

# Polk County Board of County Commissioners

## Nondiscrimination Plan

### Title VI and ADA

The Polk County BoCC believes that transportation systems should not only be safe and efficient, but also represent their unique, diverse, and vibrant community. As such, the Polk BoCC does not tolerate discrimination in any form in its programs, services, or activities. Moreover, Polk County BoCC is committed to not only considering the transportation needs of everyone in Polk County, but also conducting substantial outreach to ensure broad input from the community. In accordance with Title VI of the Civil Rights Act of 1964 and other federal and state nondiscrimination authorities, Polk County BoCC does not and will never deny the benefits of, exclude from participation or subject to discrimination anyone on the basis of race, color, national origin, sex, age, disability, relation, or family status.

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Richard L. Bradford

Polk County BoCC

Equal Opportunity Administrator

## Introduction

The Polk County Board of County Commissioners (BOCC) develops plans and programs for Polk County as mandated by federal and state legislation.

Recipients of federal funds, such as transportation planning organizations, must comply with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (ADA), and other nondiscrimination authorities, ensuring that no person is subjected to discrimination on the basis of race, color, national origin, sex, age, disability, religion, and family status in employment and the provision of government services. This requirement includes the creation of a Title VI Nondiscrimination Plan, along with a regular review of its effectiveness and conformity with federal and state law.

That Nondiscrimination Plan works in concert with the Polk BoCC's Public Participation Plan and Limited English Proficiency Plan, which identify specific tactics for outreach and involvement (i.e., notification, information, and opportunities for diverse participation).

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## POLK BOCC NONDISCRIMINATION PLAN

### I. Planning Process

As part of its planning process, the BOCC will annually:

Update its demographic profile for the metropolitan planning area (Polk County) to identify low-income, disabled, religious, and minority populations covered by Title VI provisions. This information will be used to update the BOCC's Environmental Justice Planning Areas as applicable.

Compare the composition of its Adviser Network to the updated demographic profile.

Continue to conduct Neighborhood Mobility Audits for traditionally underserved areas to evaluate transit and nonmotorized access to essential services. The recommended projects from the audits will be prioritized for funding.

Coordinate with Polk County to assist in the implementation of its ADA transition plan.

Conduct staff training on nondiscrimination programs.

Review current transportation projects to minimize the impact to Title VI populations.

Review its current studies and programs to ensure nondiscrimination.

Prepare an Annual Report to document any logged Title VI or ADA complaints and the activities performed under this section of the Nondiscrimination Plan.

As part of the periodic update of the Long-Range Transportation Plan, the BOCC will conduct an equity analysis to evaluate the benefits and impacts of transportation projects on traditionally underserved populations and areas.

The Nondiscrimination Plan will be updated once every three years.

### Designation of Polk County BOCC Title VI and ADA Officer

Richard L. Bradford, Equal Opportunity Administrator, will also serve as Polk County BoCC Title VI and ADA Officer. This name, along with the appropriate contact information, will be widely disseminated to the public through the BOCC website, publications, and other means.

The BOCC's designated Title VI and ADA Officer has access to the Executive Director as depicted in the BOCC Organizational Chart.

## Statement of Commitment to Serve Persons with Limited English Proficiency (LEP)

Title IV 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. In adherence with these regulations, the BOCC makes reasonable efforts to ensure its programs, services, and activities meaningfully accessible to those who do not speak English proficiently. The BOCC has developed a Limited English Proficiency (LEP) Plan to assess the need and address the resources for oral interpretation and translation of program documents into alternate languages to ensure meaningful access. In developing the LEP Plan, the BOCC has assessed its programs and services to determine the extent to which LEP services are required and in which languages.

The BOCC's LEP Plan will be periodically updated as needed and will be considered an appendix to the most currently adopted Public Participation Plan (PPP).

The BOCC does not intend that its LEP Plan exclude anyone requiring language assistance and will attempt to accommodate requests. Anyone who requires special language services is requested to contact the BOCC's Title VI Officer:

Richard L. Bradford

Equal Opportunity Administrator/Title VI & ADA Officer

Drawer CA05, P.O. Box 9005

Bartow, FL 33831-9005

Telephone: 863-534-6075

Fax: 863-534-6060

Email: [richardbradford@polk-county.net](mailto:richardbradford@polk-county.net)

Deaf, Hard of Hearing, Deaf/Blind, or Speech Impaired (English, Spanish):

Please contact the Polk County BOCC by calling toll-free to the Florida Relay Service 7-1-1

## Statement of Commitment to Serve Persons with Disabilities in Compliance with the ADA/504

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 the transportation planning process.

The BOCC endeavors to ensure that its facilities, programs, services, and activities are available to those with disabilities in accordance with the Americans with Disabilities Act (ADA). The BOCC also actively seeks out disabled communities and service group to ensure their input into the BOCC's programs, services, and activities. The BOCC will make every effort to ensure that its advisory committees and public participation activities include representation by the disabled community and disability service groups. The BOCC will make every effort to ensure that its facilities, programs, services, activities are accessible to those with disabilities. The BOCC encourages the public to report any facility, program, service, or activity within the county that appears inaccessible to the disabled. Furthermore, the BOCC will provide reasonable accommodation to disabled individuals who wish to participate in meetings, public participation activities, or other events or programs of the BOCC, or who require special assistance to access BOCC facilities, programs, services, or activities. Because providing reasonable accommodations may require outside assistance, organization, or resources, the BOCC asks that request be made at least seven (7) days prior to the need for accommodation.

Questions, concerns, comments, or requests for reasonable accommodations should be made to the BOCC's ADA Officer:

Richard L. Bradford

Equal Opportunity Administrator/Title VI & ADA Officer

Drawer CA05, P.O. Box 9005

Bartow, FL 33831-9005

Telephone: 863-534-6075

Fax: 863-534-6060

Email: [richardbradford@polk-county.net](mailto:richardbradford@polk-county.net)

Deaf, Hard of Hearing, Deaf/Blind, or Speech Impaired (English, Spanish):

Please contact the Polk County BOCC by calling toll-free to the Florida Relay Service 7-1-1

## Processes and Procedures for Document Updates

The latest version of Title VI and ADA related documents and plans as adopted by the BOCC will be deemed appendices to the latest adopted version of the BOCC's Public Participation Plan (PPP). The designated BOCC Title VI & ADA Officer will annually review all related documents and plans to determine what, if any, updates may be needed. Any suggested updates will be brought before the BOCC Board for consideration of adoption.

## Staff Training

The BOCC Title VI and ADA Officer, along with other appropriate staff, will attend at least one training session annually on nondiscrimination topics. The Title VI and ADA Officer will brief new BOCC staff members of its Title VI and ADA nondiscrimination obligations and efforts.

As the designated BOCC Title VI and ADA Officer, Richard Bradford has regularly attended training sessions conducted by the Equal Employment Opportunity Commission (EEOC).

## Complaint Procedure

BOCC has established a discrimination complaint procedure and will take prompt and reasonable action to investigate and eliminate discriminatory action. Any person who believes that he or she has been subjected to discrimination based upon race, color, national origin, sex, religion, age, disability, income, family status, or as a member of any protected class as designated by a local government with the BOCC service area, may file a complaint with the BOCC's Title VI and ADA Officer:

Richard L. Bradford

Equal Opportunity Administrator/Title VI & ADA Officer

Drawer CA05, P.O. Box 9005

Bartow, FL 33831-9005

Telephone: 863-534-6075

Fax: 863-534-6060

Email: [richardbradford@polk-county.net](mailto:richardbradford@polk-county.net)

Deaf, Hard of Hearing, Deaf/Blind, or Speech Impaired (English, Spanish):

Please contact the Polk County BOCC by calling toll-free to the Florida Relay Service 7-1-1

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, income or family status); and a description of the alleged discrimination with the date of occurrence. Verbal and nonwritten complaints received by the BOCC shall be resolved informally by the Title VI Officer. If the issue has not been satisfactorily resolved through informal means, or if at any time the person(s) request(s) to file a formal written complaint, the BOCC Title VI Officer shall refer the Complainant to the Florida Commission on Human Relations for processing in accordance with the approved state procedures.

## Filing Complaints of Discrimination

Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color, sex, religion, and national origin in programs and activities receiving federal financial assistance. As a sub-recipient of the Florida Department of Transportation (FDOT), Polk County BOCC has adopted the following Title VI Complaint Procedure.

Any person who believes that he or she, or any specific class of persons, has been subjected to discrimination or retaliation, by any Polk County BOCC programs or activities, as prohibited by Title VI of the Civil Rights Act of 1964 and related statutes, may file a written complaint. All written complaints received by the BOCC shall be referred immediately to the BOCC's Title VI and ADA Officer for processing and resolution.

Written complaints may be sent to:

Richard L. Bradford, Title VI & ADA Officer

Drawer CA05, Post Office Box 9005

Bartow, Florida 33831-9005

Verbal and nonwritten complaints received by the BOCC shall be resolved informally by the BOCC's Title VI and ADA Officer. If the issue has not been satisfactorily resolved through informal means, or if at any time the person(s) request(s) to file a formal written complaint, the BOCC shall refer the Complaint to the FCHR Title VI Coordinator for processing in accordance with approved State Procedures.

The BOCC's Title VI & ADA Officer will advise the FCHR Title VI coordinator within five (5) working days of receipt of the allegations. The following information will be included in notification to the FCHR Title VI Coordinator:

Name, address, and phone number of the Complainant.

Name(s) and address(es) of Respondent.

Basis of complaint (i.e., race, color, national origin, sex, age, disability, religion, familial status, or retaliation).

Date of alleged discriminatory act(s).

Date complaint received by the BOCC.

A statement of the complaint.



Other agencies (state, local, or Federal) where the complaint has been filed.

An explanation of the actions the BOCC has taken or proposed to resolve the allegation(s) raised in the complaint.

Within ten (10) calendar days, the BOCC's Title VI and ADA Officer will acknowledge receipt of the allegation(s), inform the Complainant of action taken or proposed action to process the allegation(s), and advise the Complainant of other avenues of redress available, such as the FCHR.

Within sixty (60) calendar days, the BOCC's Title VI and ADA Officer will conduct and complete a review of the verbal or nonwritten allegation(s) and based on the information obtained, will render a recommendation for action in a report of findings to the BOCC Director.

Within ninety (90) calendar days of the verbal or nonwritten allegation(s) receipt, the BOCC Title VI and ADA Officer will notify the Complainant in writing of the final decision reached, including the proposed disposition of the matter. The notification will advise the Complainant of his/her right to file a formal complaint with the FCHR, if they are dissatisfied with the final decision rendered by the BOCC.

The BOCC's Title VI and ADA Officer will maintain a log of all verbal and nonwritten complaints received by the BOCC. The log will include the following information:

Name of Complainant.

Name of Respondent.

Basis of Complaint (i.e., race, color, national origin, sex, age, disability, religion, familial status or retaliation).

Date verbal or nonwritten complaint was received by the BOCC.

Explanation of the actions the BOCC has taken or proposed to resolve the issue raised in the complaint.

## Polk County Board of County Commissioners (BOCC)

### Procedimiento para queja referentes al Título VI

El Título VI de la Ley de Derechos Civiles de 1964, enmendada, prohíbe la discriminación por motivos de raza, color, sexo, religión y origen nacional en programas y actividades que reciban asistencia financiera federal. Como subreceptor del Departamento de Transporte de Florida (FDOT), BOCC ha adoptado el siguiente procedimiento de quejas del Título VI.

Cualquier persona que crea que él o ella, o cualquier clase específica de personas, ha sido objeto de discriminación o represalia, por parte de cualquier programa o actividad de BOCC, como lo prohíbe el Título VI de la Ley de Derechos Civiles de 1964 y estatutos relacionados, puede presentar una queja por escrito. Todas las quejas por escrito recibidas por la BOCC serán remitidas inmediatamente al Oficial del Título VI y la ADA de BOCC para su procesamiento y resolución.

Las quejas por escrito pueden ser enviadas a:

Richard L. Bradford, Oficial del Título VI y la ADA

Drawer CA05, Post Office Box 9005

Bartow, Florida 33831-9005

Las quejas verbales y no escritas recibidas por la BOCC serán resueltas de manera informal por el Oficial del Título VI y la ADA de la BOCC. Si el problema no se ha resuelto satisfactoriamente a través de medios informales, o si en cualquier momento la(s) persona(s) solicita(n) presentar una queja formal por escrito, la BOCC remitirá la queja al Coordinador del Título VI de la FCHR para su procesamiento de acuerdo con los procedimientos estatales aprobados.

Los Oficiales del Título VI y la ADA de la BOCC informarán al Coordinador del Título VI de la FCHR dentro de los cinco (5) días laborables siguientes a la recepción de las denuncias. La siguiente información se incluirá en la notificación al Coordinador del Título VI de la FCHR:

Nombre, dirección y número de teléfono del denunciante.

Nombre(s) y dirección(es) del denunciado.

Motivo de la queja (es decir, raza, color, origen nacional, sexo, edad, discapacidad, religión, estado familiar o represalia).

Fecha(s) de los actos discriminatorios presuntos.

Fecha de recepción de la queja por parte de la BOCC.

Una declaración de la queja.

Otras agencias (estatales, locales o federales) donde se ha presentado la queja.

Una explicación de las acciones que la BOCC ha tomado o propuesto para resolver las acusaciones planteadas en la queja.

En un plazo de diez (10) días naturales, el Oficial del Título VI y la ADA de la BOCC confirmará la recepción de las acusaciones, informará al denunciante sobre las medidas tomadas o propuestas para procesar las acusaciones y aconsejará al denunciante sobre otras vías de recurso disponibles, como la FCHR.

En un plazo de sesenta (60) días calendario, el Oficial de Título VI y ADA de la BOCC llevará a cabo y completará una revisión de las denuncias verbales o no escritas y, en función de la información obtenida, emitirá una recomendación de acción en un informe de conclusiones al Director de la BOCC.

Dentro de los noventa (90) días calendario siguientes a la recepción de la denuncia verbal o no escrita, el Oficial de Título VI y ADA de la BOCC notificará por escrito al denunciante la decisión final alcanzada, incluyendo la disposición propuesta del asunto. La notificación informará al denunciante de su derecho a presentar una denuncia formal ante el FCHR si no está satisfecho con la decisión final tomada por la BOCC.

El Oficial de Título VI y ADA de la BOCC mantendrá un registro de todas las denuncias verbales y no escritas recibidas por la BOCC. El registro incluirá la siguiente información:

Nombre del denunciante.

Nombre del demandado.

Motivo de la denuncia (es decir, raza, color, origen nacional, sexo, edad, discapacidad, religión, estado familiar o represalia).

Fecha de recepción de la denuncia verbal o no escrita por la BOCC.

Explicación de las acciones que la BOCC ha tomado o propuesto para resolver el problema planteado en la denuncia.