

# **Board of County Commissioners**

## **Escambia County, Florida**

Title: Title VI Nondiscrimination Program Policy and Plan –  
Section II, Part C.36  
Date Adopted: September 24, 2015  
Effective Date: July 5, 2018  
Reference:  
Policy Amended: July 5, 2018

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### **Title VI Policy Statement:**

Escambia County values diversity and welcomes input from all interested parties, regardless of cultural identity, background or income level. Moreover, the County provides the highest quality of life for all residents by delivering fiscally-sound, responsive services in a manner that is equitable, professional and has the highest degree of integrity. 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 related federal laws and regulations, 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, income or family status. Presidential Executive Order 13166 addresses services for those individuals with limited English proficiency (LEP). To address the federal requirements, the Escambia County Board of County Commissioners (BOCC) has developed a Title VI Plan, ADA/504 Plan, and Limited English Proficiency Plan. The following provisions provide a summary of the procedures related to those requirements.

### **Title VI Complaint Procedure:**

#### **Title VI Coordinator**

The County has established a discrimination complaint procedure and will take prompt and reasonable action to investigate and eliminate discrimination based on race, color, national origin, sex, age, disability, religion, income or family status in any of the County's programs, services or activities may file a complaint with the County's designated Title VI Coordinator.

The Title VI Coordinator shall be the County Administrator or designee:

Jack R. Brown  
County Administrator  
221 Palafox Place, Suite 420  
Pensacola, Florida 32502  
[jrbrown@co.escambia.fl.us](mailto:jrbrown@co.escambia.fl.us)  
850.595.4947

The responsibility for carrying out the County's commitment to this program has been delegated to the Title VI Coordinator who will receive and investigate Title VI complaints,

which come through the complaint procedure. However, all managers, supervisors and employees share in the responsibility for making the County's Title VI Program a success.

### **Submitting a Complaint**

Any individual who feels they have been discriminated against in any federally assisted program or service provided by Escambia County, under the provisions of Title VI of the 1964 Civil Rights Act, shall submit a complaint with the County's designated Title VI Nondiscrimination Coordinator. If possible, the complaint should be submitted in writing within sixty (60) days of the incident with the following information:

Complainant's name, address, and telephone number.

Complainant's signature.

If filing on behalf of another person, include your name, address, telephone number, and your relation to the complainant.

The name and address of the County agency, division, or department you believe committed a violation.

Include the basis for your complaint with a description of the alleged discriminatory act and date of occurrence.

If the complainant is unable to submit a written complaint, the complainant should contact the Title VI Coordinator for further assistance.

All complaints will be investigated promptly. Reasonable measures will be undertaken to preserve any information that is confidential. The Title VI Coordinator will review every complaint, and when necessary, begin the investigation process. At a minimum the investigation will:

- Identify and review all relevant documents, practices and procedures;
- Identify and interview persons with knowledge of the Title VI violation, i.e., the person making the complaint; witnesses or anyone identified by the Complainant; anyone who may have been subject to similar activity, or anyone with relevant information.

Upon completion of the investigation, the Title VI Coordinator will complete a final report. If a Title VI violation is found to exist, remedial steps as appropriate and necessary will be taken immediately. The Complainant will also receive a final report together with any remedial steps. The investigation process and final report should take no longer than forty-five (45) business days.

Should the County be unable to satisfactorily resolve the complaint, the County will forward the complaint, along with a record of its disposition to the appropriate District of the Florida Department of Transportation (FDOT).

If the Complainant is unable or unwilling to submit a complaint to the County or if the Complainant wishes to appeal the County's decision, the Complainant may contact the FDOT, and the FDOT will forward the complaint to the appropriate state or federal agency.

Florida Department of Transportation  
Equal Opportunity Office  
Attn: Title VI Complaint Processing  
605 Suwannee Street MS 65  
Tallahassee, FL 32399

**ADA/504 Statement:**

Section 504 of the Rehabilitation Act of 1973 (Section 504), of the Americans with Disabilities Act of the 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 County 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 encourages the public to report any facilities, programs, services or activities that appear 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 facilities, programs, services and activities.

Questions, concerns, comments or requests for accommodation should be made to the County's ADA Contact:

The County's ADA contact shall be the Director of the Department of Human Resources or designee.

Eric A Kleinert, Director  
Department of Human Resources  
221 Palafox Place  
Pensacola, Florida 32502  
[eakleinert@myescambia.com](mailto:eakleinert@myescambia.com)  
850.595.1637

**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.*

According to the US Census Bureau's most recent American Community Survey data (Category S1601, Language Spoken at Home), approximately 92.1% of the total population age five or older in Escambia County speak only English and 7.9% of the population spoke a language other than English within their households. Spanish or Spanish Creole languages comprised the largest non-English speaking group. The most prevalent other languages that were identified in the County included Indo-European languages, Asian/Pacific Island languages, and other languages.

Of the total population in Escambia County, approximately 97.3% speak English "very well," while the remaining 2.7% were categorized as LEP persons who speak English *less than* "very well." Even considering the margin of error, the available data indicated that the most prevalent LEP language group, Spanish and Spanish Creole, represented less than 1.5% of the total population in Escambia County. Given this information, the County has concluded that a relatively small percentage of LEP persons are likely to encounter the County's programs, services or activities.

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

Escambia County has not received any requests for translation or interpretation of its programs, services or activities into any other language. The County shall continue to assess the frequency with which staff may contact or have contact with LEP persons.

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

Escambia 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. The County defines this Plan as an essential document to meet its obligation to provide services to LEP persons.

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

With the previously stated small percentage of LEP persons in Escambia County, cost effective solutions are continually being researched to ensure appropriate costs align with the services needed. The County's concentration has been to provide interpreters and translated materials where appropriate. If public outreach activities find a shift in demographics, services in this area will also expand.

- Within Escambia County there are a number of institutions of higher education and military facilities, some of which have extensive language services. Escambia County will work to continue to develop relationships with these organizations through our current public relations activities. Escambia County will notify all employees of foreign language classes that may be offered by these organizations to assist in our efforts to reach out to our community.

The analysis of the four factors as stated earlier suggests that extensive LEP services are not required at this time. Nevertheless, Escambia County believes that occasional foreign language assistance may be necessary for meaningful access by members of the public. Thus, the Escambia County will:

- Maintain a list of employees who competently speak foreign languages and who are willing to provide translation and/or interpretation services;
- Distribute this list to staff who regularly have contact with the public;
- Find and use as much foreign language information, booklets, and pamphlets as possible for our employees to better communicate;
- Continue to provide public relations activities.

Escambia County understands that its community profile is changing and that the four factor analysis may reveal the need for more LEP services in the future. As such, Escambia County will continue to assess the size and needs of Escambia County's LEP population and amend the plan as needed.

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

#### **Public Involvement:**

In order to plan for efficient, effective, safe, equitable and reliable transportation systems, the County must have public input. The County spends extensive staff and financial resources in furtherance of this goal and strongly encourages the participation of the entire community. Any person may attend meetings of the Board of County Commissioners and speak during the public forum portion of the agenda. Further, the County holds a number of meetings, workshops, and other events designed to gather public input on project planning and construction.

Persons wishing to request special presentations by the County; volunteer in any activities, or offer suggestions for improvement of County public involvement may contact the County's Title VI Nondiscrimination Coordinator.

#### **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 through the use of census data, American Community Survey reports, and other methods. From time to time, the County may find it necessary to request voluntary identification of racial, ethnic or other data from those who participate in public involvement events. This information assists the County with improving targeted outreach and measures

effectiveness. 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 federal regulations.

**Assurances:**

Every three years the County must certify to FHWA and FDOT that its programs, services and activities are being conducted in a nondiscriminatory manner and document the County's commitment to nondiscrimination and equitable service to its community. The public may view the assurances on the County's website or by visiting the County's offices.