

City of Oviedo

Title VI Nondiscrimination – Policy, Plan and Procedures

Responsible Dept.: City Manager	Approved: <u>Bryan Cobb</u> Bryan Cobb, City Manager
Director Approval: <u>B</u> (Signature)	Date: <u>6/9/2016</u>

Purpose: The City of Oviedo values diversity and welcomes input from all interested parties, regardless of cultural identity, background or income level. Moreover, the City believes that the best public policy and governmental services result from careful consideration of the needs of all of its communities and when those communities are involved in the public policy and governmental services decision making process. The City does not tolerate discrimination in any of its programs, services or activities.

Scope: These procedures apply to all City programs, services or activities. Pursuant to Title VI of the Civil Rights Act of 1964 and related laws and regulations, the 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 City has established a discrimination complaint procedure and will promptly investigate and take reasonable action to eliminate discrimination when found. Any person who believes that he or she has been subjected to discrimination based upon race, color, national origin, sex, age, disability, religion, income or family status in any of the City's programs, services or activities may file a complaint with the City Title VI/Nondiscrimination Coordinator:

Title VI/Nondiscrimination Coordinator
Human Resources Director
Mailing Address: 400 Alexandria Boulevard, Oviedo, Florida 32765
Email: ccollins@cityofoviedo.net
Phone: (407) 971-5525

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, income 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 complaint must be filed no later than 180 calendar days after the following:

1. The date of the alleged act of discrimination; or
2. The date when the person(s) became aware of the alleged discrimination; or
3. Where there has been a continuing course of conduct, the date on which that conduct was discontinued or the latest instance of the conduct.

The Title VI/Nondiscrimination Coordinator will respond to the complaint and will take reasonable steps to resolve the matter within ninety (90) calendar days of receiving the complaint. Should the City be unable to satisfactorily resolve the complaint, the City will forward the complaint, along with a record of its disposition, to the Florida Department of Transportation (FDOT) Statewide Title VI/Nondiscrimination Coordinator. FDOT serves as a clearing house, forwarding the complaint to the appropriate federal or state agency.

The City's Title VI/Nondiscrimination Coordinator has direct access to the City Manager and is not required to obtain management or other approval to discuss discrimination issues with the City Manager. However, should the complainant be unable or unwilling to complain to the City, the written complaint may be submitted directly to FDOT:

Florida Department of Transportation
Equal Opportunity Office
Attn: Title VI Complaint Processing
605 Suwanee Street, MS 65
Tallahassee, Florida 32399

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 City programs, services and activities.

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 that appears inaccessible to the disabled. Furthermore, the 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 City asks that requests be made at least five (5) calendar days prior to the need for accommodation.

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

Title VI/Nondiscrimination Coordinator

Human Resources Director

Mailing Address: 400 Alexandria Boulevard, Oviedo, Florida 32765

Email: ccollins@cityofoviedo.net

Phone: (407) 971-5525

Limited English Proficiency (LEP) Guidance:

Title VI of the Civil Rights Act of 1964, Executive Order 13166, and various directives from federal agencies 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'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 the likely costs of the LEP services.
1. In an effort to determine the potential LEP needs for the City of Oviedo, data available through the U.S. Census Bureau American Fact Finder for 2014 was reviewed for Seminole County. Based on this information, the City has determined that LEP individuals speaking English "less than very well" (age 5+) in the State of Florida is approximately 11.7% while only 5.7% LEP was reported for Seminole County. Of the LEP population identified for Seminole County, nearly 70% is reported to be speakers of Spanish. Given this information, the City reasons that relatively small portions of its service population are LEP persons, and of that group, Spanish is the most prevalent language spoken by the LEP population in Seminole County.
 2. The City has not received any requests for translation or interpretation of its programs, services or activities into Spanish or any other language.
 3. The City believes that communication regarding 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 a reliable transportation system and the ability to communicate transportation updates to the public, including the City's LEP population. In that spirit, the City publishes documents in print and on the City's website that advises the

public of how to access the City's Nondiscrimination Policy, Plan and Procedure which includes information about special language services.

4. The City is fortunate to have several employees who speak Spanish and have agreed to translate when requested. The City will provide language services, as needed, at no or minimal costs.

The analyses of these factors suggest that the LEP services are not required at this time; however the City has committed to the following:

- 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 notification in Spanish of the availability of LEP assistance in public meeting notices and on public involvement event signage.

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

Persons requiring special language services should contact the City's Title VI/Nondiscrimination Coordinator:

Title VI/Nondiscrimination Coordinator
Human Resources Director
Mailing Address: 400 Alexandria Boulevard, Oviedo, Florida 32765
Email: ccollins@cityofoviedo.net
Phone: (407) 971-5525

Public Involvement:

In order to plan for efficient, effective, safe, equitable and reliable government services, 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. Any person may attend any City Council meeting and speak during the Hearing of the Public portion of the agenda concerning a matter of City business or concern to the person. City Council meetings are generally held the first and third Monday of each month at 6:30 p.m., in the City Council Chambers located at City Hall, 400 Alexandria Boulevard, Oviedo, Florida 32765. Persons should check the City's website, www.cityofoviedo.net for any changes to meeting dates, times and location. Meeting locations are accessible to the disabled.

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

City Clerk

Mailing Address: 400 Alexandria Boulevard, Oviedo, Florida 32765

Email: bbarbour@cityofoviedo.net

Phone: (407) 971-5504

Data Collection:

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 through the use of census data and American Community Survey reports 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 its public involvement events. This information assists the City with improving its targeted outreach and measures of effectiveness. 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 federal regulations.

Assurances:

Every three (3) years the City 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 document the City's commitment to nondiscrimination and equitable service to its community. The public may view the assurances on the City's website or by visiting City offices.