



EL PASO COUNTY

Department of Human Services

Comprehensive Civil Rights Plan
El Paso County Department of Human Services
1675 West Garden of the Gods Road
Colorado Springs, CO 80907
(719) 636-0000

Contact Persons

Civil Rights: **Asya Rozental, Division Director, Quality and Development Services**
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(719) 444-5531

ADA: **Ana Burgos, Human Services Operations Manager**
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(719) 444-5920

The State of Colorado and El Paso County Department of Human Services Nondiscrimination Statement is posted in the public reception areas of the following Department of Human Services locations:

- 1675 W. Garden of the Gods Road, Colorado Springs, CO
- 328 10th St., Calhan, CO
- Peak Vista at 350 Lyckman Dr., Fountain, Co
- Springs Rescue Mission at 5 W. Las Vegas, Colorado Springs, CO
- Jet Wing Office of Peak Vista at 1815 Jet Wing Dr., Colorado Springs, CO
- Online at <https://humanservices.elpasoco.com/>

Americans with Disabilities Act Advisory

This information is available in accessible formats to individuals with disabilities. For information about equal access to services, contact Ana Burgos at the contact information listed on the first page of this document.

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PURPOSE

The vision of El Paso County Department of Human Services is that the department will be trusted to provide access to high-quality services and programs. The department provides person-centered services by partnering with individuals, families and the community to foster safety, stability and independence. El Paso County Department of Human Services has a civil rights plan to ensure that all eligible individuals receive equal access to program services and information. Its programs are operated in a nondiscriminatory way, without regard to race, color, ethnic or national origin, ancestry, age, sex, sexual orientation, gender, gender identity and expression, religion, creed, political beliefs, disability and/or public assistance status. In medical programs, sex includes sex stereotypes and gender identity under any health program or activity receiving federal funds.

The civil rights plan also serves as a source of information for El Paso County Department of Human Services staff and the public. The plan sets out the Agency's civil rights administrative policies and procedures, identifying key contacts within the Agency and linking the reader to applicable state and federal civil rights laws and resources.

LEGAL AUTHORITIES

1. Title VI of the Civil Rights Act of 1964 (race, color, national origin)
2. Section 504 of the Rehabilitation Act of 1973 (disability)
3. Section 508 Amendment of the Rehabilitation act of 1973 (disability)
4. Title II of the Americans with Disabilities Act of 1990; state and local government services (disability)
5. Age Discrimination Act of 1975 (age)
6. Section 1557 of the Patient Protection and Affordable Care Act (added sex discrimination in health care programs)
7. Nondiscrimination Provisions of the Omnibus Budget Reconciliation Act of 1981 (Federal Block Grants)
 - Community Services Block Grant (race, color, national origin, sex) Remaining Block Grants (race, color, national origin, age, disability, sex, religion)
 - Social Services Block Grant
 - Maternal and Child Health Services Block Grant
 - Projects for Assistance in Transition from Homelessness Block Grant
 - Preventive Health and Human Services Block Grant
 - Community Mental Health Services Block Grant
 - Substance Abuse Prevention and Treatment Block Grant
8. Title IX of the Education Amendments of 1972 (sex)
9. Family Violence Prevention and Services Act (race, color, national origin, age, disability, sex, religion)
10. Food Stamp Act of 1977 (As Amended Through P.L. 108-269, 2004)

11. Nondiscrimination Compliance Requirements in the Food Stamp Program, Food and Nutrition Service, US Department of Agriculture
12. Bilingual Requirements in the Food Stamp Program, Food and Nutrition Service, US Department of Agriculture
13. FNS Instruction 113-1, Civil Rights Compliance and Enforcement – Nutrition Programs and Activities, Food and Nutrition Service, US Department of Agriculture (2005)
14. Equal Opportunity for Religious Organizations in USDA Regulation
15. Colorado Anti-Discrimination Act (CADA)

CIVIL RIGHTS CONTACT PERSON

El Paso County Department of Human Services designates Asya Rozental to serve as the El Paso County Civil Rights Contact.

Contact Person: Asya Rozental
Telephone: 719-444-5531
Email: asyarozental@elpasoco.com

EQUAL OPPORTUNITY POLICY

El Paso County Department of Human Services Policy for Equal Opportunity in Service Delivery

It is the policy of El Paso County Department of Human Services to make sure that program benefits and services are made available to eligible individuals without discrimination, in compliance with civil rights laws.

El Paso County Department of Human Services employees, services, programs, benefits, and policies will not discriminate against applicants, clients, or members of the public due to race, color, ethnic or national origin, ancestry, age, sex, sexual orientation, gender, gender identity and expression, religion, creed, political beliefs, disability and/or public assistance status. "Sex" includes sex stereotypes and gender identity under any medical or health program receiving federal financial assistance, such as Medical Assistance, CHIP programs, health clinics, insurance companies and state health insurance exchanges. El Paso County Department of Human Services employees, programs and policies must also allow physical and program access for people with disabilities.

This civil rights policy covers El Paso County Department of Human Services full range of services, programs, and benefits, including but not limited to, access to information about services, eligibility determinations and intake, admission procedures and treatment. The policy applies to the agencies and providers receiving federal and state funds under contracts, licenses, and other arrangements with El Paso County Department of Human Services. The Colorado Anti-Discrimination Act (CADA) also applies to the work of El Paso County Department of Human Services and the agencies carrying out the work of El Paso County Department of Human Services.

El Paso County Department of Human Services will cooperate fully with the federal and state investigative processes. If the applicable State Department receives or is notified of a founded complaint of discrimination against El Paso County Department of Human Services, the applicable State Department will initiate corrective actions as specified in 10 CCR 2505-5 1.020.11 until the Agency rectifies the issue. The Agency will ensure to correct the issue in a timely manner. This includes, but is not limited to correction of internal processes, review and/or correction of a member's case file and correction of case file documentation. Non-compliance with corrective action will result in sanctions as stated in 10 CCR 2505-5 1.020.12.

Some state laws provide greater protections than federal law. In these cases, El Paso County Department of Human Services will follow state law.

The State of Colorado and El Paso County Department of Human Services Nondiscrimination Statement is posted in the following locations:

- 1675 W. Garden of the Gods Road, Colorado Springs, CO
- 328 10th St., Calhan, CO
- Peak Vista at 350 Lyckman Dr., Fountain, CO
- Springs Rescue Mission at 5 W. Las Vegas, Colorado Springs, CO

- Jet Wing Office of Peak Vista at 1815 Jet Wing Dr., Colorado Springs, CO
- And online at <https://humanservices.elpasoco.com/>

PROGRAM ACCESSIBILITY

El Paso County Department of Human Services and all its services, programs and benefits are accessible to and usable by people with disabilities, including people with hearing loss, low vision and other sensory disabilities.

To avoid disability discrimination, El Paso County Department of Human Services will:

- Notify the public about the rights and procedures for people with disabilities under the Americans with Disabilities Act
- Designate an ADA Coordinator and maintain a complaint procedure.
- Make sure that its buildings are physically accessible for people with disabilities.
- Assist individuals with disabilities to apply and qualify for benefits based on their eligibility.
- Provide appropriate auxiliary aids and services, including accessible formats, to ensure effective communication with people with disabilities.
- Provide services, programs and benefits that are accessible to and usable by qualified people with disabilities.

Effective Communication Aids and Services

- El Paso County provides auxiliary aids and services to individuals with disabilities, and language services to individuals whose first language is not English, when needed to ensure equal opportunity and meaningful access to programs, services, and activities. These services are provided through a contracted service and through qualified staff who must pass relevant language exams. El Paso County will provide additional auxiliary aids and services in a timely way and free of charge as necessary.
- Examples of free aids and services include, but are not limited to:
 - Qualified sign language interpreters
 - Written information in other formats.
 - Language other than English interpreters
 - Information translated into other languages.
 - Computer software programs to accommodate citizens with visual disabilities.

Citizens may request language or auxiliary services in-person from an employee on premises or by phone when calling the El Paso County Department of Human Services.

Physical Access Includes:

- Convenient off-street parking designated specifically for people with disabilities.

- Curb cuts and ramps between parking areas and the El Paso County Department of Human Services buildings.
- Level access into the first floor of El Paso County Human Services buildings with elevator access to all other floors.

Reasonable Modifications to Policies, Procedures or Practices

El Paso County Department of Human Services will make reasonable modifications to its policies, procedures or practices when necessary to avoid discrimination based on disability, unless El Paso County Department of Human Services can demonstrate that making the modifications would fundamentally alter the nature of the services, programs or benefits.

Effective Communication and Auxiliary Aids and Services

El Paso County Department of Human Services will take appropriate steps to ensure that communications with people with disabilities and companions with disabilities are as effective as communications with others. To ensure effective communications, El Paso County Department of Human Services will provide auxiliary aids and services, including accessible formats, so that people with disabilities can receive services, programs and benefits and participate in them in the same way as people without disabilities. Auxiliary aids and services include qualified readers, writers and interpreters who convey information effectively, accurately, and impartially using any necessary specialized vocabulary.

To determine what types of auxiliary aids or services are necessary, El Paso County Department of Human Services will give primary consideration to the requests of people requesting the auxiliary aid or services unless it would fundamentally alter the nature of the service, program or benefit or cause an undue administrative or financial burden. If this happens, El Paso County Department of Human Services will find another equally effective auxiliary aid or service.

TRAINING

El Paso County Department of Human Services will conduct annual training on the Agency's civil rights plan to all staff that have contact with applicants and members or Agency staff who supervise those who have applicant/member direct contact. The training will include information on how to provide clients and members with civil rights information, guidance on how to assist with filing civil rights complaints and updated contact information for the Agency's Civil Rights Contact Person. Training will also provide staff with information on how to access auxiliary aids and services and language access services for applicants and/or members. 100% of El Paso County Department of Human Services staff shall complete the annual training, and tracking of completion of annual training shall be maintained by the Civil Rights Contact Person on the Agency training spreadsheet.

Agency staff appointed to fulfill duties relating to the administration of Medical Assistance and who have direct contact with applicants and members or who supervise those who have direct

contact with applicants and/or members are required to complete annual State Civil Rights and Nondiscrimination training provided by the Staff Development Division (SDD). 100% of these staff must complete the required training on an annual basis. Failure to complete the training annually may result in loss of access to the Colorado Benefits Management System (CBMS). The Agency Civil Rights Contact Person shall maintain tracking of training completion by staff on the Agency training spreadsheet.

The Civil Rights Contact Person, in conjunction with the El Paso County Department of Human Resources and the County Attorney, or their designees, will conduct as needed training to staff based on complaints and referrals received by the Agency and when investigations on complaints determine that there was a violation and/or founded discrimination. This training will be conducted to ensure that future occurrences of civil rights complaints are prevented to the best of the staff members' ability. The training will be tracked on the Agency training spreadsheet and on the Agency's Civil Rights Complaint log. Additional action may be taken including but not limited to the staff performance improvement plan and termination.

COMPLAINT RESOLUTION PROCEDURE

You have the right to equal access to services if you are an applicant, client or member of the public trying to gain access to human services program information or benefits. El Paso County Department of Human Services has a civil rights complaint procedure that provides prompt and thorough resolution of civil rights complaints.

Civil rights complaints allege discrimination. You have a right to file a civil rights complaint if you believe you have been discriminated against because of your race, color, ethnic or national origin, ancestry, age, sex, sexual orientation, gender, gender identity and expression, religion, creed, political beliefs, disability and/or public assistance status. Sex includes sex stereotypes and gender identity discrimination that occurs in medical or health programs, insurance companies and state health insurance exchanges.

It is against the law for anyone who works for or contracts with El Paso County Department of Human Services to retaliate against a person who files a complaint or who cooperates in the investigation of a civil rights complaint.

To file a complaint, ask for the Agency's equal opportunity policy and complaint form. Use the contact information below to file a complaint.

Asya Rozental
Division Director, Quality and Development Services
El Paso County Department of Human Services
1675 W. Garden of the Gods Road, 3rd Floor
Colorado Springs, CO 80907
asyarozental@elpasoco.com
719-444-5531

Arrangements for People with Disabilities

El Paso County Department of Human Services will make appropriate arrangements to ensure that people with disabilities are provided reasonable modifications or effective communications, if needed, to participate in the complaint process. Reasonable modifications or effective communications include, but are not limited to, providing interpreters for people who are deaf or hard-of-hearing; taped cassettes, software, or other accessible formats for people who are blind or have low vision; and assuring a physically accessible location for complaint proceedings. The Civil Rights Contact (or designee) is responsible for working with people who file complaints to make appropriate arrangements.

Procedure

- Civil rights complaints must be submitted to the Civil Rights Contact within **180 days** of the date the alleged discrimination occurred.
- A complaint must be in writing and contain the name and address of the person filing it. Other important contact information is telephone number and email address. The complaint must state the problem or action alleged and the relief desired. If you need assistance with your complaint, the Civil Rights Contact will help you.
- The Civil Rights Contact Person will be notified of all civil rights complaints as soon as possible, within 24 hours of the complaint being received by the Agency or a representative of the Agency. The Civil Rights Contact Person will conduct informal investigations within 60 days of receiving the complaint. A formal investigation will be completed by the Civil Rights Contact Person within 120 days, if required. The individual who had a complaint received against them cannot be the individual conducting the investigation. If there is a potential conflict of interest, a designee of the El Paso County Department of Human Resources or the El Paso County Attorney will be used to conduct the investigation. The applicant, member and/or the individual who submitted the complaint will be able to provide information to the Civil Rights Contact Person to assist with the investigation; this can be in writing or by contacting the Civil Rights Contact person at 719-444-5531 or at asyarozental@elpasoco.com
- The Agency must investigate the complaint. The investigation may be formal or informal, but it must be thorough and timely. People who have an interest in the complaint must have an opportunity to submit relevant evidence about the complaint. The County will maintain the complaint records and files for three years. El Paso County Department of Human Services will track all complaints, outcomes and business practices changes instituted because of complaints. Complaints about program rules are not civil rights complaints and will be resolved through a different complaint process.
- Once an investigation is completed, the Civil Rights Contact Person will notify the person filing the complaint of the results of the investigation. This notification must be in writing and must be within three business days of the investigation being completed.

- The applicable State Department must be provided with a detailed description of actions taken and modifications made to correct the violation within three business days from the completion of the investigation.
- Upon receipt of the agency's investigation findings and description of its corrective action, the applicable State Department will work with the agency on any additional required steps. If a complaint is determined to be founded, the Civil Rights Contact will seek cooperation necessary to ensure a satisfactory resolution(s) (including a corrective action plan with set timeframes as specified in 10 CCR 2505-5 1.020.11) in accordance with federal statutes.
- Founded complaints against employees will be referred to the El Paso County Department of Human Resources for training or discipline. Founded complaints regarding accessibility will be referred to the County ADA facilitator for immediate remediation.
- The person filing the complaint may appeal against the decision by writing to the Deputy Executive Director of the Department of Human Services within 15 days of receiving the written decision. More information on this process is on page 13 of this document. The Deputy Executive Director, or designee, will issue a written decision to the complainant and the applicable State Department in response to the appeal no later than 15 days after the appeal is filed. This decision is final. This appeal process is not the same as filing a fair hearings appeal through the CDHS or HCPF appeals processes.
- The person filing the complaint must be informed that they can file a discrimination report directly with the US Department of Health and Human Services Office for Civil Rights, the US Department of Agriculture (USDA) for the SNAP Program or the State of Colorado.

To File a Complaint Directly with the US Department of Health and Human Services:

The US Department of Health and Human Services Office for Civil Rights prohibits discrimination in its programs because race, color, ethnic or national origin, sex, sexual orientation, age, creed, religion, political beliefs, disability, or public assistance status, ancestry, gender and gender identity and expression. Sex includes sex stereotypes and gender identity discrimination that occurs in medical or health programs and clinics receiving federal financial assistance; these are programs such as Medicaid, CHIP programs, insurance companies and state health insurance exchanges under Title I of the Affordable Care Act. Contact the federal agency directly through their online portal at [OCR Complaint Portal](#), by mail to: Centralized Case Management Operations; US Department of Health and Human Services; 200 Independence Ave, SW; Room 509F HH Bldg; Washington, DC 20201 or via email at OCRComplaint@hhs.gov

To File a Complaint Directly with USDA:

In accordance with Federal civil rights law and US Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, religious creed, disability, age, political beliefs, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Services at 800-877-8339 or 800-845-6136 (Spanish). Additionally, program information may be made in languages other than English.

To file a program complaint of discrimination, complete the [USDA Program Discrimination Complaint Form](#) (AD-3207) found online at [USDA Discrimination Complaint](#) and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, send an email to CR-Info@usda.gov or call 866-632-9992. Individuals who are deaf, hard of hearing or have speech disabilities may use the Federal Relay Service 800-877-8339 or 800-845-6136 (Spanish). The form should be submitted by one of the following methods:

1. Mail to USDA; Director, Center for Civil Rights Enforcement; 1400 Independence Avenue, SW; Washington DC 20250-9410
2. Fax to 202-690-7442
3. Email to program.intake@usda.gov.

To File a Complaint Directly with the State of Colorado:

The person filing the complaint must also be informed of the right to file a discrimination complaint directly to the State of Colorado. Complaints can be made through any of the following channels:

Utilize the Colorado Civil Rights Division complaint process by completing the [CaseConnect Civil Rights Form](#) or contacting dora_ccrd@state.co.us. The Colorado Civil Rights Division (CCRD) is the State of Colorado's authority for the Colorado Anti-Discrimination Act (CADA)

Utilize the applicable State Department's Civil Rights complaint processes by submitting the Department of Health Care Policy and Financing [Discrimination Complaint Form](#) or contacting hcpf504ada@state.co.us. For the Colorado Department of Human Services (CDHS), please review the complaint process found here <https://cdhs.colorado.gov/contact-cdhs>.

El Paso County will cooperate fully with the federal and state investigative processes. If the applicable State Department receives or is notified of a founded complaint of discrimination against El Paso County DHS, the applicable State Department will initiate corrective actions as specified in 10 CCR 2505-5 1.020.11 until the Agency rectifies the issue. The Agency will ensure to correct the issue in a timely manner. This includes, but is not limited to correction of internal processes, review and/or correction of a member's case file and correction of case file documentation. Non-compliance with corrective action will result in sanctions as stated in 10 CCR 2505-5 1.020.12.

Appeal Process

You have the right to appeal the outcome of the investigation if you are not satisfied with the decision. To appeal, you must send a written request to review the outcome of the investigation within 15 days of receiving the written decision. Be brief and state why you disagree with the decision, plus any additional information that may apply. Send your request to the attention of the Deputy Executive Director, Andrew Bunn, at andrewbunn@elpasoco.com. The Deputy Executive Director, or designee, will review the information and render a decision within 15 days which will be final. This appeal process is not the same as filing a fair hearings appeal through the CDHS or HCPF appeals processes.

El Paso County Department of Human Services is not an enforcement agency. It can investigate situations where policies prohibiting discrimination may have been violated. You are always free to file a discrimination complaint with other appropriate agencies, including enforcement agencies.

Assistance in Filing Your Complaint

If you have questions or need help to file your complaint, the Civil Rights Contact can assist.

El Paso County Department of Human Services Civil Rights Form

El Paso County Department of Human Services has developed a form to assist complainants in filing a comprehensive complaint. It is available upon request and from the El Paso County website.

CIVIL RIGHTS PLAN ADMINISTRATION

El Paso County Department of Human Services will administer its Civil Rights Plan by doing the following:

- Providing its comprehensive civil rights plan in the Agency reception areas in all locations. The plan is available to applicants, clients, members of the public, employees, volunteers, and contractors.
- Posting the comprehensive civil rights plan on the Agency's website.
- Review the comprehensive civil rights plan annually with all staff.
- Conduct annual state civil rights training for appropriate staff.