Title VI / Nondiscrimination Policy and Complaint Process

Title VI/Nondiscrimination Policy

Broward County (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 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.

Complaint Process:

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 Title VI Coordinator:

Averill L. Dorsett
Broward County Government
115 S. Andrews Avenue
Fort Lauderdale, Florida 33315
adorsett@broward.org

Phone: (954) 357-6503
Hearing Impaired: (954) 357-7888

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 Coordinator for assistance.

The Title VI 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’s 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
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 COUNTY 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 they have been subjected to retaliation should report such incident to the Title VI Coordinator.

ADA (Americans with Disabilities Act)/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 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 the disabled. Furthermore, the COUNTY will provide reasonable accommodation to disabled individuals who wish to participate in public involvement events or who require special assistance to access COUNTY 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 FIFTEEN (15) calendar days prior to the need for accommodation.

Questions, concerns, comments, or requests for accommodation should be made to the COUNTY’s ADA Coordinator:

Jennifer DiBono
Broward County Government
115 S. Andrews Avenue
Fort Lauderdale, Florida 33315
jdibono@broward.org

Hearing Impaired: (954) 357-7888

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. 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 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 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 40.8% of the community. The COUNTY realizes that such statistical data can become outdated or inaccurate. Therefore, the COUNTY contacted local law enforcement, social services agencies and the school board to validate the proportion of LEP served by those
entities. Spanish and Creole were reported to be the prevalent LEP language with an estimate of 31% eligible to be served.

2. The COUNTY has received requests for translation or interpretation of its programs, services or activities into Spanish and Creole or other languages. In addition, COUNTY sponsored community outreach or public events are attended by significant numbers of LEP 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. A full list of translated documents is available on the COUNTY website or by contacting the COUNTY Title VI/Nondiscrimination Coordinator.

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 and Creole speakers that are able to interpret and/or provide translation services.

The analyses 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 the LEP language(s) and who are willing to provide translation and/or interpretation services.
- Distribute this 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.

In addition, the COUNTY will:

- Post notifications of meeting, events, office closures, election information and other materials in Spanish and Creole.
- Provide over the phone translation and have documents translated on an as needed basis.
- For transit services, bus stop announcements are made in Spanish and Creole. Additionally, maps, timetables and brochures are available in different languages upon request.
- The COUNTY’s website (published in English) allows for users to translate the information into Spanish, French, Creole, or Portuguese by clicking the “Translate” button located in the top right corner of the webpage.

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.

Anyone who requires special language services should contact the COUNTY’s Title VI Coordinator.

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 also holds public meetings, workshops and other events designed to gather public input on program/project planning and construction. Further, the COUNTY sponsors, attends and participates in other community events to promote its services to the public. Finally, the COUNTY is constantly seeking ways of measuring the effectiveness of its public involvement.
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:

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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 using census data, American Community Survey reports, driver and ridership surveys, 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 COUNTY programs, services, or activities. This information assists the COUNTY with improving service equity and ensuring effective outreach. 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.

Assurances:

Every three years, or commensurate with a change in COUNTY executive leadership year, the 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 COUNTY’s commitment to nondiscrimination and equitable service to its community. Second, they serve as a legally enforceable agreement by which the COUNTY may be held liable for breach.