

# Title VI and ADA Nondiscrimination Policy and Plan



City of Greenacres

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# **TITLE VI and ADA NONDISCRIMINATION POLICY and PLAN**

## **I. Designation of a City of Greenacres Title VI & ADA Officer**

The City of Greenacres (City) hereby designates its Director of Human Resources to additionally serve as its Title VI & ADA Officer. This name, along with the appropriate contact information, will be widely disseminated to the public through the City's website, publications, and other means.

Suzanne Skidmore  
Director Human Resources / Title VI & ADA Officer  
City of Greenacres  
5800 Melaleuca Lane  
Greenacres, FL33463  
Telephone: 561-642-2001  
Fax: 561-642-2027

## **II. Nondiscrimination Policy Statement**

The City's values diversity and both welcomes and actively seeks input from all interested parties, regardless of cultural identity, background or income level. Moreover, the City does not tolerate discrimination in any of its programs, services or activities. The City will not exclude participation in, deny the benefits of, or subject to discrimination anyone on the grounds of race, color, national origin, sex, age, disability, religion, or family status. The City will actively work to ensure inclusion of everyone in our community so that our programs, services and activities represent the diversity we enjoy.

The purpose of the City's Title VI program is to establish and implement procedures that comply with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, the Americans with Disabilities Act of 1990 (ADA), as well as other related federal and state statutes and regulations, as amended. These procedures have been adopted to conform to Federal Transit Administration (FTA) and Federal Highway Administration (FHWA) regulations, as well as to Florida Department of Transportation (FDOT) guidelines.

## **III. Nondiscrimination Assurances**

Every three years, or commensurate with a change in executive leadership, the Agency must certify to Federal Highway Administration (FHWA) and Florida Department of Transportation (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 Agency commitment to nondiscrimination and equitable service to its community. Second, they serve as a legally enforceable agreement by which the Agency may be held liable for breach. Those wishing to view the Agency's Nondiscrimination Assurance may do so by visiting the Agency website or administration offices.

## **IV. Statement of Commitment to Serve Persons with Limited English Proficiency (LEP)**

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. In adherence with these regulations, the City makes reasonable efforts to ensure its programs, services and activities are meaningfully accessible to 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'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 and costs.
1. Using Census data, the City has determined that LEP individuals speaking English less than well represents approximately 12.2% of the community. The City realizes that such statistical data can become outdated or inaccurate. Therefore, the City contacted local law enforcement, social services agencies and the school board to validate the proportion of LEP served by those entities. Spanish was reported to be the prevalent LEP language with an estimate of 27.5% eligible to be served.
  2. The City has received requests for translation or interpretation of its programs, services or activities into Spanish or other language(s). In addition, City sponsored community outreach or public events have been attended by significant numbers of individual LEP speakers. Thus, the City estimates its contact with LEP individuals to be frequent.
  3. The 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 without reliable transportation systems. In that spirit, the City defines as essential any document that advises the public of how to access nondiscrimination and public involvement policies, as well as those that impact public safety, health and welfare and emergency services. A full list of translated documents is available, upon request, by contacting the Agency Title VI/Nondiscrimination Coordinator.
  4. The City is fortunate to house near its jurisdiction one or more institutions of higher education, which have extensive language resources. Further, the City maintains cordial relationships with faith based and/or community organizations that offer competent language services at low or no cost to the City. Finally, the City employs a number of proficient Spanish speakers that are able to interpret and/or provide translation services.

The analysis of these factors suggest that LEP services are required at this time. At a minimum, the City commits to:

- Maintain a list of employees who competently speak the LEP language(s) and who are willing to provide translation and/or interpretation services.
- Distribute a list to staff that regularly has contact with the public.
- Provide public notification in the LEP language of the availability of language assistance, free of charge.

The City understands that its community characteristics change and that the four factor analysis may reveal the need for more or varied LEP services in the future. As such, it will at least triennially examine its LEP plan to ensure that it remains reflective of the community's needs.

The City does not intend that its Limited English Proficiency (LEP) Plan exclude anyone requiring language assistance and will attempt to accommodate requests. Anyone who requires special language services is requested to contact the City's Title VI Officer:

Director Human Resources / Title VI & ADA Officer  
 City of Greenacres  
 5800 Melaleuca Lane  
 Greenacres, FL33463  
 Telephone: 561-642-2001  
 Fax: 561-642-2027

## V. Public Involvement

In order to plan for efficient, effective, safe, equitable and reliable transportation systems, the City must have the input of its public. The City spends extensive staff and financial resources in furtherance of this goal and strongly encourages the participation of the entire community. The City hosts an informative website that advises the public how it can access information and provide input. The City also holds public meetings, workshops and other events designed to gather public input on program/project planning and construction. Further, the City offers to sponsor, attend and participate in other community events to promote its services to the public. Finally, the City is constantly seeking ways of measuring the effectiveness of its public involvement.

Persons wishing to request special presentations by the City; volunteer in any of its activities; offer suggestions for improvement; or to simply learn more about Agency programs and services should visit <https://greenacresfl.gov/accessibility> or contact:

Name:	Suzanne Skidmore, HR Director
Address:	5800 Melaleuca Lane Greenacres, FL 33463
Email:	SSkidmore@greenacresfl.gov
Phone:	(561) 642-2001
Hearing Impaired:	(561) 642-2027 TTY

## **VI. Data Collection**

The Federal Highway Administration (FHWA) 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 accomplishes this using census data, American Community Survey reports, Department of Education, Recreational program use surveys, its community development department and other methods. From time to time, the City may find it necessary to request voluntary identification of certain racial, ethnic or other data from those who participate in City programs, services or activities. This information assists the City with improving service equity and ensuring effective outreach. Self-identification of personal data to the City will *always* be voluntary and anonymous. Moreover, the City will not release or otherwise use this data in any manner inconsistent with the FHWA regulations.

## **VII. Statement of Commitment to Serve Persons with Disabilities in Compliance with the ADA/504**

Section 504 of the Rehabilitation Act of 1973 (Section 504), the Americans with Disabilities Act of 1990 (ADA) and related federal, state and local 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 the transportation programs, services and activities.

The City endeavors to ensure that its facilities, programs, services, and activities are available to those with disabilities in accordance with the Americans with Disabilities Act (ADA). The City also actively seeks out disabled communities and service groups to ensure their input into the City's programs, services and activities. The City will make every effort to ensure that its advisory committees and public participation activities include representation by the disabled community and disability service groups. The City will make every effort to ensure that its facilities, programs, services, and activities are accessible to those with disabilities. The City encourages the public to report any facility, program, service or activity within the City that appears inaccessible to the disabled. Furthermore, the City will provide reasonable accommodation to disabled individuals who wish to participate in meetings, public participation activities, or other events or programs of the City, or who require special assistance to access City facilities, programs, services or activities. Because providing reasonable accommodation may require outside assistance, organization or resources, the City asks that requests be made at least seven (7) days prior to the need for accommodation.

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

Director Human Resources / Title VI & ADA Officer

City of Greenacres  
5800 Melaleuca Lane  
Greenacres, FL33463  
Telephone: 561-642-2001  
Fax: 561-642-2027

## **VIII. Processes and Procedures for Document Updates**

The designated City Title VI & ADA Officer will annually review all related documents and plans to determine what, if any, updates may be needed.

## **IX. Processes and Procedures for Staff Trainings**

City staff will participate in future trainings as opportunities become available. The Title VI & ADA Officer will coordinate periodic training for other City staff, various City committee and advisory board members, and City Council members as deemed necessary.

## **X. Complaint Procedures**

The City has established a discrimination complaint procedure and will take prompt and reasonable action to investigate and eliminate discriminatory actions. Any person who believes that he or she has been subjected to discrimination based upon race, color, national origin, sex, age, disability, religion, or family status may file a complaint with the City's Title VI Officer:

Suzanne Skidmore  
Director Human Resources / Title VI & ADA Officer  
City of Greenacres  
5800 Melaleuca Lane  
Greenacres, FL33463  
Telephone: 561-642-2001  
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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, age, disability, religion, 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 City's Title VI Officer for assistance.

The Title VI Officer will respond to the complaint within thirty (30) days and will take reasonable steps to resolve the matter. Should the City be unable to satisfactorily resolve the complaint, the Title VI Officer will forward the complaint, along with a record of its disposition, to the Florida Department of Transportation (FDOT), Equal Opportunity Office,

Statewide Title VI Coordinator. FDOT will assume jurisdiction over the complaint for continued processing.

The Agency Title VI Coordinator has 'easy access' to the Agency 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 Agency, the written complaint may be submitted directly to Florida Department of Transportation (FDOT). FDOT serves as a statewide clearinghouse for Title VI purposes and will either assume jurisdiction over the complaint or forward it to the appropriate federal or state authority for continued processing:

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

## **XI. Filing Complaints of Discrimination**

### **A. Filing of Title VI Complaints of Discrimination**

1. Any person who feels that he/she has been subjected to race, color, or national origin discrimination under Title VI of the Civil Rights Act of 1964, or other forms of discrimination based upon race, color, national origin, sex, religion, age, disability or family status discrimination under related nondiscrimination laws and regulations may file a complaint with the City.
2. A complaint must be filed within one hundred eighty (180) days after the date of the alleged discrimination, unless the time for filing is extended by the FTA, FHWA or other federal authorities.
3. Complaints should be in writing, signed by the complainant or his/her representative(s), and must include the complainant(s) name, address, and telephone number. Allegations of discrimination received via facsimile or e-mail will be acknowledged and processed. Allegations received by telephone will be documented in writing and provided to the complainant(s) for review before processing. The complaint form can be accessed on the website:

[www.greenacresfl.gov](http://www.greenacresfl.gov) or you may call the Title VI & ADA Officer at (561) 642-001 (call Florida Relay 711 if hearing impaired).

Signed complaint forms should be submitted to:

Attention: City of Greenacres



Director Human Resources / Title VI & ADA Officer  
5800 Melaleuca Lane  
Greenacres, FL 33463

B. Complaint Investigation

1. Upon receipt of a signed complaint, the City's Title VI & ADA Officer or his/her designee will within five (5) working days, provide the complainant or his/her representative with a written acknowledgement of the complaint.
2. City staff will conduct a preliminary inquiry into the complaint to determine whether the complaint has sufficient merit to warrant an investigation. Should CITY staff determine that the evidence presented is not sufficient to proceed, the complaint will be closed and the complainant or his/her representative will be notified in writing of the decision within fifteen (15) working days. This notification shall specifically state the reason(s) for the decision.
3. Should City staff determine that a full investigation is necessary, the complainant or his/her representative will be notified that an investigation will take place and additional information will be requested, if necessary. The investigation should last no more that forty-five (45) working days.
4. Should a complainant fail to provide additional information within the prescribed timeframe, this may be considered as a failure to cooperate with the investigation, and the complaint will be administratively closed.

C. Disposition

1. Upon completion of the investigation, a written notification of disposition will be sent by certified mail to the complainant or his/her representative within sixty (60) working days of filing the complaint.
2. If the complainant disagrees with the decision rendered by the CITY, he/she will be notified of the right to request reconsideration with thirty (30) days, or to file a complaint with the FTA or FHWA Offices of Civil Rights, as applicable, at the following addresses:

Federal Transit Administration, Region IV  
Office of Civil Rights  
61 Forsyth Street, S.W.  
Suite 17T50  
Atlanta, GA 30303-8917 / Telephone: (404) 562-3500

Federal Highway Administration  
Office of Civil Rights - Investigations and Adjudications  
HCR-40, Room E81-328

1200 New Jersey Avenue, SE  
Washington, DC 20590

D. Retaliation

Retaliation is prohibited under Title VI of the Civil Rights Act of 1964 and related federal and state nondiscrimination authorities. It is the policy of the CITY that persons filing a complaint of discrimination should have the right to do so without interference, intimidation, coercion, or fear of reprisal. Anyone who feels he/she has been subjected to retaliation should report such incident to the City Manager's Office.