

Manatee County
Title VI and Americans with Disabilities Act (ADA) Plan

Related to Programs, Activities and Services
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Introduction

As a recipient of Federal funds, Manatee County is required to issue a policy statement expressing a commitment to the non-discrimination provisions of Title VI of the Civil Rights Act of 1964 and the Americans with Disabilities Act (ADA) of 1990 and related federal and state nondiscrimination statutes and regulations. This document highlights the County's efforts with regards to Title VI, ADA and related federal and state statutes and regulations compliance.

Manatee County has a population of approximately 349,213 residents. According to the 2017 U.S. Census 23% of the population is 65 years of age and over, 7% speak a language other than English at home, and 8.4% of the population 65 years of age and under is considered disabled. The population contains 16% Hispanic/Latino, 9.3% African American/Black, and less than 3% for all other races. 14.1% of the population lives below poverty level. There are several census blocks in the County that have more than 48% of low income residents.

Title VI of the Civil Rights Act and related federal and state nondiscrimination statutes and regulations prohibits discrimination on the basis of race, color or national origin, sex, age, disability, family or religious status, in programs, activities or services receiving federal financial assistance. To address these federal requirements, Manatee County has developed a Title VI and ADA Plan. The following sections provide a summary of the County's activities relating to those requirements.

Title VI and ADA Plan

Manatee County, acting as the countywide planning agency and a federal fund designated recipient, has a goal not to discriminate against any person with respect to any County program, activity or service. To meet this goal, the County has developed a Title VI and ADA Plan pursuant to Title VI of the Civil Rights Act of 1964 and the Americans with Disabilities Act of 1990 and related federal and state nondiscrimination statutes and regulations. The County's Title VI and ADA Plan defines Title VI and ADA and includes a written process on how to file a Title VI or an ADA complaint should one arise, and describes the complaint investigation process.

Manatee County will make every effort to ensure that its facilities, programs, services and activities are accessible to those with disabilities. The County encourages the public to report any facility, program, service or activity that appears inaccessible to those who are disabled.

Questions, concerns, comments or requests for accommodations should be made to Manatee County's ADA Coordinator:

Carmine DeMilio (ADA Coordinator)
Attn: Property Management Department
Manatee County
1112 Manatee Ave W
Bradenton, FL 34208
Email: carmine.demilio@mymanatee.org
Phone: (941) 792-8784
Hearing Impaired: 800-955-8771 (TDD)

Public Notification Process

The County's goal is not to discriminate against any person with respect to a County program, activity or service. This commitment is incorporated into all public outreach efforts to engage all segments of the population in the County's planning process. The County actively provides information regarding its Title VI and ADA obligations to the public using a variety of methods.

Information, such as reference to Federal circulars and the County's Title VI and ADA Plan and complaint procedure, is available, upon request at County offices, on the County's website and is provided to staff, citizens, consultants, subgrantees and contracted providers. The Notice of nondiscrimination policy is included in all County contracts, public meetings and bid advertisements.

The County shall require of itself and each subgrantee and service provider to certify each year that there have been no Title VI or ADA complaints or lawsuits. As a policy, County staff is educated on the Title VI and ADA requirements. The entire nondiscrimination clauses (*See p. 8 & 9*) shall be included in all consultant contracts and subgrantee agreements.

The following statement is posted in County facilities: Manatee County does not discriminate on the basis of race, color, national origin, sex, age, disability, family or religious status in administration of its programs, activities or services."

To find out more, visit:

www.mymanatee.org

or Contact:

Carmine DeMilio (ADA Coordinator)
Attn: Property Management Department
Manatee County
1112 Manatee Ave W
Bradenton, FL 34208
Email: carmine.demilio@mymanatee.org
Phone: (941) 792-8784
Hearing Impaired: 800-955-8771 (TDD)

*For persons with TTY/TID or requiring calling assistance, please contact: Florida Relay Services: 711 or 1-800-955-8771 (TTY) or 1-800-955-8770 (Voice)

Inclusive Public Participation

The County shall seek out and consider viewpoints of low-income, minority, elderly, disabled, Limited English Proficiency (LEP), ethnic and religious groups in the course of conducting public outreach and

involvement activities in regards to planning activities. These public outreach activities may include:

- **County website and Publications:** The County includes information on its website regarding County planning activities. Activities are also included in the monthly County newsletter.
- **County BCC meetings** are regularly re-broadcasted on a local public television station. The County can supply documents, upon request, in a variety of alternative formats. Vital documents and those documents having a wide distribution may be translated into foreign languages, as appropriate, based on federally mandated assessments.
- **Public Meetings and Workshops:** County staff hosts and participates in many public meetings and workshops to share information about County programs, activities and services and to collect information from users of these programs. All County sponsored meetings or workshops are conducted in ADA accessible locations and have readily available access to transit. Availability of accessibility assistance is included in each meeting and workshop notice. Meets are held in facilities close to the target audience. When conducting public meetings and workshops, staff shall make reasonable attempts to provide meaningful access including having translators, hearing devices for persons with hearing difficulties, accessible facilities and suitable materials in alternative formats available.
- **Public Hearings:** The County conducts formal public hearings and provides opportunities for citizen input on County programs and planning activities. Public hearings are conducted periodically and as required by law for a wide variety of topics. Public Hearing notices are placed in the local newspapers of general circulation, are mailed and emailed to County mailing list, posted on the County's website.
- **Surveys:** The County may utilize survey instruments on its website, distributed through e-mail and direct mail and at various workshops to collect public input. Surveys are often tailored to information from targeted populations such as the elderly or minority persons and will be designed to include the collection gender, ethnicity and racial data. Staff considers the needs of those who cannot read or write and will verbally read the survey and record the respondent's comments upon request.

All Public Participation materials may be made available in alternative formats such as large type.

Record of Title VI/ADA Activities and General Reporting Requirements

- a. A list of all-active lawsuits or complaints alleging discrimination on the basis of race, color, national origin, etc. with respect to service or other transit benefits:

The County has no active lawsuits nor is aware of any complaints on the basis of race, color or national origin sex, age, disability, family, or religious status at this time.

- b. A description of all pending applications for financial assistance currently provided by Federal agencies to the grantee:

The County regularly receives pass through or direct funding from the Federal Aviation Administration, Florida Department of Transportation/Federal Highway Administration, the Office

of Housing and Urban Development, U.S. Department of Justice, Federal Emergency Management Agency, and U.S. Department of Energy.

- c. A summary of all civil rights compliance reviews conducted by other local, state or federal agencies in the last three (3) years. None.

Record of Title VI/ADA Investigations, Complaints or Lawsuits

The County will maintain a file for Title VI and ADA complaints, investigations and lawsuits for the longer of three (3) years or the period required for retention of such records set forth in the Florida Public Records Act Retention Schedule. To date, no complaints have been received.

Sub-Recipient Title VI/ADA Assistance and Guidance

If such agreements are entered into with either party, it will actively assist each sub-recipients/subgrantees in complying with the general Title VI/ADA reporting requirements and work closely the Florida Department of Transportation, the Federal Highway Administration, Federal Aviation Administration, the US Department of Energy, US Department of Justice, Office of Housing and Urban Development or other appropriate agencies to ensure substantial compliance with nondiscrimination regulations.

Title VI/ADA Complaint Process and Procedures

Manatee County Discrimination Complaint Procedure:

Title VI of the Civil Rights Act of 1964, the ADA of 1990 as amended and related Federal and state nondiscrimination statutes and regulations prohibits discrimination on the basis of race, color, national origin sex, age, disability, family or religious status for programs, activities and services receiving federal financial assistance. As a recipient of federal financial assistance, Manatee County has in place a Title VI and ADA complaint procedure:

1. Any person who believes that he or she, or any specific class of persons, has been subjected to discrimination or retaliation, by Manatee County in administration of any program, activity or service, as prohibited by Title VI of the Civil Rights Act of 1964 or the Americans with Disabilities Act (ADA) or related statutes, may file a complaint to the County designated ADA Coordinator. It is preferred that complaints be submitted in written format, such as letter or e-mail. However, if the complainant cannot, due to a disability, submit a written complaint, the ADA Coordinator will explore alternative means of filing grievances, such as recorded statements, personal interviews or phone calls.

All written complaints regarding Title VI or ADA received by Manatee County shall be referred immediately by the Administrative Services Director to FDOT's Title VI, ADA or the appropriate agency Coordinator for processing in accordance with approved State procedures.

Written complaints may be sent to:
Carmine DeMilio (ADA Coordinator)
Attn: Property Management Department
Manatee County
1112 Manatee Ave W

Bradenton, FL 34208
Email: carmine.demilio@mymanatee.org
Phone: (941) 792-8784

*For persons with TTY/ITD or requiring calling assistance, please contact: Florida Relay Services: 711 or 1-800-955-8771 (TTY) 1-800-955-8770 (Voice)

2. Complaints must include information about the individual filing the claim such as name, address, e mail and phone number; the location, date and description of the alleged violation; the name of the program or staff member that failed to comply; and the efforts, if any, made by the complainant to achieve voluntary compliance.
3. The complaint should be submitted by the complainant as soon after the alleged non-compliance as possible but not later than sixty (60) calendar days after the alleged violation.
4. Within thirty (30) calendar days after receipt of the complaint by the ADA Coordinator, the ADA Coordinator or authorized designee will contact the complainant to review the complaint for completeness and accuracy and obtain any additional needed information. Within sixty (60) calendar days thereafter, the ADA Coordinator will provide the complainant with a written response. Where appropriate, the response will be provided in a format accessible to the complainant. The response will explain the position of Manatee County Government and offer options for substantive resolution of the complaint. Manatee County Government's desired outcome in these cases will always be to work as much as possible to arriving at a positive resolution of the subject of any ADA Title II complaint. Therefore, the initial response to any complaint will never foreclose additional resolution discussions or suggestions from either the County or the complainant
5. The County's ADA Coordinator will advise the FDOT's Title VI, ADA or other appropriate agency Coordinator within thirty (30) calendar days of receipt of the allegations. The following information will be included in every notification to the FDOT's Title VI, ADA or other appropriate agency Coordinator:
 - a. Name, address, and phone number of the Complainant;
 - b. Name and address of the County;
 - c. Basis of complaint (i.e., race, color, national origin, sex, age, disability, religion, familial status or retaliation);
 - d. Date of alleged discriminatory act(s);
 - e. Date complaint received by the County;
 - f. A statement of the complaint;
 - g. Other agencies (state, local or Federal) where the complaint has been filed; and
 - h. An explanation of the actions the County has taken or proposed to resolve the allegation(s) raised in the complaint.
6. **Confidential information:** Persons making complaints may, if needed to verify disability, submit medical information. However, any records submitted, unless exempt under Florida or federal law, will be subject to inspection under the Florida Public Records Act.
7. **Records:** All records made or received by the ADA Coordinator associated with complaints of non-compliance will be retained by his/her office for the longer of three (3) years or the period required for retention of such records set forth in the Florida Public Records Act Records Retention Schedule.

Access for LEP Persons

To provide meaningful access to County programs, activities and services to persons who are Limited English Proficient (LEP), the County has assessed LEP needs in the County. This LEP Plan shall serve as a training tool and guide for County staff on how to recognize a person who may need language assistance and how to provide that assistance. The County has identified a very small community of Hispanic speaking residents. According to the U.S. Census Bureau, data on the population speaking a language other than English is 7%. Staff has reported that about 8-10 times a week a Spanish speaking person calls for assistance. Most know limited English or have someone in the household that speaks English. The County has had no requests for translation services come in for public meetings, nor has it been an issue during meetings or workshops. Individual County departments have employees who may be available for translation service or we will use a low cost multi-language telephone service such as Applied Language Solutions. LEP factors will be reviewed yearly to assess the need for LEP offerings.

Recipient LEP Assistance and Guidance

If sub-agreements are entered into, the County will actively assist each recipient in complying with the general LEP requirements and work closely the FHWA, FDOT or other appropriate agencies to ensure substantial compliance with nondiscrimination regulations. If such agreements are entered into the County shall assist its recipient:

- Recipient will be provided with a copy of and/or the Internet link to the County's LEP plan. The LEP plan shall also include information on informing beneficiaries of their rights under Title VI and ADA and the procedures on how to file a complaint
- County recipient contracts or agreements shall include the Nondiscrimination Statutes and Regulations Contract Clauses
- The County's ADA Coordinator shall monitor the flow down of LEP requirements associated with the recipient third party contracts.

Record of Language Assistance

The County shall maintain a file for language assistance requests.

Required Consultant and Subgrantee Title VI and ADA and Related Federal and State Nondiscrimination Statutes and Regulations Contract Clauses

As a policy, the following civil rights clauses regarding non-discrimination shall be included in all County contracts and subgrantee agreements:

CIVIL RIGHTS - The following requirements apply to this AGREEMENT:

A. Nondiscrimination- In accordance with Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000d, section 303 of the Age Discrimination Act of 1975, as amended, 42 U.S.C. § 6102, section 202 of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12132, and Federal transit law at 49 U.S.C. § 5332:

The CONSULTANT or SUBGRANTEE shall not discriminate on the basis of race, age, creed, disability, marital status, color, national origin, or sex in the performance of this contract. The CONSULTANT or SUBGRANTEE shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of (Florida Department of Transportation, the Federal Highway

Administration, Federal Aviation Administration, the US Department of Energy, US Department of Justice, or Office of Housing and Urban Development) assisted contracts. Failure by the CONSULTANT or SUBGRANTEE to carry out these requirements is a material breach of this AGREEMENT, which may result in the termination of this AGREEMENT or such other remedy, as the County deems appropriate.

Each subcontract the CONSULTANT or SUBGRANTEE signs in regards to this federal aid PROJECT must include the assurance in this paragraph (see 49 CFR 26. 13(b)). The CONSULTANT or SUBGRANTEE agrees to comply with all applicable federal implementing regulations and other implementing requirements the Federal government may issue.

B. Equal Employment Opportunity - The following equal employment opportunity requirements apply to this AGREEMENT:

(1) Race, Color, Creed, National Origin, Sex - In accordance with Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, and Federal transit laws at 49 U.S.C. § 5332, the CONSULTANT or SUBGRANTEE agrees to comply with all applicable equal employment opportunity requirements of U.S. Department of Labor (U.S. DOL) regulations, "Office of Federal Contract Compliance Programs, Employment Opportunity, Department of Labor/' 41 C.F.R. Parts 60 et seq., (which implement Executive Order No. 11246, "Equal Employment Opportunity," as amended by Executive Order No. 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity/' 42U.S.C. § 2000e note), and with any applicable Federal statutes, executive orders, regulations, and Federal policies that may in the future affect construction activities undertaken in the course of the PROJECT.

The CONSULTANT or SUBGRANTEE agrees to take all reasonable steps to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, creed, national origin, sex, or age. Such action shall include, but not be limited to, the following: Employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination; rates of payer other forms of compensation; and selection for training, including apprenticeship. In addition, the CONSULTANT or SUBGRANTEE agrees to comply with any implementing requirements the Federal government may issue.

(2) Age- In accordance with Section 4 of the Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C. § 621 through 634 and Federal transit law at 49 U.S.C. § 5332, the CONSULTANT or SUBGRANTEE agrees to refrain from discrimination against present and prospective employees for reason of age. In addition, the CONSULTANT or SUBGRANTEE agrees to comply with any implementing requirements the Federal government may issue.

(3) Disabilities- In accordance with section 102 of the Americans with Disabilities Act, as amended, 42 U.S.C. § 12112, the CONSULTANT or SUBGRANTEE agrees that it will comply with the requirements of U.S. Equal Employment Opportunity Commission, "Regulations to Implement the Equal Employment Provisions of the Americans with Disabilities Act," 29 C.F.R. Part 1630, pertaining to employment of persons with disabilities. In addition, the CONSULTANT or SUBGRANTEE agrees to comply with any implementing requirements the Federal government may Issue.

(4) Access to Services for Persons with Limited English Proficiency- To the extent applicable and except to the extent that the Federal agency determines otherwise in writing, the CONSULTANT or SUBGRANTEE agrees to comply with the policies of Executive Order No. 13166, "Improving Access to Services for Persons with Limited English Proficiency, u 42 U.S.C.

§ 2000d-1 note, and with the provisions of U.S. DOT Notice, "DOT Guidance to Recipients on Special Language Services to Limited English Proficient (LEP) Beneficiaries:'66 Fed. Reg. 6733 et seq., January 22, 2001. The County's LEP Plan is available in the Title VI/ADA plan at County facilities or may be viewed online at www.mymanatee.org

(5) Drug or Alcohol Abuse- Confidentiality and Other Civil Rights Protections- To the extent applicable, the CONSULTANT or SUBGRANTEE agrees to comply with the confidentiality and other civil rights protections of the Drug Abuse Office and Treatment Act of 1972, as amended, 21 U.S.C. §§ 1101 et seq., with the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970, as amended, 42 U.S.C. §§ 4541 et seq., and with the Public Health Service Act of 1912, as amended, 42 U.S.C. §§ 201 et seq., and any amendments to these laws.

(6) Other Nondiscrimination Laws- The CONSULTANT or SUBGRANTEE agrees to comply with all applicable provisions of other federal laws, regulations, and directives pertaining to and prohibiting discrimination, except to the extent the Federal Government determines otherwise in writing. The CONSULTANT or SUBGRANTEE also agrees to include these requirements in each subcontract financed in whole or in part with federal assistance, modified only if necessary to identify the affected parties.

TITLE VI AND ADA PROGRAM AND RELATED STATUTES
DISCRIMINATION COMPLAINT AGAINST MANATEE COUNTY

Please Print

Name: _____

Address: _____

Telephone (Home): _____

Telephone (Work): _____

Name of County Staff Person that you believe discriminated against you: _____

Location of alleged incident:

Date of alleged incident:

You believe you were discriminated because of (please check one or more):

Race Color National Origin (Language) Sex Age

Familial Status Religion Disability Other

Explain as briefly and clearly as possible what happened and how you were discriminated against:

Please attach any additional written material pertaining to your case to this Complaint.

Signature: _____

Date: _____