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| <b><u>TOWN OF BELLEAIR ADMINISTRATIVE POLICIES AND PROCEDURES MANUAL</u></b>  |  |
| <b><u>POLICY:</u></b> Title VI Non-Discrimination Policy and Plan for Sub-Recipients in the FDOT Local Agency Program (LAP) | <b><u>POLICY NUMBER:</u></b> TBD           |
| <b><u>ORIGINATING DEPARTMENT:</u></b> Administration Department   |  |
| <b><u>EFFECTIVE DATE:</u></b> February 15, 2019   | <b><u>APPROVED BY:</u></b> Town Commission |
| <b><u>SUPERSEDES POLICY:</u></b> N/A  | <b><u>LAST REVISED:</u></b> February, 2019 |

**SCOPE**

The Town of Belleair, a municipality in Pinellas County, Florida, (hereinafter the Town) values diversity and welcomes input from all interested parties, regardless of cultural identity, background, or income level.

Moreover, the Town believes that the best programs and services result from careful consideration of the needs of all of its community members and when those communities are involved in the transportation decision-making process.

Thus, the Town 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 Town 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.

**OBJECTIVES**

1. To ensure the Town’s compliance with Title VI laws and other federal and state authorities pursuant to non-discrimination.

**PERFORMANCE MEASURES**

1. Every three years, or commensurate with a change in executive leadership, the Town must certify to the Federal Highway Administration (FHWA) and the 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 two important purposes.

First, they document the Town’s commitment to nondiscrimination and equitable service to its community, and second, they serve as a legally-enforceable agreement by which the Town may be held liable for breach. Those wishing to view the Town’s Nondiscrimination Assurance may do so by visiting the Town website or administration offices.

**POLICY GUIDELINES**

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**Complaint Procedures**

- The Town has established a discrimination complaint procedure and takes 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 Town program, service, or activity may file a complaint with the Town’s Title VI/Nondiscrimination Coordinator:

Name: Stefan Massol, Finance Director  
Address: Town of Belleair  
901 Ponce de Leon Blvd  
Belleair, FL 33756  
Email: smassol@townofbelleair.net  
Phone: (727) 588-3769  
Hearing Impaired: (727) 588-3769

- 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 shall respond to any complaint within thirty (30) calendar days and will take reasonable steps to resolve the matter. Should the Town be unable to satisfactorily resolve a complaint, the Town will forward the complaint, along with a record of its disposition, to the appropriate FDOT District Office.
- The Town’s Title VI Coordinator has “easy access” to the Town Manager and is not required to obtain management or other approval to discuss discrimination issues with the Town Manager. However, should the complainant be unable or unwilling to complain to the Town, 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

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**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 Town will make every effort to ensure that its facilities, programs, services, and activities are accessible to those with disabilities. The Town 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 Town encourages the public to report any facility, program, service, or activity that appears inaccessible to those who are disabled. Furthermore, the Town shall 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 Town asks that requests be made at least two calendar days prior to the need for accommodation.
- Questions, concerns, comments or requests for accommodation should be made to the Town ADA Officer:

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Address: Town of Belleair  
901 Ponce de Leon Blvd  
Belleair, FL 33756  
Email: smassol@townofbelleair.net  
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Hearing Impaired (727) 588-3769

**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

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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 Town’s programs, services, or activities
  2. The frequency with which LEP individuals encounter these programs, services, or activities
  3. The nature and importance of the program, service, or activity to people’s lives
  4. The resources available to the Town and the likely costs of the LEP services
- Using census data, the Town has determined that LEP individuals speaking English less than well represent approximately 2% of the community. The Town realizes that such statistical data can become outdated or inaccurate. Therefore, the Town contacted local law enforcement, social services agencies, and the school board to validate the proportion of LEP served by those entities. Greek was reported to be the prevalent LEP language with an estimate of .5 % eligible to be served.
  - The Town has not received requests for translation or interpretation of its programs, services, or activities into Greek or other language(s). In addition, Town-sponsored community outreach or public events are not attended by significant numbers of LEP individuals speakers. Thus, the Town estimates its contact with LEP individuals to be near zero.
  - The Town 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 Town 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 Town website or by contacting the Town Title VI/Nondiscrimination Coordinator.
  - The Town is fortunate to house within/near its jurisdiction one or more institutions of higher education which have extensive language resources. Further, the Town maintains cordial relationships with faith-based and/or community organizations that offer competent language services at low or no

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cost to the Town. Finally, the Town employs proficient Spanish speakers that can interpret and/or provide translation services.

- The analyses of these factors suggest that LEP services are not required at this time. At a minimum, the Town commits to:
  - Maintain a list of current 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 Town will:
  - Provide an on-demand translation service at no charge to any person on-site during regular business hours with LEP
  - Provide translated documents within a reasonable amount of time at the same cost as an English only version
- The Town understands that its community characteristics may 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.
- Public Notices:
  - English: Persons requiring special language services should contact the Town’s Title VI/Nondiscrimination Coordinator.

**Limited English Proficiency (LEP) Guidance**

- In order to plan for efficient, effective, safe, equitable, and reliable transportation systems, the Town must have the input of its public. The Town spends extensive staff and financial resources in furtherance of this goal and strongly encourages the participation of the entire community. The Town hosts an informative website that advises the public how it can access information and provide input. The Town also holds public meetings, workshops, and other events designed to gather public input on program/project planning and construction. Further, the Town sponsors, attends and participates in other community events to promote its services to the public.

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Finally, the Town is constantly seeking ways of measuring the effectiveness of its public involvement.

- Persons wishing to request special presentations by the Town, volunteer in any of its activities, offer suggestions for improvement, or to simply learn more about Town programs and services should visit [www.townofbelleair.com](http://www.townofbelleair.com) or contact:

Name: Cathy DeKarz, Management Analyst  
Address: Town of Belleair  
901 Ponce de Leon Blvd  
Belleair, FL 33756  
Email: [cdekarz@townofbelleair.net](mailto:cdekarz@townofbelleair.net)  
Phone: (727) 588-3769  
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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 Town accomplishes this through the use of census data, American Community Survey reports, Environmental Screening Tools (EST), driver and ridership surveys, its community development department, and other methods.
- From time to time, the Town may find it necessary to request voluntary identification of certain racial, ethnic, or other data from those who participate in Town programs, services, or activities. This information assists the Town with improving service equity and ensuring effective outreach. Self-identification of personal data to the Town will always be voluntary and anonymous. Moreover, the Town will not release or otherwise use this data in any manner inconsistent with the FHWA regulations and/or public record laws.