

Collier County Transportation Management Services Department Title VI / Nondiscrimination Policy and Plan

I. Title VI Protection

Policy Statement:

Collier County values diversity and welcomes input from all interested parties, regardless of cultural identity, background, or income level. Moreover, Collier County believes that the best programs and services result from careful consideration of the needs of all of its communities and when those communities are involved in the transportation decision making process. Thus, Collier County does not tolerate discrimination in any of its programs, service, or activities. Pursuant to Title VI of the Civil Rights Act of 1964 and other federal and state authorities, Collier 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, pregnancy, age, disability, religion, income, or family status.

Complaint Procedures:

The Collier County Transportation Management Services Department (TMSD) has established a discrimination complaint procedure and will take 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, pregnancy, age, disability, religion, income, or family status in any of TMSD's programs, services or activities may file a complaint with the TMSD Title VI/Nondiscrimination Coordinator.

Complaints should be submitted to:

Gloria Herrera
Title VI/ Nondiscrimination Coordinator
Collier County Growth Management Department
2885 Horseshoe Drive South
Naples, FL 34104
Email: Gloria.Herrera@colliercountyfl.gov
Phone: 239-252-5856

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, pregnancy, religion, age, disability, family, or income 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 will respond to the complaint within thirty (30) calendar days and will take reasonable steps to resolve the matter. Should Collier County be unable to satisfactorily resolve a complaint, Collier County will forward the complaint, along with a record of its disposition to the appropriate District Office of the Florida Department of Transportation (FDOT).

The Collier County Title VI Coordinator has direct access to the TMSD Administrator and is not required to obtain management or other approval to discuss discrimination issues with this

official. When necessary, the TMSD Administrator will use the services of the County Manager and County Attorney. If the complainant is unable or unwilling to file the complaint with Collier County, a written complaint may be submitted directly to the 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 Statements:

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 Collier County Transportation Management Services Department (TMSD) will make every effort to ensure that its facilities, programs, services, and activities are accessible to those with disabilities. The TMSD will 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 TMSD encourages the public to report any facility, program, service, or activity that appears inaccessible to those that are disabled. Furthermore, TMSD is committed to provide reasonable accommodations 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 and/ or organizational resources, the TMSD asks that requests be made at least seven (7) calendar days prior to the need for the accommodation.

Questions, concerns, comments, or requests for accommodation should be made to the Collier County Growth Management Division ADA Coordinator:

Gloria Herrera
Title VI/ Nondiscrimination Coordinator
Collier County Growth Management Department
2885 Horseshoe Drive South
Naples, FL 34104
Email: Gloria.Herrera@colliercountyfl.gov
Phone: 239-252-5856
Fax: 239-252-6617
Hearing Impaired: Florida Relay Service (FRS) by dialing 711 or 1-800-955-8771 (TTY)

II. Limited English Proficiency (LEP) Guidance

Title VI of the Civil Rights Act of 1964, Executive Order 13166, and various directives from the U.S. Department of Justice (USDOJ) and US Department of Transportation (USDOT) require federal aid recipients to take reasonable steps to ensure meaningful access to programs, services, and activities by those that do not speak proficient English. To determine the extent to which Limited English Proficiency (LEP) services are required and in what languages, the law requires the analysis of four factors:

- The number or proportion of LEP persons eligible to be served or likely to be encountered by TMSD programs, services or activities;
- The frequency with which LEP individuals encounter these programs, services or activities;
- The nature and importance of the program, service, or activity to people’s lives; and
- The resources available to TMSD and the likely costs of the LEP services.

Factor 1: Review of LEP Populations

Understanding the needs of the community begins with identifying the number of Limited English Proficiency (LEP) persons eligible to be served, likely to be served or likely to be encountered by the County through its programs, services, or activities. In an effort to determine potential LEP needs for Collier County, staff reviewed data available through the U.S. Census Bureau American Community Survey for the period of 2017 through 2021.

Using census data, Collier County has determined that LEP individuals speaking English less than “very well” represent approximately 13.3% of the community. Further analysis shows that 77.4% of the same population speaks Spanish; 18.5% speaks an Indo-European language; 3.7% speaks an Asian or Pacific Islander language; and 0.3% speaks another language (see Table 1). Given the information shown on the below table, Collier County has a relatively small service population of LEP speakers in the Indo-Euro, Asian and Pacific Islander Languages.

Table 1: The Top Languages Spoken at Home in Collier County

Population 5 years and older	No. of LEP Persons (speak English less than “very well”)	% Of LEP Persons	% Of LEP Persons who speak Spanish	% Of LEP Persons who speak Indo-Euro Languages	% Of LEP Persons who speak Asian or Pacific Islander Languages	% Of LEP Persons who speak Other Languages
356,784	47,282	13.3%	77.4%	18.5%	3.7%	0.3%

Source: US Census Bureau’s 2017-2021 American Community Survey

The TMSD realizes that such statistical data can become outdated or inaccurate. Therefore, the TMSD contacted the local School Board, Collier Area Transit and MPO to validate the proportion of LEP served by those entities. Spanish was reported to be the prevalent LEP language.

Factor 2: Assessing Frequency of Contact with LEP Persons

The results of the census data indicate that Spanish is the most prevalent language spoken by the LEP population in Collier County. To date, the TMSD has not received any requests for translation or interpretation of its programs, services, or activities into any other language. In addition, TMSD has a Spanish translator available at most Public Information Meetings, although translation services have been utilized less than 10% of the time.

Factor 3: Assessing the Importance of County Programs

All of Collier County programs are important; however, those related to safety, public transit, right-of-way, the environment, nondiscrimination, and public involvement are among the most important. The County must ensure that all segments of the population, including LEP persons, have been involved or have had the opportunity to be involved in the planning processes to be consistent with its nondiscrimination goals.

Factor 4: Determining Available Resources

Collier County is fortunate to employ bi-lingual individuals that can interpret and/or provide translation services; and to house within its jurisdiction a number of institutions of higher education that have extensive language services. Further, Collier County maintains cordial relationships with faith-based and community organizations that offer competent language services at no cost to the county. The county will continually evaluate its programs, services, and activities to ensure that persons who may be LEP are always provided with meaningful access.

The analyses of these factors suggest that LEP services are not required at this time. Therefore, Collier County Transportation Management Services Department has committed to the following. It will:

- Maintain a list of employees who competently speak Spanish and other languages and who are willing to provide translation and/or interpretation services.
- Distribute this list to staff that regularly have contact with the public.
- Provide notification in Spanish of the availability of LEP assistance in public meeting notices and on public involvement event signage.

The TMSD 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.

Public Notices:

ENGLISH- Persons requiring special language services should contact the Agency's Title VI/Nondiscrimination Coordinator.

SPANISH- Las personas que requieran servicios de traducción, deben comunicarse con el Coordinador de No Discriminación de la Agencia.

CREOLE- Moun ki bezwen sèvis langaj espesyal ta dwe kontakte Koòdonatè Kont La Diskriminasyon.

III. Public Involvement

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

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.colliercountyfl.gov/government/growth-management>

Or contact:

<p>Gloria Herrera Title VI/ Nondiscrimination Coordinator Collier County Growth Management Dept. 2885 Horseshoe Drive South Naples, FL 34104 Email: Gloria.Herrera@colliercountyfl.gov Phone: 239-252-5856 Fax: 239-252-6617 (English/ Español)</p>	<p>Connie Deane Public Information Coordinator Collier County Growth Management Dept. 2885 Horseshoe Drive South Naples, FL 34104 Email: connie.deane@colliercountyfl.gov Phone: 239-252-8365 Fax: 239-252-2726 (English)</p>
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Hearing Impaired: Florida Relay Service (FRS) by dialing 711 or 1-800-955-8771 (TTY)

IV. Data Collection

Federal Highway Administration 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. Collier County 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 county 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 county with improving service equity and ensuring effective outreach. 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 the federal guidelines.

V. Nondiscrimination Assurances

Every three (3) years, or commensurate with a change in TMSD executive leadership, the TMSD Administrator must certify to Federal Highway Administration (FHWA) and Florida Department of Transportation (FDOT) that its programs, services, and activities are being conducted in a nondiscriminatory manner. These certifications are termed “assurances,” which serve two important purposes. First, they document TMSD’s commitment to nondiscrimination and equitable service to its community. Second, they serve as a legally enforceable agreement by which the TMSD may be held liable for breach. Those wishing to view the Agency’s Nondiscrimination Assurance may do so by visiting the Collier County Transportation Management Services Department website or administrative offices.