

## **Title VI/Nondiscrimination Policy and Plan for Sub-Recipients in the FDOT Local County Program (LAP)**

### **I. Policy Statement:**

Indian River County (hereafter the County) values diversity and welcomes input from all interested parties, regardless of cultural identity, background or income level. Moreover, the County 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, the County 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 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 or family status.

### **II. Nondiscrimination Assurances:**

Every three years, the County 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 to document the County's commitment to nondiscrimination and equitable service to its community. The public may view the assurance on the County's website or by visiting the County's main office.

### **III. Complaint Procedures:**

The County 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 or family status in any County program, service or activity may file a complaint with the County Title VI/Nondiscrimination Coordinator:

Name: Dylan Reingold

Address: Indian River County – Bldg A  
1801 27<sup>th</sup> Street  
Vero Beach, FL 32960

Email: [dreingold@ircgov.com](mailto:dreingold@ircgov.com)

Phone: (772) 226-1427

Hearing Impaired: N/A

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, 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 be unable to satisfactorily resolve a complaint, the County will forward the complaint, along with a record of its disposition to the appropriate FDOT District Office.

The County Title VI Coordinator has ‘easy access’ to the County Administrator and is not required to obtain management or other approval to discuss discrimination issues with the County Administrator. However, should the complainant be unable or unwilling to complain to the County, 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

#### **IV. ADA/504 Posted 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 those with disabilities and ensure that their needs are equitably represented in transportation programs, services and activities.

The County will make every effort to ensure that its facilities, programs, services, and activities are accessible to those with disabilities. The County will also make every effort to ensure that its advisory committees, public involvement activities and all other programs, services and activities include representation by communities with disabilities and disability service groups.

The County encourages the public to report any facility, program, service or activity that appears inaccessible to those who are disabled. Furthermore, the County will provide

reasonable accommodation to individuals with disabilities 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 asks that requests be made at least 2 calendar days prior to the need for accommodation.

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

Name: James W. Ennis  
Address: Indian River County – Bldg A  
1801 27<sup>th</sup> Street  
Vero Beach, FL 32960  
Email: [jennis@ircgov.com](mailto:jennis@ircgov.com)  
Phone: (772) 226-1221  
Hearing Impaired: N/A

## **V. 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.
1. Using census data, the County has determined that LEP individuals speaking English less than well represent approximately 5.1% of the community. The County realizes that such statistical data can become outdated or inaccurate. Therefore, the County contacted 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 3.725% eligible to be served.
  2. The County has received requests for translation or interpretation of its programs, services or activities into Spanish. In addition, County sponsored community outreach or public events are attended by significant numbers of LEP individual speakers. Thus, the County estimates its contact with LEP individuals to be moderate.
  3. The County 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 County 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. Translated documents are available at the County's main office lobby located at 1801 27<sup>th</sup> Street, Building A, Vero Beach, FL 32960.
  4. The County is fortunate to house within/near its jurisdiction one or more institutions of higher education which have extensive language resources. Further, the County maintains cordial relationships with faith based and/or community organizations that offer competent language services at low or no cost to the County. Finally, the County 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 County commits to:

- Maintain a list of employees who competently speak Spanish 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 Spanish language format in informational materials for the County's evacuation and disaster preparedness plans to ensure the plans include the needs of all community members.
- Provide Spanish language outreach materials from other organizations whenever possible.

In addition, the County will:

Provide bilingual staff members at community outreach/planning meetings to serve the LEP community needs.

The County 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.

Persons requiring special language services should contact the County's Title VI/Nondiscrimination Coordinator.

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Hearing Impaired: N/A

## VI. Public Involvement:

In order to plan for efficient, effective, safe, equitable and reliable transportation systems, the County must have the input of its public. The County spends extensive staff and financial resources in furtherance of this goal and strongly encourages the participation of the entire community. Any person may attend any Board of County Commissioner (Board) Meeting. Except matters specifically exempted under the State Statute and Local Ordinance, the Board shall provide an opportunity for public comment prior to the undertaking by the Board of any action on the agenda, including those matters on the Consent Agenda. Public comment shall also be heard on any proposition which the Board is to take action which was either not on the Board agenda or distributed to the public prior to the commencement of the meeting. Persons should check the Board's website at [www.ircgov.com](http://www.ircgov.com) for a list of scheduled meetings and agendas. The Board and/or staff members also attend other community meetings as necessary.

Persons wishing to request special presentations by the County; volunteer in any of its activities; offer suggestions for improvement; or to simply learn more about County programs and services should contact the County ADA Officer:

Name: James W. Ennis

Address: Indian River County – Bldg A  
1801 27<sup>th</sup> Street  
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Hearing Impaired: N/A

## **VII. Data Collection:**

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 County accomplishes this through the use of census data, American Community Survey reports, its community development department and other methods. From time to time, the 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 County with improving its targeted outreach and measures of effectiveness. Self-identification of personal data to the County will always be voluntary and anonymous. Moreover, the County will not release or otherwise use this data in any manner inconsistent with the FHWA regulations.