

Just one example of a policy/program document. Tip boxes are in blue to provide clarification

Using words like 'nondiscrimination' are more effective in titles and headings



Sample Title VI/Nondiscrimination Policy and Plan for Sub-Recipients in the Local Agency Program (LAP)

Statements can and should be personalized, but watch for required language

Policy Statement:

The county/city values diversity and welcomes input from all interested parties, regardless of cultural identity, background or income level. Moreover, the county/city believes that the best programs and services result from careful consideration of the needs of all of its communities and when those communities are involved in the transportation decision making process. Thus, county/city does not tolerate discrimination in any of its programs, services or activities. Pursuant to Title VI of the Civil Rights Act of 1964 and other federal and state authorities, the county/city will not exclude from participation in, deny the benefits of, or subject to discrimination anyone on the grounds of race, color, national origin, sex, age, disability, religion, income or family status.

Complaint Procedures:

The county/city has established a discrimination complaint procedure and will take prompt and reasonable action to investigate and eliminate discrimination when found. Any person who believes that he or she has been subjected to discrimination based upon race, color, national origin, sex, religion, age, disability, family or income status in any of county/city's programs, services or activities may file a complaint with the county/city Title VI/Nondiscrimination Coordinator:

- Name
- Nondiscrimination Coordinator
- Address
- Address
- Email:
- Phone:
- Fax:
- Hearing Impaired:

By name, not just Title or Department
Remember to include Florida Relay or TTY

If possible, the complaint should be submitted in writing and contain the identity of the complainant; the basis for the allegations (i.e., race, color, national origin, sex, religion, age,

Keep the processing time reasonable to avoid barring the complainant from court

disability or family status); and a description of the alleged discrimination with the date of occurrence. If the complaint cannot be submitted in writing, the complainant should contact the Title VI/Nondiscrimination Coordinator for assistance.



The Title VI/Nondiscrimination Coordinator will respond to the complaint within thirty (30) calendar days and will take reasonable steps to resolve the matter. Should the county/city be unable to satisfactorily resolve a complaint, the county/city will forward the complaint, along with a record of its disposition to the appropriate District of the Florida Department of Transportation (FDOT).

The county/city’s Title VI Coordinator has ‘easy access’ to the county/city Chief Executive Officer (CEO) and is not required to obtain management or other approval to discuss discrimination issues with the CEO. However, should the complainant be unable or unwilling to complain to the city/county, the written complaint may be submitted directly to Florida Department of Transportation (FDOT). FDOT will serve as a clearing house, forwarding the complaint to the appropriate state or federal agency:

Florida Department of Transportation
Equal Opportunity Office
ATTN: Title VI Complaint Processing
605 Suwannee Street MS 65
Tallahassee, FL 32399

This is an ADA Notice, required by all federal-aid recipients.



ADA/504 Statement:

Section 504 of the Rehabilitation Act of 1973 (Section 504), the Americans with Disabilities Act of 1990 (ADA) and related federal and state laws and regulations forbid discrimination against those who have disabilities. Furthermore, these laws require federal aid recipients and other government entities to take affirmative steps to reasonably accommodate the disabled and ensure that their needs are equitably represented in transportation programs, services and activities.

The county/city will make every effort to ensure that its facilities, programs, services, and activities are accessible to those with disabilities. The county/city will make every effort to

ensure that its advisory committees, public involvement activities and all other programs, services and activities include representation by the disabled community and disability service groups.

The county/city encourages the public to report any facility, program, service or activity that appears inaccessible to those who are disabled. Furthermore, the county/city will provide reasonable accommodation to disabled individuals who wish to participate in public involvement events or who require special assistance to access facilities, programs, services or activities. Because providing reasonable accommodation may require outside assistance, organization or resources, the county/city asks that requests be made at least XXX (X) calendar days prior to the need for accommodation.

Questions, concerns, comments or requests for accommodation should be made to the city/county's ADA Officer:

Name
Title VI Coordinator
Address
Address
Email:
Phone:
Fax:
Hearing Impaired:



Can be the same person as the Title VI and Nondiscrimination Coordinator, but does not have to be. Be sure to list the name, not just title.

Included here for convenience, but can be a separate document.



Limited English Proficiency (LEP) Guidance:

Title VI of the Civil Rights Act of 1964, Executive Order 13166, and various directives from the US Department of Justice (DOJ) and US Department of Transportation (DOT) require federal aid recipients to take reasonable steps to ensure meaningful access to programs, services and activities by those who do not speak English proficiently. To determine the extent to which LEP services are required and in which languages, the law requires the analysis of four factors:

- The number or proportion of LEP persons eligible to be served or likely to be encountered by the City/County's programs, services or activities.

- The frequency with which LEP individuals come in contact with these programs, services or activities.
- The nature and importance of the program, service, or activity to people's lives and;
- The resources available to the City/County and the likely costs of the LEP services.

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Do a good job, briefly describing each of the factors and where you obtained or validated the info.

1. Using census data, the county/city has determined that LEP individuals speaking English less than well represent approximately XX% of the community. The county/city realizes that such statistical data can be outdated or inaccurate. Therefore, county/city contacted local law enforcement, social services agencies and the school board to determine the proportion of LEP served by those entities. XXXX was reported to be the prevalent LEP language and an estimated XX% of calls for service for these agencies were in the XXXX language. Given this information, the county/city reasons that a relatively small portion of its service population are LEP speakers of XXXXX.
2. The county/city has (or has not) received any requests for translation or interpretation of its programs, services or activities into XXXX or any other language. The county/city has conducted community outreach at public events attended by significant numbers of XXXX speakers. Informal data collection at these events indicate that an estimated XX% are LEP.
3. The county/city believes that transportation is of critical importance to its public, as access to health care, emergency services, employment, and other essentials would be difficult or impossible with reliable transportation systems. In that spirit, the county/city defines (*insert the documents, if any, that the county/city defines as essential*), along with those documents that advise the public of how to access its nondiscrimination and public involvement policies.
4. The county/city is fortunate to house within its jurisdiction a number of institutions of higher education which has extensive language services. Further, the city/county maintains cordial relationships with a number of faith based and community organizations who offer competent language services at no cost to the city/county.

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The analyses of these factors suggest that LEP services are (or are not) required at this time. Therefore the county/city has committed to the following:

Next, explain whether LEP services are necessary, and to what extent they will be provided.

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Finally, be specific about what you will do, reflecting your analysis of the four factors.



- Maintain a list of employees who competently speak XXXX and other languages and who are willing to provide translation and/or interpretation services.
- Distribute this list to staff that regularly has contact with the public.
- Provide notification in XXXX of the availability of LEP assistance in public meeting notices and on public involvement event signage.
- Develop agreements with XXXX and the XXXXX to provide oral and written LEP services with reasonable notification.
- Develop agreements with (LEP churches, catholic charities, etc) to provide oral and written LEP services with reasonable notification.
- Translate the following essential documents into XXXXX.

The city/county understands that its community profile is changing and the four factor analysis may reveal the need for more or varied LEP services in the future. As such, it will annually examine its LEP plan to ensure that it remains reflective of the community's needs.

Persons requiring special language services should contact the city/county's Title VI/Nondiscrimination Officer:

Public Involvement:



Not required in a policy document. However, it helps FDOT and FHWA understand how the local agency collects input for decision making

In order to plan for efficient, effective, safe, equitable and reliable transportation systems, the city/county must have the input of its public. The city/county spends extensive staff and financial resources in furtherance of this goal and strongly encourages the participation of the entire community. The city/county holds a number of transportation meetings, workshops and other events designed to gather public input on project planning and construction. Further, the county/city attends and participates in other community events to promote its services to the public. Finally, the city/county is constantly seeking ways of measuring the effectiveness of its public involvement.

Persons wishing to request special presentations by the city/county; volunteer in any of its activities or offer suggestions for improvement of city/county public involvement may contact:

Name
Title VI Coordinator
Address
Address

Email:
Phone:
Fax:
Hearing Impaired:

Also not a requirement in a policy or procedure document, however, it helps FDOT and FHWA understand how the local agency approaches Environmental Justice (equity in services).

Data Collection:

Federal Highway Administration regulations require federal-aid recipients to collect racial, ethnic and other similar demographic data on beneficiaries of or those affected by transportation programs, services and activities. The city/county accomplishes this through the use of census data, American Community Survey reports, Environmental Screening Tools (EST), driver and ridership surveys, its community development department and other methods. From time to time, the city/county may find it necessary to request voluntary identification of certain racial, ethnic or other data from those who participate in its public involvement events. This information assists the city/county with improving its targeted outreach and measures of effectiveness. Self identification of personal data to the city/county will always be voluntary and anonymous. Moreover, the city/county will not release or otherwise use this data in any manner inconsistent with the federal regulations.

Assurances:

Every three years, or commensurate with a change in city/county executive leadership year, the city/county must certify to FHWA and FDOT that its programs, services and activities are being conducted in a nondiscriminatory manner. These certifications are termed ‘assurances’ and serve two important purposes. First, they document the city/county’s commitment to nondiscrimination and equitable service to its community. Second, they serve as a legally enforceable agreement by which the city/county may be held liable for breach. The public may view the annual assurance on the city/county’s website or by visiting the city/county’s offices.

Along with a nondiscrimination policy and complaint procedure, Assurances are very important basic requirements of receiving federal aid from US DOT. FDOT will ensure you have the most current Assurance forms and your agency CEO will execute it every three years.