt the primary recipient's notice to beneficiaries, complaint procedures and complaint form, public participation plan, and language assistance plan where appropriate. Operational differences between the primary recipient and subrecipient may require, in some instances, that the subrecipient tailor its language assistance plan. Subrecipients shall develop and submit to the primary recipient a list of complaints, investigations, or lawsuits. Subrecipients that have transit-related non-elected planning boards, advisory councils, or committees, the membership of which is selected by the subrecipient, must provide a table depicting the racial breakdown of the membership of those committees, and a description of efforts made to encourage the participation of minorities on such committees.

Subrecipients must submit all the above information to the primary recipient on a schedule requested by the primary recipient. Collection and storage of subrecipient Title VI Programs may be electronic at the primary recipient's request.

AGENCY COORDINATION

At the time of this Plan update, RTD is the only funding agency that requires the TMO to have a Title VI Plan. As a subrecipient, all grievances related to the TMO's programs that include District funding are referred to RTD for further investigation ([RTD's complaint process](#)). The TMO will cooperate by providing available documentation and reasonable staff time to complete the process. Smart Commute will coordinate with all other funding agencies on their specific Title VI process and reporting requirements, as applicable, and will update the Plan as funding agencies develop additional outreach, compliance, and reporting requirements.

SMART COMMUTE'S TITLE VI MATERIALS

- Title VI Statement
- Public Outreach & Vital Documents
- Complaint Process & Form
- [Smart Commute Board Members and Solicitation Process for Participation](#)
- Most Recent Annual Report
- [Link to 2023 Report \(English\)](#)
- [Link to 2023 Report \(Spanish\)](#)



Each of these documents are available in other languages upon request.



TITLE VI POLICY STATEMENT

Smart Commute's Title VI policy statement includes the original protections outlined in Title VI of the Civil Rights Act of 1964 and the expanded protections covered by Colorado Revised Statute §24-34-601. The TMO has further adopted CDOT's policy to include older adults. Smart Commute posts the below Title VI Public Notice on [its website](#), shared drive access, and in Asana, the TMO's work management tool, to ensure the public, stakeholders, funding agencies, and Smart Commute's employees and board members have access to the organization's Plan and process.

RIGHTS OF THE PUBLIC UNDER TITLE VI

Smart Commute Metro North Transportation Management Organization (TMO) operates its programs and services without regard to race, color, national origin, or any other characteristic protected by law including Title VI of the Civil Rights Act of 1964. Colorado Revised Statute (CRS) §24-34-601 expands these protections, prohibiting discrimination based on race, color, or national origin as well as creed, sex, sexual orientation, gender identity, gender expression, marital status, disability, or ancestry. The Colorado Department of Transportation further expands protection to older adults. If you believe you have been subject to discrimination, you may file a written complaint no later than 180 calendar days after the date of the alleged discrimination with the TMO.

For more information on Title VI and the complaint procedures, or if you would like information in a language other than English or Spanish, contact (720) 507-7373.

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

DERECHOS DEL PÚBLICO EN VIRTUD DEL TÍTULO VI

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DERECHOS DEL PÚBLICO EN VIRTUD DEL TÍTULO VI

La Organización de Gestión del Transporte (TMO) Smart Commute Metro North opera sus programas y servicios sin importar la raza, el color, el origen nacional, o cualquier otra característica protegida por la ley, incluido el Título VI de la Ley de Derechos Civiles de 1964. El Estatuto Revisado de Colorado (CRS) §24-34-601 amplía estas protecciones, prohibiendo la discriminación basada en raza, color, u origen nacional, así como credo, sexo, orientación sexual, identidad de género, expresión de género, estado civil, discapacidad, o ascendencia. El Departamento de Transporte de Colorado amplía aún más la protección a los adultos mayores. Si cree que ha sido objeto de discriminación, puede presentar una queja por escrito a más tardar 180 días calendario después de la fecha de la presunta discriminación con el TMO.

Para obtener más información sobre el Título VI y los procedimientos de quejas, o si desea información en un idioma que no sea inglés o español, comuníquese al (720) 507-7373.

Un denunciante puede presentar una queja directamente ante la Administración Federal de Tránsito llenando una queja en la Oficina de Derechos Civiles, Atención: Coordinador del Programa del Título VI, Edificio Este, 5to Piso-TCP 1200 New Jersey Ave., SE, Washington D.C. 20590



PUBLIC OUTREACH & VITAL DOCUMENTS

PUBLIC PARTICIPATION

Smart Commute is approaching the buildout of its Title VI public participation plan in an iterative way due to limited staff capacity (five staff working the equivalent of three FTEs). General outreach includes transportation fairs, on-bus outreach, community events, our website, social media, email, phone, and text communications. Each outreach event is evaluated on a case-by-case basis to determine what language or accessible communication tools are needed for a successful interaction with Title VI communities. This means that each tool we use, and materials we develop or share from partner agencies, will take some time to fully incorporate the requirements and the spirit of Title VI. Besides these considerations, however, the TMO has generally adopted RTD's Public Participation Plan; specifically, RTD's methods and guiding questions to engage in effective public participation:

RTD METHODS USED:

- Schedule public meetings at appropriate times based on feedback from community. An example is holding transportation fairs at 1:00 a.m. for night shift workers.
- Build relationships with community-based organizations and staff who work closely with underrepresented populations. An example is to provide free transit passes for Thrive Colorado clients coming to an employer event.
- Include one-on-one meetings and interviews with local community groups/leaders. An example is working directly with Maiker Housing Partners to set up bilingual eBike Program meetings with non-English-speaking residents.
- Provide information in various languages or notice of language assistance. An example is the translation tool on program-related pages on the website.
- Utilize the Language Access Plan to ensure meaningful participation and involvement.

RTD GUIDING QUESTIONS USED TO EVALUATE ACCESSIBILITY NEEDS:

- What are the key demographics of this community?
- What are the most effective ways to engage this community?
 - Key methods (e.g., in person, online, phone, etc.)
- Is there a need for translated materials and/or an interpreter?
- Are the documents put forth in language that this community can understand (i.e., plain language)?
- What are other effective ways that could include this community?

Finally, the TMO includes the website address for our Title VI Policy statement and plan (www.smartcommute.org/about-us/) on printed materials for all RTD funded programs, and for all other federally funded programs as required by the lead agency.



LANGUAGE ACCESS PLAN

To ensure that limited English proficient (LEP) persons have meaningful access to Smart Commute's programs, services, and activities, the TMO has adopted RTD's Language Access Plan (LAP) and will provide language assistance accordingly. The level of translation services including in-person interpretation and translated materials is evaluated during the planning stage for each event, program, and/or activity. Vital Documents are published in Spanish and English with translation capabilities in other languages as needed or requested. For specific programs that are primarily funded by RTD, or for RTD-produced documents, the TMO will request translated materials through RTD's [Language Access Program](#). For CDOT-funded programs, Smart Commute will access their [translation and interpretation resources](#). Currently all Smart Commute's programs and activities are partially funded by either RTD or CDOT.

PROMOTIONAL MATERIALS AND VITAL DOCUMENTS MAY INCLUDE, BUT ARE NOT LIMITED TO:

- Translation tool for website*
- Copy of Smart Commute's Title VI public notice
- Title VI complaint procedures
- Bus schedules for services with funds through Smart Commute
- Information links to RTD's fare changes, major service changes, and RTD's construction projects, such as North Metro Rail Line, safety information, including personal, environmental (e.g., sanitizing bus practices, etc.)
- Any summaries and notices for public meetings and the community regarding Smart Commute's programs and services

*Ensuring that our programs and services are accessible in any language is a top priority for Smart Commute, starting with the website. Because our staff resources are limited, we are phasing in updates to our website. The below list shows how the TMO will prioritize the different sections of the website:

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|---|--|
| <ol style="list-style-type: none"> 1. Translation tool for English and Spanish already available: <ol style="list-style-type: none"> a. North Area FlexRides (previous RTD local, CMAQ, and local jurisdictional funding) b. eBike Program (RTD, local jurisdictions, CDBG funding) 2. Title VI webpage, including policy statement 3. Remaining RTD programs and projects (federalized or local) <ol style="list-style-type: none"> a. FlexRide Optimization Study (RTD local, CMAQ funding, 2024) | <ol style="list-style-type: none"> b. Micro-Mobility Hub Project (RTD local, CDOT local funding, 2024) 4. Federalized Transportation Demand Management (TDM) Core services contract (DRCOG/CDOT) 5. Non-Federally funded programs 6. Resource Section 7. News & Events 8. About Us/Partners/Contact sections |
|---|--|



COMPLAINT PROCESS & FORM

As a subrecipient of federal funds, Smart Commute defers alleged Title VI complaints to the respective Recipient's Title VI Program Office for evaluation.

[Click here for a link to RTD's Title VI Program.](#)

[Click here for a link to CDOT's Title VI Program.](#)

In support of Title VI Compliance Office handling complaints, Smart Commute has adopted RTD's format for logging and collecting vital information to help assist in the investigation of alleged complaints of discrimination. Smart Commute's responsibility per complaint is to:

1. Log complaints
2. Gather pertinent information
3. Prepare a summary
4. Coordinate with RTD's Title VI Office

SMART COMMUTE'S COMPLAINT FORM

LIST OF INVESTIGATIONS, LAWSUITS, AND COMPLAINTS

NO.	INVESTIGATION/ LAWSUITS/ COMPLAINT	TVI BASIS	RECEIPT DATE	STATUS	ACTION TAKEN
1					
2					
3					
4					
5					

RTD's online complaint form can be found here: [RTD Title VI Complaint Form \(wufoo.com\)](https://www.wufoo.com).



SMART COMMUTE BOARD MEMBERS

Currently, Smart Commute has two vacancies for the Board and is actively working with a board- and membership-generated subcommittee to recruit more diversity that reflects our service area in both membership and in board representation. The subcommittee members have been tasked to identify organizations and community-based agencies to bring to a strategic planning meeting on April 12, 2024. It is at this meeting where the subcommittee will formulate a concrete plan for reaching out to organizations, communities, and workforce development agencies that reflect historically underrepresented communities and /or our client base, such as the Denver Hispanic Chamber of Commerce, Maiker Housing Partners, and Thrive Colorado, respectively.

2019 BOARD

Tricia Allen, ACED CEO (African American)
 Emily Atencio, SAN Health Campus (Latinx)
 Gene Putman, Putman Transportation Solutions (Older Adult)
 Lynn Baca, Brighton City Council (Latinx)
 Jessica Sandgren, Thornton City Council
 Ken Spangler, Google
 Kyle Harris, McWhinney Corporation
 Troy Whitmore, United Power
 Rhiannan Price, Digital Globe (LGBTQ+)
 Denny McCloskey, D&C Home Solutions

2020 BOARD

Bo Martinez, ACED CEO (Latinx)
 Emily Atencio, SAN Health Campus (Latinx)
 Gene Putman, Putman Transportation Solutions (older adult)
 Jessica Sandgren, Thornton City Council
 Joe Jehn, Principal Jehn Engineering
 Joyce Downing, Northglenn City Council
 Ken Spangler, Google
 Kyle Harris, McWhinney
 Rhiannan Price, DigitalGlobe (LGBTQ+)
 Troy Whitmore, United Power

2021 BOARD

Joyce Downing, Northglenn City Council
 Jessica Sandgren, Thornton City Council
 Kyle Harris, McWhinney
 Ken Spangler, Google
 Troy Whitmore, United Power
 Emily Atencio, SAN Health Campus (Latinx)
 Deb Durand, ACED
 Craig Hebrink, Sustainable Broomfield
 Joe Jehn, Rick Engineering
 Joe Dudek, Amazon DEN3
 Pedro Costa, Northwest Parkway PHA

2022 BOARD

Kyle Harris, VP Community Development, McWhinney
 Ken Spangler, Manager, Google
 Troy Whitmore, Director, Public Affairs, United Power
 Emily Atencio, HR Director, Centura Health (Latinx)
 Joe Dudek, General Manager, Amazon DEN3
 Jessica Sandgren, Mayor Pro Tem, Thornton
 Deb Durand, VP Strategic Programs, AC-REP
 Pedro Costa, CEO, Northwest Parkway
 Wady Burgos, Parking & TDM Coordinator, Westminster Parking (Hispanic)
 Craig Eichner, North Metro Area Manager, Xcel Energy
 Gene Putman, Putman Transportation Solutions (Older Adult)
 Craig Hebrink, Sustainable Broomfield





SMART COMMUTE 2023 BOARD MEMBERS

Chair: Jessica Sandgren, City Council, Thornton

Vice-Chair: Wady Burgos, Staff, Westminster (Hispanic)

Treasurer: Nathan Batchelder, CRL & Associates

Gene Putman, Transportation Solutions (Older Adult)

Jonathan Bridgers, Amazon DEN3

Lisa Hough, Adams County Regional Economic Partnership

Pedro Costa, Northwest Parkway

Kyle Harris, McWhinney

Troy Whitmore, United Power

Stephanie Webb, Saint Anthony North Hospital

Craig Hebrink, Sustainable Broomfield

"NO PERSON IN THE UNITED STATES SHALL, ON THE GROUND OF RACE, COLOR, OR NATIONAL ORIGIN, BE EXCLUDED FROM PARTICIPATION IN, BE DENIED THE BENEFITS OF, OR BE SUBJECTED TO DISCRIMINATION UNDER ANY PROGRAM OR ACTIVITY RECEIVING FEDERAL FINANCIAL ASSISTANCE."

Civil Rights Act of 1964