



## **TITLE VI/NONDISCRIMINATION POLICY AND LIMITED ENGLISH PROFICIENCY (LEP)**

The City of Fellsmere values diversity and welcomes input from all interested parties, regardless of cultural identity, background, or income level. Pursuant to Title VI of the Civil Rights Act of 1964 and other federal and state authorities, the City of Fellsmere 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.

The Agency 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, religion, age, disability or family status in any Agency program, service or activity may file a complaint with the Agency's Title VI/Nondiscrimination Coordinator:

Name: Mark D. Mathes  
Address: 22 S. Orange Street, Fellsmere, FL 32948  
Email: [citymanager@cityoffellsmere.org](mailto:citymanager@cityoffellsmere.org)  
Phone: 772-646-6303  
Hearing Impaired: 772-783-6109

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

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

If it is determined the complaint originated from a Local Agency Program (LAP) project, the complaint will be provided to the FDOT and/or Federal Highway Administration (FHWA). The Agency will attempt to resolve all issues; however, only FHWA can accept, investigate, and issue findings under Title VI, which is specific to the classes of race, color, and national origin.

#### **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 (DOJ) and U.S. 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 City/County's programs, services or activities;
2. The frequency with which LEP individuals come in contact with these programs, services or activities;
3. The nature and importance of the program, service, or activity to people's lives and;
4. The resources available to the City/County and the likely costs of the LEP services.

Using census data, the City has determined that LEP individuals speaking English less than well represent approximately 18% of the community. The Agency has in the past received requests for translation or interpretation of its programs, services, or activities into Spanish. In addition, City sponsored community outreach or public events have been attended by LEP Spanish speaking individuals. Thus, the City estimates its contact with LEP Spanish speaking individuals to be frequent at nearly every outreach event/opportunity.

The City defines as essential any document that advises the public of how to access nondiscrimination and public involvement policies, as well as those that impact public safety, health and welfare and emergency services. A full list of translated documents is available on the City website or by contacting the Agency's Title VI/ Nondiscrimination Coordinator.

The Agency employs a number of proficient speakers that are able to interpret and/or provide

translation services. The analyses of the four factors suggest that LEP services are required at this time. At a minimum, the Agency commits to:

- Maintain a list of employees who competently speak the LEP language(s) and who are willing to provide translation and/or interpretation services.
- Distribute this list to staff that regularly has contact with the public.
- Provide public notification in the LEP language of the availability of language assistance, free of charge.

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

### **Title VI and LEP Notice**