

The City of Sarasota
Title VI & ADA Plan
Related to Programs, Activities, and Services



<https://www.sarasotafl.gov/>

Prepared by: City of Sarasota

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Sarasota, FL 34236

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Approved:


City Manager

Dated

7.25.2018

Plan Information

Submittal Date: July 25, 2018

Expiration: July 25, 2021

Contact Information:

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Policy Statement

The City's Human Relations Ordinance, as codified in Chapter 18 Article 1 of the City Code, states:

“Sec. 18-1 – Declaration of Policy.

- (a) It is the desire of the City Commission to foster and encourage the growth and development of the City in a manner that will assure all persons an equal opportunity to live free of discrimination imposed by age, color, disability, gender, marital status, national origin, race, religion, sexual orientation or veterans status. Discriminatory practices are contrary to the public policy of the City and are a menace to the public peace and welfare of our citizens. The City shall direct its efforts and resources toward eliminating discriminatory practices within the city in the areas of housing, employment and public accommodations where they exist.
- (b) The general purpose of this chapter is to implement Article I, Section 5 of the City Charter so as to secure for all individuals within the City freedom from discrimination because of age, color, disability, gender, marital status, national origin, race, religion, sexual orientation or veterans status and thereby to protect their interest in personal dignity, to make available to the City their full productive capacities, to secure the City against domestic strife and unrest, to preserve the public safety, health, and general welfare, and to promote the interests, rights, and privileges of individuals within the City.
- (c) This chapter shall be construed in accordance with decisions interpreting similar provisions of federal and state law and according to the fair import of its terms and shall be liberally construed to further the general purposes stated in this section and the special purposes of the particular provision involved. This chapter is intended to provide equal or greater protection against discrimination than is afforded by state or federal law.”

Pursuant to Title VI of the Civil Rights Act of 1964 and other federal and state authorities, the Agency 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.

Nondiscrimination Assurances

Every three years, or commensurate with a change in executive leadership, the City will certify to Federal Highway Administration (FHWA) and Florida Department of Transportation (FDOT) that our programs, services and activities are being conducted in a nondiscriminatory manner. These certifications are termed ‘assurances’ and serve two important purposes. First, they document City commitment to nondiscrimination and equitable service to our community. Second, they serve as a legally enforceable agreement by which the City may be held liable for breach. Those wishing to view the City's Nondiscrimination Assurance may do so by visiting the City website or administration offices.

Complaint Procedure

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number, email address of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint will be made available for persons with disabilities upon request.

The complaint should be submitted as soon as possible, preferably within 60 calendar days of the alleged violation to:

Stacie Mason, SPHR, SHRM-SCP, ADA Coordinator
Human Resources Department
111 S. Orange Ave, Ste 204
Sarasota, FL 34236
Ph: 941-951-3634 Ext: 3744
Fax: 941-951-3636
Stacie.mason@sarasotafl.gov

Within 15 calendar days after receipt of the complaint, Stacie Mason, ADA Coordinator, will communicate with the complainant to discuss the complaint and the possible resolutions.

Within 15 calendar days of the meeting or communication, Stacie Mason, ADA Coordinator, will respond in writing, and where appropriate, in format that is accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the City of Sarasota and offer options for substantive resolution of the complaint.

If the response by Stacie Mason, ADA Coordinator, does not satisfactorily resolve the issue, the complainant may appeal the decision within 15 calendar days after receipt of the response to the City Manager of the City of Sarasota or designee.

Within 15 calendar days after receipt of the appeal, the City Manager of the City of Sarasota or designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the City Manager of the City of Sarasota or designee will respond in writing, and, where appropriate, in a format that is accessible to the complainant, with a final resolution of the complaint.

Should the City be unable to satisfactorily resolve a complaint, the City will forward the complaint, along with a record of its disposition to the appropriate FDOT District Office.

The City's Title VI Coordinator has 'easy access' to the City Manager (CM) and is not required to obtain management or other approval to discuss discrimination issues with the CM. However, should the complainant be unable or unwilling to complain to the Agency, 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

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 Agency will make every effort to ensure that its facilities, programs, services, and activities are accessible to those with disabilities. The Agency 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 Agency encourages the public to report any facility, program, service or activity that appears inaccessible to those who are disabled. Furthermore, the Agency will 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 Agency asks that requests be made at least 7 business days prior to the need for accommodation.

Questions, concerns, comments or requests for accommodation should be made to the Agency ADA Officer:

Stacie Mason, SPHR, SHRM-SCP, ADA Coordinator
Human Resources Department
111 S. Orange Ave, Ste 204
Sarasota, FL 34236
PH: 941-951-3634 Ext: 3744
Fax: 941-951-3636
Stacie.Mason@sarasotafl.gov

Limited English Proficiency (LEP) Guidance

Persons with limited English proficiency (LEP) are defined as persons who have limited ability to read, write, speak or understand English. 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, service, and activities by those who do not speak English proficiently. Federal programs often use the prevalence of persons in a community with LEP to identify the potential for barriers to programs, service, and activities due their inability to comprehend English.

Persons with LEP may encounter obstacles or access to programs, service, and activities provided by the City of Sarasota, by language and cultural barriers within their environment. To assist these individuals, it is important that a community recognizes their presence and the potential for discrimination, whether intentional or inadvertent, and establishes policies to eliminate barriers. Because of these factors, it is incumbent upon the City of Sarasota to determine the need for language assistance and comply with Title VI of the Civil Rights Act of 1964. Title VI is the federal law that protects individuals from discrimination based on race, color, or national origin in programs that receive federal financial assistance.

In certain situations, failure to ensure that persons who are LEP can effectively participate in, or benefit from federally assisted programs may violate Title VI's prohibition against national origin discrimination. The City of Sarasota has adopted this guidance in accordance with federal guidelines to ensure meaningful access to its programs, and to make reasonable efforts to provide accommodations for persons with LEP by providing language assistance services.

Demographics:

The demographics in the City of Sarasota are changing and the City is making modifications to provide programs to eligible persons regardless of the language spoken. The 2016 American Community Survey (ACS) data* reports on non-English language spoken at home and other languages with limited English speaking within the household. In the City of Sarasota, with a population of 56,623 and a total population of persons 5 years and older of 51,907, there are 11,071 persons that spoke English less than very well, or 10.8% of the total population. The Spanish speaking population has the greatest number persons with LEP in the City of Sarasota with an estimate of 9.00% eligible to be served.

*Source: US Census Bureau. "American FactFinder Selected Social Characteristics in the United States". <https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_16_5YR_DP02&prodType=table>. 21 June 2018.

Meaningful Access:

Meaningful access is free language assistance in accordance with federal guidelines. The City of Sarasota will periodically assess and update the following four-factor analysis to determine whether adequate language assistance is in place. Contacts requiring use of LEP program will be monitored and analyzed.

Four Factor Analysis to be Completed on a Periodic Basis:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by the City's programs, services or activities. Served and encountered means those persons who would be served or encountered by the recipient if the persons received adequate education and outreach, and the recipient provided sufficient language services.

2. The frequency with which the LEP persons come in contact with programs, services or activities. Information on use of language services can be track and analyzed based upon vender services engaged and paid for by the City of Sarasota. Additional staff proficient in other languages provide support for LEP persons and this measure of assistance can also be tracked. City of Sarasota staff will take reasonable steps to provide the opportunity for meaningful access to LEP clients who have difficulty communicating in English. If the client requests language assistance, the staff will provide free qualified interpreters, including contract vendors and bilingual staff at important stages that require one-on-one contact, written translation and verbal interpretation services.

Interpreter services in language other than English, or sign interpreters for the hearing impaired will be provided by the City as soon as reasonably possible based upon the vendor's availability. Currently, all public notices of public hearings for federal programs include a line in Spanish requesting notice if a translator is required at the upcoming hearing.

Informal interpreters may include the family members, friends, legal guardians, etc., of the LEP client. Depending on the circumstances and the subject matter of the communication, City staff will determine whether it is appropriate to rely on informal interpreters. In many circumstances, informal interpreters, especially children, are not competent to provide quality and accurate interpretations.

3. The City of Sarasota will periodically review, the nature and importance of the programs, services or activities provided by the City to the person's life, and if the information in question is provided accurately and in a timely manner. Whether a document or assistance is vital depends on the importance of the program, information, encounter, or service involve, and the consequence to the LEP person. Over time the City staff and departments must determine what documents are vital to the programs, services or activities that need to be translated.

4. The City will also periodically review the costs to the City of the LEP services for translating documents, providing translation services, and the labor time of the City staff that can provide LEP services to persons in need. The City will weigh the resources available, the costs to the recipient, and the cost of providing meaningful access versus the benefits of providing the service. Staff guidance for assistance with LEP person will be posted along with this document.

The Agency understands that its community characteristics 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. Staff Guidance for assistance for LEP persons shall be posted along with the Title VI Plan.

Persons requiring special language services should contact the City's Title VI/ Nondiscrimination/ADA Coordinator:

Stacie Mason, SPHR, SHRM-SCP, ADA Coordinator
Human Resources Department
111 S. Orange Ave, Ste 204
Sarasota, FL 34236
PH: 941-951-3634 Ext: 3744
Fax: 941-951-3636
Stacie.Mason@sarasotafl.gov

Public Involvement

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

Examples of the City actively seeking citizen input into the decision making process include the City's 23 advisory boards, outreach through the Coalition of City Neighborhoods Associations, and staff attendance at the meetings of 60 individual neighborhood associations and districts to discuss transportation projects affecting their area. Persons seeking special accommodations should notify staff 7 days in advance, however accessibility accommodations may also be available upon request at a meeting.

Persons wishing to request special presentations by the Agency; volunteer in any of its activities; offer suggestions for improvement; or to simply learn more about Agency programs and services should visit: <https://www.sarasotafl.gov/services> or contact: City of Sarasota Telephone Roster Main Number: (941) 365-2200

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 City accomplishes this through the use of census data, American Community Survey reports, Environmental Screening Tools (EST), driver and ridership surveys, its Planning Department, and other methods. From time to time, the City may find it necessary to request voluntary identification of certain racial, ethnic or other data from those who participate in Agency programs, services or activities. This information assists the Agency with improving service equity and ensuring effective outreach. Self identification of personal data to the Agency will *always* be voluntary and anonymous. Moreover, the City will not release or otherwise use this data in any manner inconsistent with the FHWA regulations.