

Okaloosa County Board of County Commissioners

Title VI/Nondiscrimination Policy Including Limited English Proficiency (LEP)

Policy Statement

It is the policy of the Okaloosa County Board of County Commissioners, under Title VI of the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973; Age Discrimination Act of 1975 ; Section 324 of the Federal-Aid Highway Act of 1973; Civil Rights Restoration Act of 1987; and related statutes and regulations, that no person shall on the basis of race, color, national origin, sex, religion, age, disability, income or family status, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination or retaliation under any federally or non-federally funded program, service or activity administered by the County or its sub-recipients.

Title VI/Nondiscrimination Coordinator

The Okaloosa County Board of County Commissioners has established the Title VI Nondiscrimination Coordinator as:

Grant Dugre, Executive Assistant II
Okaloosa County BCC
302 N. Wilson Street Suite 302
Crestview, Florida 32536
E-mail: gdugre@myokaloosa.com
Phone: 850-689-5007
Hearing Impaired: 1-800-955-8771 (TDD), and 1-800-955-8770 (Voice)

Title VI Complaint Procedure

The purpose of the Okaloosa County Board of County Commissioners Title VI policy 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.

The County does not tolerate discrimination in any of its programs, services or activities; and will not exclude participation in, deny the benefits of or subject to discrimination anyone on the grounds of race, color, national origin, sex, religion, age, disability, income or family status. The County values diversity and both welcomes and actively seeks input from all interested parties.

Any person who believes he or she has been discriminated against on the basis of race, color, national origin, sex, religion, age, disability, income or family status by the Okaloosa County Board of County Commissioners may file a discrimination complaint by completing and submitting the County's Title VI Nondiscrimination complaint form. See below for filing instructions:

1. All complaints shall be submitted in a written format and contain the identity of the complainant as well as the basis for the allegations (i.e., race, color, national origin, sex, religion, age, disability, income or family status). If the complaint cannot be submitted in writing, the complainant should contact the Risk Manager. See ADA/504 section for contact information. Submissions must also include:

Name, address and contact number of the person making the complaint;

Names, addresses and contact numbers of witnesses;

A narrative or statement describing the alleged violation of Title VI, including date and time of the alleged violation and County program, service or activity where the alleged violation occurred; and

Any other documentation that may provide additional explanation or identification of the alleged violation.

2. All complaints shall be filed no later than (180) calendar days from the date of the alleged discrimination. Complaints should be filed with the Risk Manager. See ADA/504 section for contact information.
3. No more than **thirty (30)** calendar days after receipt of the complaint the Risk Manager will address the alleged discrimination with the complainant and discuss a possible resolution. *Please note that in responding to any requests for additional information, a complainant's failure to provide the requested information within fifteen (15) days may result in the administrative closure of the complaint.* **Should the County be unable to satisfactorily resolve a complaint, the County Risk Manager will forward the complaint, along with a record of its disposition to the appropriate FDOT District Office.**
4. Within thirty (30) calendar days of the discussion, the Risk Manager will complete an investigation of the allegations and respond in writing to the person who filed the complaint. The response will explain the position of the County and offer options for substantive resolution of the complaint.
5. The person who filed the complaint may appeal the written response if it does not satisfactorily resolve the issue. Appeals must be submitted in writing within fifteen (15) calendar days after receipt of written response to the County Administrator at:

Okaloosa County BCC
1250 N Eglin Pkwy, Suite 100
Shalimar, Florida 32579

6. 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 Okaloosa County Board of County Commissioners 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 an incident to the Risk Manager named in this policy. The procedures and time constraints for filing retaliation claims are the same as those that apply to Title VI discrimination claims.

ADA/504 Statement

Section 504 of the Rehabilitation Act of 1973, 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 the transportation planning process.

The Okaloosa County Board of County Commissioners will make every effort to ensure that its facilities, programs, services and activities are accessible to those with disabilities. The County invites members of the disabled community and disability service groups to participate in its advisory committees and public involvement activities.

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.

ADA/504 Coordinator

The Okaloosa County Board of County Commissioners has established an ADA/504 Coordinator to facilitate assistance for disabled residents and visitors. The ADA/504 Coordinator is able to assist members of the public with the provision of auxiliary aids and services for County meetings, programs and events by coordinating with corresponding department heads. The ADA/504 Coordinator also investigates and seeks to resolve any complaints regarding special needs accessibility to County facilities or programs. The same complaint procedures and time constraints for filing in regard to Title VI also apply for alleged discrimination incidents against those who have disabilities and should be directed to:

Laura Porter, Risk Manager
Okaloosa County BCC
5479B Old Bethel Road Crestview, Florida 32536
E-mail: lporter@myokaloosa.com
Phone: 850-689-5977

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:

1. *The number or proportion of LEP persons eligible to be served or likely to be encountered by the County's programs, services or activities;*

Using data from the 2010 US Census compiled by Statistical Atlas (www.statisticalatlas.com), it is determined that Okaloosa County (185,852 pop.) has 5.4% of its total population living in households in which Spanish is spoken in the home. Of the 5.4% speaking Spanish in the home, 32.7% of those individuals are reported as speaking English "Less Than Very Well."

Okaloosa County contacted the local school district to determine the proportion of LEP individuals served. As of August 2018, the Okaloosa County School District student population of 31,480 represents 54 different languages, with Spanish speakers accounting for the largest percentage of English Language Learner's at 79.38%. This is 3.07% of the total school enrollment.

Okaloosa County contacted CareerSource to determine the proportion of LEP individuals served. However, there is no data collected to support language proficiency. A CareerSource representative cited that 10% of the population served by the organization were Hispanic, but could not confirm their first language. When serving individuals with language barriers, CareerSource refers them to the North West Florida State College ESOL Program. In addition, CareerSource uses a Certified Languages International line when assisting customers, and developing employment and training plans.

2. *The frequency with which LEP individuals come in contact with these programs, services or activities;*

To date, Okaloosa County and the Title VI Coordinator have not received any direct requests for language assistance services by LEP individuals or groups, other than the services the County already provides. EMS, 9-1-1 Communications, Corrections, Water & Sewer, and Tourist Development departments have occasional contact with LEP individuals. Transit staff rarely encounter LEP individuals.

3. *The nature and importance of the program, service, or activity to people's lives;*

All of the County programs are important; however, those related to public safety and transit, as well as right-of-way, nondiscrimination and public involvement are of significant importance. Okaloosa County ensures that all constituents, including LEP individuals, have an opportunity to be involved in planning processes in an effort to be consistent with its nondiscrimination goals.

Okaloosa County contracts with AT&T for Language Line. EMS and 9-1-1 Communications have access immediately available. The Language Line allows individuals who are non-English speaking to utilize translation services in the event of an emergency. In addition, our Corrections department can access the Language Line for inmates and families of non-English speaking individuals.

Okaloosa County also provides demand response/paratransit door-to-door service to all of Okaloosa County through Emerald Coast Transit. Fixed route service is provided in the most densely populated areas of Okaloosa County. Transit refers individuals in need of translation services to agency volunteers and may use a commercial telephonic interpretation service.

4. *The resources available to the County and the likely costs of the LEP services.*

Although there is a low percentage of LEP individuals in Okaloosa County, the County strives to offer the following a limited number of designated positions, which are eligible for bilingual pay differential when a second language is critical to providing services. These positions, designated in areas such as 9-1-1 Communications, Water & Sewer, Corrections, and Tourist Development, interact with the public on a daily basis. They have an increased chance of coming into contact with non-English speaking individuals who may require LEP services. The pay differential provided to the limited number of positions available results in a minimal cost to the County.


Documents considered vital, such as the Title VI Complaint Form and Notice of a Person's Rights under Title VI, are printed in-house at minimal cost and made available to the LEP population as needed. With additional funding currently not available, printing in-house will be the most economical means of transmitting the information.

The County understands that its community profile is changing and the four-factor analysis may reveal the need for more or varied LEP services in the future.

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

Assurances

Effective May 05, 2015, the Okaloosa County Board of County Commissioners has designated the County Administrator as the signing authority for the Title VI/Nondiscrimination policy and associated assurances. The County Administrator will certify every three years, or commensurate with a change in incumbent, that its programs, services and activities are being conducted in a nondiscriminatory manner. This certification is termed as '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. The public may view the current assurance on the County website or by contacting the Title VI/Nondiscrimination Coordinator. For additional information and resources regarding Title VI issues, please contact the County's Title VI/Nondiscrimination Coordinator named in this policy.



John Hofstad, County Administrator



Date