

# Administrative Policies and Procedures



## **Title: Title IV and Nondiscrimination Policy and Plan**

### **Document Number – TM-14.01**

#### **I. Purpose**

This policy provides both a policy and a plan for Title VI and non-discrimination.

#### **II. Definitions:**

None applicable

#### **III. Policy:**

##### Policy Statement:

The Town of Jupiter (Town) values diversity and welcomes input from all interested parties, regardless of cultural identity, background or income level. Moreover, the Town does not tolerate discrimination in any of its programs, services or activities. The Town will not exclude participation in, deny the benefits of, or subject to discrimination anyone on the grounds of race, color, creed, religion, sex, national origin, age, physical disability, mental disability, history of physical or mental disability, marital status, familial status, veteran status, sexual orientation, the presence of a non-job related medical condition, or any form of unlawful discrimination.

##### Training:

Regular Title VI and LEP nondiscrimination training shall be and is provided all Town employees who interact with the public.

##### 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:

- 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
- 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
- The resources available to the City/County and the likely costs of the LEP services.



1. Using census data, the Agency has determined that LEP individuals speaking English less than well represent approximately 13% of the community. The Agency realizes that such statistical data can become outdated or inaccurate. Therefore, the Agency contacted local law enforcement, social services agencies and the school board to validate the proportion of LEP served by those entities. Spanish was reported to be the prevalent LEP language with an estimate of 13% eligible to be served.
2. The Agency has received requests for translation or interpretation of its programs, services or activities into Spanish or other language(s). In addition, Agency sponsored community outreach or public events aren't attended by significant numbers of LEP individual speakers. Thus, the Agency estimates its contact with LEP individuals to be less than 13%.
3. The Agency 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. In that spirit, the agency 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 Agency website or by contacting the Agency Title VI/Nondiscrimination Coordinator.
4. The Agency is fortunate to house within/near its jurisdiction one or more institutions of higher education which have extensive language resources. Further, the Agency maintains cordial relationships with faith based and/or community organizations that offer competent language services at low or no cost to the Agency. Finally, the Agency employs 3 or more proficient Spanish speakers that can interpret and/or provide translation services.

The analyses of these factors suggest that LEP services 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.

In addition, the Agency will:

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.

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 del No Discrimin de la Agencia.
- Creole - Moun ki bezwen sèvis lang espesyal yo ta dwe kontakte Koòdonatè ki pa Diskriminasyon.



Persons requiring special language services should contact the Town's Title VI Officer:

Nikki Carpenito, Director, Human Resources  
Town of Jupiter  
210 Military Trail  
Jupiter, FL 33458  
(561)741-2335  
Fax: (561)745-1529  
[Nikkic@jupiter.fl.us](mailto:Nikkic@jupiter.fl.us)

**Public Involvement:**

In order to plan for efficient, effective, safe, equitable and reliable transportation systems, the Agency must have the input of its public. The Agency spends extensive staff and financial resources in furtherance of this goal and strongly encourages the participation of the entire community. The Agency hosts an informative website that advises the public how it can access information and provide input. The Agency also holds public meetings, workshops and other events designed to gather public input on program/project planning and construction. Further, the Agency sponsors, attends and participates in other community events to promote its services to the public. Finally, the Agency 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: [www.jupiter.fl.us](http://www.jupiter.fl.us) Or contact the Town's Title VI Officer

**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 Agency 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 Agency 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 Agency will not release or otherwise use this data in any manner inconsistent with the FHWA regulations.

**Complaint Procedure:**

The Town has an established discrimination complaint procedure and pursuant to its procedure will take prompt and reasonable action to investigate discriminatory actions, and where deemed to be discriminatory will take such actions as may be necessary and appropriate to eliminate discriminatory actions. Any person who believes that he or she has been subjected to discrimination based upon race, color, creed, religion, sex, national origin, age, physical disability, mental disability, history of physical or mental disability, marital status, familial status, veteran status, sexual orientation, the presence of a non-job related medical condition, or any form of unlawful discrimination, may file a complaint with the Town's Title VI Officer:



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 Town of Jupiter  
 210 Military Trail  
 Jupiter, FL 33458  
 (561)741-2335  
 Fax: (561)745-1529  
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In order to accurately and fully investigate a complaint, the complainant should submit his or her complaint in writing together with the specific nature of the discrimination at issue (i.e. race, color, creed, religion, sex, national origin, age, physical disability, mental disability, history of physical or mental disability, marital status, familial status, veteran status, sexual orientation, the presence of a non-job related medical condition, or any form of unlawful discrimination); and a description of the alleged facts giving rise to the discrimination and the date of its occurrence. If the complaint cannot be submitted in writing, the complainant should contact the Town’s Title VI Officer for assistance.

The Town’s Title VI Officer will respond to the complaint within 30 days and will take such reasonable steps as deemed necessary to resolve the matter.

FDOT Related Complaint Procedure

The Town has an established discrimination complaint procedure and pursuant to its procedure will take prompt and reasonable action to investigate discriminatory actions, and where deemed to be discriminatory will take such actions as may be necessary and appropriate to eliminate discriminatory actions. Any person who believes that he or she has been subjected to discrimination based upon race, color, creed, religion, sex, national origin, age, physical disability, mental disability, history of physical or mental disability, marital status, familial status, veteran status, sexual orientation, the presence of a non-job related medical condition, or any form of unlawful discrimination, may file a complaint with the Town’s Title VI Officer.

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

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

Americans with Disabilities Act (ADA)/504 Statement:

The Town makes great efforts to ensure that its facilities, programs, services, and activities are available to those with disabilities. The Town encourages its citizenry to report any facility,



program, service or activity that appears inaccessible to the disabled. Furthermore, the Town will provide reasonable accommodation to disabled individuals who wish to participate in public involvement or other events, with advance notification of seven days.

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

Nikki Carpenito, Director, Human Resources  
Town of Jupiter  
210 Military Trail  
Jupiter, FL 33458  
(561)741-2335  
Fax: (561)745-1529  
[Nikkic@jupiter.fl.us](mailto:Nikkic@jupiter.fl.us)

Grievance Procedure under the ADA:

This grievance procedure is established in accordance with the Americans with Disabilities Act of 1990 (ADA). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services by or access to activities, programs or facilities of the Town. This grievance procedure does not apply to complaints relating to employment by the Town.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem.

The complaint should be submitted by the complainant and/or his or her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

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Town of Jupiter  
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Jupiter, FL 33458  
(561)741-2335  
Fax: (561)745-1529  
[Nikkic@jupiter.fl.us](mailto:Nikkic@jupiter.fl.us)

Within 15 calendar days after receipt of the complaint, the ADA Coordinator or designee will contact the complainant to discuss the complaint and possible resolutions. Within 15 calendar days of the meeting, the ADA Coordinator or designee will respond to the complainant. The response will explain the position of the Town and offer options for substantive resolution of the complaint.

The Florida Department of Transportation has developed two forms that may be used to provide some specific information related to accessibility on the roadway systems within the public rights-of-way. These may be downloaded from the FDOT website at:

[https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/roadway/ada/adagrievance.pdf?sfvrsn=cdbc5877\\_6](https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/roadway/ada/adagrievance.pdf?sfvrsn=cdbc5877_6)