

Polk Transportation Planning Organization

Nondiscrimination Plan Title VI and ADA



The Polk TPO believes that transportation systems should not only be safe and efficient, but also represent their unique, diverse and vibrant community. As such, the Polk TPO does not tolerate discrimination in any form in its programs, service or activities. Moreover, the Polk TPO is committed to not only considering the transportation needs of everyone in Polk County, but also to 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, the Polk TPO 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.

August 10, 2015

A handwritten signature in blue ink, appearing to read 'TD', is positioned above a horizontal line.

Tom Deardorff, Executive Director
Polk Transportation Planning Organization

Introduction

The Polk Transportation Planning Organization (TPO) develops transportation plans and programs for Polk County as mandated by federal and state legislation. It serves a lead role in transportation planning, and it provides a forum for cooperative decision-making regarding countywide transportation issues.

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.

This Nondiscrimination Plan works in concert with the Polk TPO'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 TPO NONDISCRIMINATION PLAN

I. Planning Process

As part of its planning process, the TPO 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 TPO'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 non-motorized 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 impacts 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 TPO will conduct an equity analysis to evaluate benefits and impacts of transportation projects on traditionally underserved populations and areas.

This Nondiscrimination Plan will be updated at least once every three years.

II. Designation of a Polk Transportation Planning Organization Title VI and ADA Officer

The Polk Transportation Planning Organization (TPO) hereby designates Diane Slaybaugh, Senior Transportation Planner, to additionally serve as its Title VI and ADA Officer. This name, along with the appropriate contact information, will be widely disseminated to the public through the TPO website, publications, and other means.

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

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

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. In adherence with these regulations, the TPO makes reasonable efforts to ensure its programs, services and activities meaningfully accessible to those who do not speak English proficiently. The TPO 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 TPO has assessed its programs and services to determine the extent to which LEP services are required and in which languages.

The TPO'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 TPO 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 TPO's Title VI Officer:

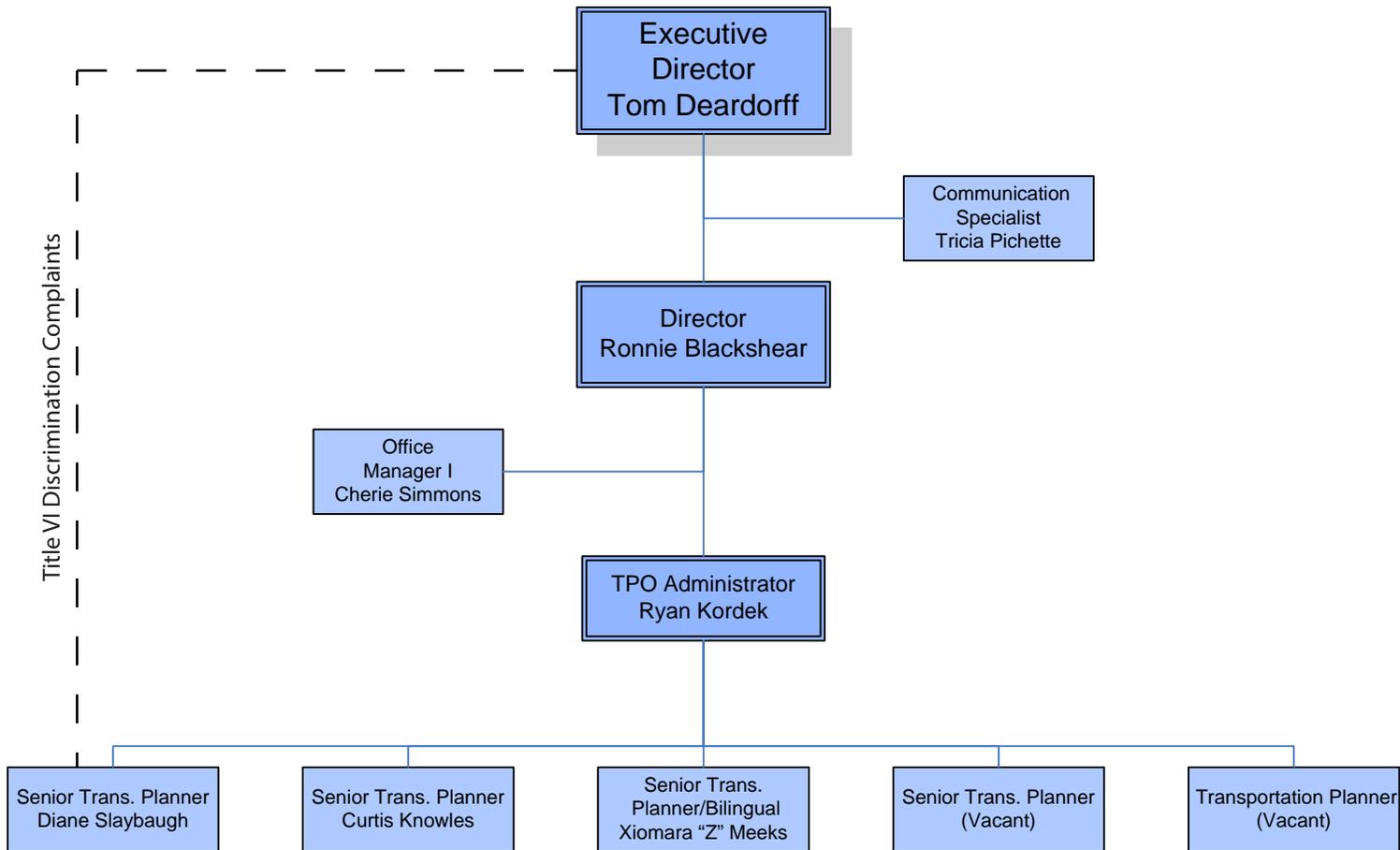
Diane Slaybaugh
Senior Transportation Planner/Title VI & ADA Officer
Polk Transportation Planning Organization
Drawer TS05, P. O. Box 9005
Bartow, FL 33831-9005
Telephone: 863-534-6495
Fax: 863-534-6471
Email: dianeslaybaugh@polk-county.net
Deaf, Hard of Hearing, Deaf/Blind, or Speech Impaired (English, Spanish):
Please contact the Polk TPO by calling toll-free to the Florida Relay Service
7-1-1

IV. 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 American 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.



Polk Transportation Planning Organization



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

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

Diane Slaybaugh
Senior Transportation Planner/Title VI & ADA Officer
Polk Transportation Planning Organization
Drawer TS05, P. O. Box 9005
Bartow, FL 33831-9005
Telephone: 863-534-6495
Fax: 863-534-6471
Email: dianeslaybaugh@polk-county.net
Deaf, Hard of Hearing, Deaf/Blind, or Speech Impaired (English, Spanish):
Please contact the Polk TPO by calling toll-free to the Florida Relay Service
7-1-1

V. Processes and Procedures for Document Updates

The latest version of Title VI & ADA related documents and plans as adopted by the TPO will be deemed appendices to the latest adopted version of the TPO's Public Participation Plan (PPP). The designated TPO Title VI & ADA Officer and the Executive Director 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 TPO Board for consideration of adoption.

VI. Staff Training

The TPO Title VI & 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 all new TPO staff members on its Title VI and ADA nondiscrimination obligations and efforts.

As the designated TPO Title VI & ADA Officer, Diane Slaybaugh has regularly attended training sessions conducted by the Federal Highway Administration (FHWA) and the Florida Department of Transportation (FDOT). The last training attended was on July 16, 2015, conducted by Carey Shepherd, FHWA Civil Rights Program Coordinator, and Jacqueline Paramore, FDOT Title VI Coordinator. The Executive Director and other TPO staff also attended this training.

VII. Complaint Procedures

The Polk TPO has established a discrimination complaint procedure and will take prompt and reasonable action to investigate and eliminate discriminatory actions. 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 within the TPO service area, may file a complaint with the TPO's Title VI Officer:

Diane Slaybaugh
Senior Transportation Planner/Title VI & ADA Officer
Polk Transportation Planning Organization
Drawer TS05, P. O. Box 9005
Bartow, FL 33831-9005
Telephone: 863-534-6495
Fax: 863-534-6471
Email: dianeslaybaugh@polk-county.net
Deaf, Hard of Hearing, Deaf/Blind, or Speech Impaired (English, Spanish):
Please contact the Polk TPO 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 non-written complaints received by the TPO 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 TPO Title VI Officer shall refer the Complainant to the FDOT's District One Title VI Coordinator for processing in accordance with approved State procedures.

VIII. Filing Complaints of Discrimination

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

1. Any person who believes that he or she, or any specific class of persons, has been subjected to discrimination or retaliation, by any Polk TPO programs or activities, as prohibited by the Title VI of the Civil Rights Act of 1964 and related statutes, may file a written complaint. All written complaints received by the TPO shall be referred immediately by the TPO's Title VI & ADA Officer to the FDOT's District One Title VI Coordinator for processing in accordance with approved State procedures.

Written complaints may be sent to:
Diane Slaybaugh, Title VI & ADA Officer
Drawer TS05, Post Office Box 9005
Bartow, Florida 33831-9005

2. Verbal and non-written complaints received by the TPO shall be resolved informally by the TPO's Title VI & 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 TPO Title VI & ADA Officer shall refer the Complainant to the FDOT's District One Title VI Coordinator for processing in accordance with approved State procedures.
3. The TPO's Title VI & ADA Officer will advise the FDOT's District One Title VI Coordinator within five (5) calendar days of receipt of the allegations. The following information will be included in every notification to the FDOT's District One Title VI Coordinator:
 - (a) Name, address, and phone number of the Complainant.
 - (b) Name(s) and address(es) of Respondent.
 - (c) Basis of complaint (i.e., race, color, national origin, sex, age, disability, religion, familial status or retaliation).
 - (d) Date of alleged discriminatory act(s).
 - (e) Date of complaint received by the TPO.
 - (f) A statement of the complaint.
 - (g) Other agencies (state, local or Federal) where the complaint has been filed.
 - (h) An explanation of the actions the TPO has taken or proposed to resolve the allegation(s) raised in the complaint.
4. Within ten (10) calendar days, the TPO's Title VI & 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 FDOT's Equal Opportunity Office (EOO).

5. Within sixty (60) calendar days, the TPO's Title VI & ADA Officer will conduct and complete a review of the verbal or non-written allegation(s) and based on the information obtained, will render a recommendation for action in a report of findings to the TPO Director.
6. Within ninety (90) calendar days of the verbal or non-written allegation(s) receipt, the TPO Executive Director 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 FDOT's EOO, if they are dissatisfied with the final decision rendered by the TPO. The TPO's Title VI & ADA Officer will also provide the FDOT's District One Title VI Coordinator with a copy of this decision and summary of findings.
7. The TPO's Title VI & ADA Officer will maintain a log of all verbal and non-written complaints received by the TPO. The log will include the following information:
 - a. Name of Complainant.
 - b. Name of Respondent.
 - c. Basis of Complaint (i.e., race, color, national origin, sex, age, disability, religion, familial status or retaliation)
 - d. Date verbal or non-written complaint was received by the TPO.
 - e. Date TPO notified the FDOT's District One Title VI Coordinator of the verbal or non-written complaint.
 - f. Explanation of the actions the TPO has taken or proposed to resolve the issue raised in the complaint.

**POLK TRANSPORTATION PLANNING ORGANIZATION (TPO)
TITLE VI PROGRAM, ADA AND RELATED STATUTES
DISCRIMINATION COMPLAINT**

Name	Home Phone	Work Phone
Address (Street No., P.O. Box, Etc.)		City, State, Zip Code
Name of Person(s) Who Discriminated Against You, Position (if known), and Name of Agency:		
Address (Street No.)		City, State, Zip Code
Date of Alleged Incident:		
Discrimination Because of:		
<input type="checkbox"/> Race <input type="checkbox"/> Retaliation <input type="checkbox"/> Sex <input type="checkbox"/> Familial Status <input type="checkbox"/> Religion <input type="checkbox"/> Color <input type="checkbox"/> National Origin <input type="checkbox"/> Age <input type="checkbox"/> Disability		
Explain as briefly and clearly as possible on the back of this form what happened and how you were discriminated against. Indicate who was involved. Be sure to include how other persons were treated differently than you. Also attach any written material pertaining to your case.		

Signature _____

Date _____

Mail to: Diane Slaybaugh, Polk TPO Title VI & ADA Officer, Drawer TS05, P. O. Box 9005, Bartow, Florida 33831-9005.

Polk Transportation Planning Organization (TPO)
Procedimiento para quejas referentes al Título VI

El Título VI de la Ley de Derechos Civiles de 1964 establece que ninguna persona de los Estados Unidos será excluida de participar en cualquier programa o actividad que reciba asistencia financiera federal, ni se le negará los beneficios de dichos programas o actividades, ni será discriminado en ellos, por causa de su raza, color o nacionalidad. Como recipiente del Florida Department of Transportation (FDOT), el Polk TPO ha adoptado el siguiente procedimiento para quejas referentes al Título VI. Todas las quejas escritas recibidas por el TPO tienen que ser referidas inmediatamente por el Especialista del Título VI del TPO al FDOT Distrito 1 Coordinador del Título VI para procesar dicha queja en acuerdo con los procedimientos del estado.

1. Toda persona o cualquier clase específica de personas, que crean haber sido excluida, que se le negaron los beneficios, o que fue discriminada por cualquier programa o actividad del Polk TPO, ya prohibido por el Título VI del Civil Rights Act del 1964, con cambios, y estatutos relacionados, pueden presentar una queja por escrito a nuestra oficina.

Para presentar una queja referente al Título IV, por favor envíe la información al:

Polk TPO

Diane Slaybaugh, Polk TPO Title VI Specialist

Drawer TS05, Post Office Box 9005

Bartow, FL 33831-9005

2. Quejas verbales y no-verbales recibidas por el TPO tienen que ser resueltas informalmente por el Especialista del Título VI del TPO. Si el problema no es resuelto satisfactoriamente por medios informales, o si en cualquier momento la(s) persona(s) deciden hacer una queja formal escrita, el Especialista del Título VI del TPO tiene que referir la queja al Coordinador del Título VI del FDOT Distrito 1 para procesamiento en acuerdo con los procedimientos aprobados del Estado.

3. El Especialista del Título VI del TPO se comunicará con el Coordinador del Título VI del FDOT Distrito 1 en un máximo de cinco (5) días del día que recibió la querrela. La siguiente información debe ser incluida en cada notificación al coordinador del FDOT Distrito 1.

- a. Nombre, dirección y número de teléfono del demandante.
- b. El motivo de la queja (raza, color, nacionalidad).
- c. La fecha o las fechas en la(s) que el supuesto o los supuestos incidentes discriminatorios ocurrieron.
- d. La naturaleza del incidente que llevó al demandante a sentir que la discriminación fue un factor.
- e. Nombres, direcciones y números de teléfonos de personas que puedan tener conocimiento del incidente.
- f. Otras agencias o tribunales antes los cuales la queja pueda haber sido presentada y un nombre de contacto.
- g. La firma del demandante y la fecha.
- h. Una explicación de las acciones que el TPO ha tomado o propuesto para resolver la acusación(es) escritas en la querrela.

4. Dentro de un plazo de diez (10) días, el Especialista del Título VI del TPO anunciara el recibimiento de la querella, informara al denunciante la acción tomada o propuesta para procesar la acusación(es), y asesorara al denunciante de otras opciones disponibles para el reclamo, tales como el FDOT EOO (Oficina de Igualdad de Oportunidades).
5. Dentro de un plazo de sesenta (60) días, el Especialista del Título VI del TPO hará y completara un estudio de las alegaciones verbales y no-verbales. Un reporte de resultados incluyendo una recomendación con acción, basado en la información obtenida, será entregado al Director del TPO.
6. Dentro de noventa (90) días, de recibir alegación verbal/no-verbal, el Director del TPO se comunicara con el denunciante que escribió la querella con la decisión final tomada, incluyendo la propuesta para resolver la querella. La notificación explicara al denunciante que tiene derecho a presentar una querella formalmente con el EOO del FDOT si no están satisfechos (a) con la decisión presentada por el TPO. El Especialista del Título VI del TPO también le mandara una copia de la decisión y el reporte de resultados al Especialista del Título VI del FDOT Distrito 1.
7. El Especialista del Título VI del TPO mantendrá una lista de todas las alegaciones verbales y no-verbales recibidas por el TPO. La lista incluirá la siguiente información:
 - a. Nombre del denunciante
 - b. Nombre del respondedor
 - c. Base de la denuncia (ej. Raza, color, nacionalidad, sexo, edad, discapacidad, religión, estatus familiar o venganza)
 - d. Fecha del día que TPO recibió la alegación verbal/no-verbal
 - e. Fecha del día que el TPO notifico al Especialista del Título VI del FDOT Distrito I de la alegación verbal/no-verbal
 - f. Explicación de las acciones que el TPO ha tomado o propuesto para resolver el asunto de la querella.

Aprobado el 21 de June del 2007 por el Polk Transportation Planning Organization.

