

2024/2025 TITLE VI LIMITED ENGLISH PROFICIENCY POLICY & PLAN with Monitoring Report



Lee County
Southwest Florida

PREPARED BY:

OFFICE OF STRATEGIC RESOURCES
AND GOVERNMENT AFFAIRS

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Table of Contents

Introduction	2
I. Civil Rights Act Title VI Policy Statement	2
II. Title VI Complaint Procedures	3
III. ADA/504 Statement	5
IV. Policy for Limited English Proficiency (LEP) and Language Access Plan (LAP)	5
V. Limited English Proficiency (LEP) Guidance	7
VI. Public Involvement	8
VII. Data Collection	8
VIII. Assurances	8
Appendix A – LAP Procedure Including the Four-Factor Analysis	9
Appendix B – Lee County Civil Rights Act Title VI Annual Monitoring	13
Appendix C – Lee County Notice of ADA Policy	16
Appendix D – Grievance Procedure Under the Americans with Disabilities Act	17

Lee County's Civil Rights Act, Title VI Notice is available in English, Spanish and Haitian Creole. Alternate formats are available by contacting the Title VI Nondiscrimination Coordinator:

El Condado de Lee tiene un procedimiento de reclamo de derechos civiles. Para mas informacion, pongase en contacto con el Coordinador sin discriminacion del Titulo VI del Condado de Lee:

Konte Lee gen yon pwosedid plent dwa sivil. Kontakte Koodinate Ned Diskriminasyon Tit VI nan Konte Lee:

Raphaela Morais-Peroba
ADA/Title VI Nondiscrimination Coordinator
1500 Monroe Street, 4th Floor
Fort Myers FL 33902
ADArequests@leegov.com
(239) 533-8782
Florida Relay Service 711

Introduction

As a recipient of federal funds, Lee County is required to issue a policy statement expressing a commitment to the nondiscrimination provisions of Title VI of the Civil Rights Act of 1964 and the Americans with Disabilities Act (ADA) of 1990, as well as related federal and state nondiscrimination statutes and regulations.

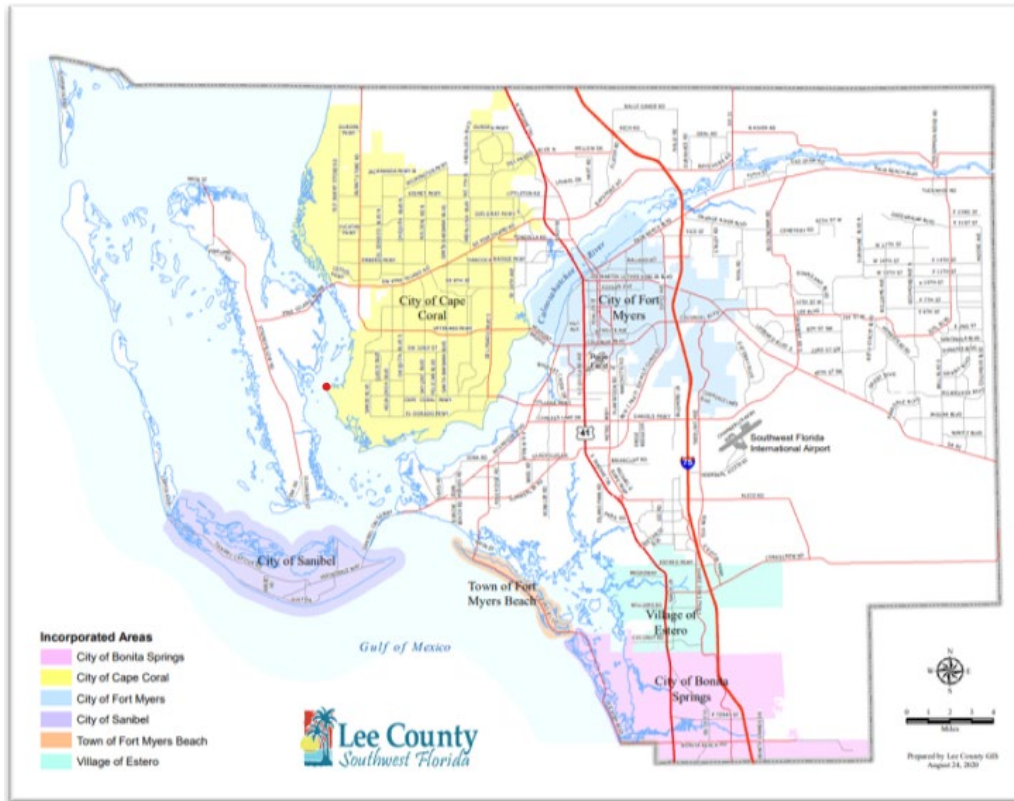


Figure 1: Map of Lee County

Language for LEP individuals can be a barrier to accessing important benefits or services, understanding and exercising important rights, complying with applicable responsibilities, or understanding other vital information. These individuals may be entitled to language assistance for programs and services that receive assistance from the federal government. Executive Order 13166 requires agencies to develop creative solutions to address the needs of this ever-growing population of individuals whose primary language is not English.

The purpose of this Limited English Proficiency (LEP) policy and plan is to establish effective guidelines, consistent with Title VI of the Civil Rights Act of 1964 and Executive Order 13166, for County staff to follow when providing services to, or interacting with, individuals who have limited English proficiency (LEP).

I. **Civil Rights Act Title VI Policy Statement**

The Lee County Board of County Commissioners values diversity and welcomes input from all interested parties, regardless of cultural identity, background, or income level. Moreover, Lee County believes that the best programs and services result from careful consideration of the needs of all residents especially in the decision-making process for transportation, public transit, human services, and disaster recovery. Therefore, Lee County does not tolerate discrimination in any of its programs, services, or activities and will not exclude anyone from participation, deny benefits, or discriminate on the grounds of race, color, national origin, sex, age, disability, religion, income, or family status.

Details about Lee County's Notice of Policy Pursuant to Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq. can be found online at leegov.com/civilrights. Lee County departments further comply with the implementing regulations of the United States departments of Justice, Transportation including Executive Order 13166, and Housing and Urban Development (HUD) including 24 CFR Part 1.

As part of this compliance, Lee County and subrecipients of HUD federal financial assistance will provide meaningful access to all programs and activities for persons with limited English proficiency. The County will demonstrate this compliance through annual monitoring that includes the required four-factor analysis set forth in Federal Register notice (FR-4878-N-01).

II. Title VI Complaint Procedures

Lee County has a discrimination complaint procedure and will take prompt and reasonable action to investigate and eliminate discrimination when found. All persons who believe they have been subjected to discrimination based on race, color, national origin, sex, age, disability, religion, income, or family status in any of the County's programs, services or activities may file a complaint with the County Title VI Nondiscrimination Coordinator:

Raphaela Morais-Peroba
ADA/Title VI Nondiscrimination Coordinator
1500 Monroe Street, 4th Floor
Fort Myers FL 33902
ADArequests@leegov.com
(239) 533-8782
Florida Relay Service 711

The County's Title VI Coordinator has easy access to the County Manager and is not required to obtain management or other approval to discuss discrimination issues with the County Manager.

If possible, the complaint should be submitted in writing and contain the identity of the 5 complainants, the basis for the allegations (i.e., race, color, national origin, sex, religion, age, disability or 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 to discuss alternative methods of communication.

The Title VI Nondiscrimination Coordinator will meet with the complainant within 30 calendar days and will take reasonable steps to resolve the matter. Within 30 calendar days of the meeting, the Title VI Nondiscrimination Coordinator will report on the resolution of the matter in writing or in an alternate format accessible to the complainant. If the resolution does not satisfactorily resolve the issue, the complainant and/or a designee may appeal the decision within 15 calendar days after receipt of the response to Glen Salyer, Assistant County Manager, or his designee.

Complaints regarding Lee County Department of Transportation

The County will forward the complaint, along with a record of its disposition, to the appropriate District of the Florida Department of Transportation (FDOT). Should the complainant be unable or unwilling to complain to the County, the written complaint may be submitted directly to the Florida Department of Transportation (FDOT). FDOT will serve as a clearinghouse, forwarding the complaint to the appropriate state or federal agency:

Florida Department of Transportation
Equal Opportunity Office
ATTN: Title VI Complaint Processing
605 Suwannee Street MS 65
Tallahassee, FL 32399

Complaints Regarding Lee LeeTran (Public Transit)

A complainant may communicate directly with the Federal Transit Administration by filing a complaint with the Office of Civil Rights below, or by calling 888-446-4511. The complaint information should be emailed to FTACivilRightsCommunications@dot.gov with "FTA complaint form" included in the subject line.

Office of Civil Rights
Attention: Complaint Team
East Building, 5th Floor-TCR
1200 New Jersey Ave., SE
Washington, DC 20590

Complaints Regarding Lee County Department of Human and Veteran Services

Should the complainant be unable or unwilling to complain to the County, the written complaint may be submitted directly to the regional HUD Fair Housing and Equal Opportunity (FHEO) office at the address below, or by calling 1-800-669-9777 or by submitting online at https://www.hud.gov/program_offices/fair_housing_equal_opp/online-complaint

Miami FHEO Center
909 SE First Ave.
Suite 500
Miami FL 33131

Complaints Regarding FEMA or HUD Disaster Recovery Programs

Should the complainant be unable or unwilling to complain to the County, the written complaint may be submitted directly to:

HUD's Office of Fair Housing and Equal Opportunity
Phone: 1-800-669-9777 or TTY: 1-800-877-8339

Online at: https://www.hud.gov/program_offices/fair_housing_equal_opp/online-complaint

Or

Atlanta Regional Office of FHEO
U.S. Department of Housing and Urban Development
Five Points Plaza
40 Marietta Street
Atlanta, GA 30303
(678) 732-2493
(800) 440-8091
TTY (404) 730-2654

III. ADA/504 Statement

Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 and related federal and state laws and regulations forbid discrimination against those who require accommodation to access facilities, services, and programs. Furthermore, these laws require federal aid recipients and other government entities to take affirmative steps to reasonably accommodate ADA-qualified individuals and ensure that their needs are equitably represented in programs, services, and activities, including transportation, public transit, human services, and disaster recovery.

Lee County makes every effort to ensure that its facilities, programs, services, and activities are accessible to all. The County also makes every effort to ensure that its advisory committees, public involvement activities, and all other programs, services and activities include representation by the disabled community and disability service groups.

The County encourages the public to report any facility, program, service, or activity that appears inaccessible to those who require accommodations.

The County will provide reasonable accommodation to ADA-qualified individuals 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 or additional resources, the County asks that requests be submitted at least five (5) business days prior to the need for accommodation.

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

Raphaela Morais-Peroba
ADA/Title VI Nondiscrimination Coordinator
1500 Monroe Street, 4th Floor
Fort Myers FL 33902
ADArequests@leegov.com
(239) 533-8782
Florida Relay Service 711

Details for Lee County's Notice of ADA Policy and Notice of Grievance Procedure are available at www.leegov.com/ada/.

IV. Policy for Limited English Proficiency (LEP) and Language Access Plan (LAP)

A. Language Access Plan (LAP) Purpose

All departments and offices reporting to the Lee County Board of County Commissioners, their contractors and subcontractors, and other agents who receive federal or state financial assistance for their programs and services must comply with Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000(d) et seq.; Executive Order 13166; and the U.S. Department of Labor Revised Guidance Regarding the Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient (LEP) Persons. This statement of policy and the County's Language Access Plan (LAP) provide a framework for the provision of timely and reasonable language assistance to persons with LEP who encounter all Lee County programs.

B. LEP Policy

All departments and offices reporting to the Board of County Commissioners will take reasonable steps to assure that LEP persons receive the language assistance necessary for meaningful access to our programs and services with communication that is both verbal and written. To accomplish these goals, the County will:

- Identify the initial point of contact and subsequent points of contact with LEP persons where language assistance is likely to be needed. This includes ensuring that bilingual staff serves in an adequate number of customer service positions;
- Provide a method or methods at the initial point of contact to notify LEP persons that:
 - a) Upon request, they are offered language assistance.
 - b) They will not be personally charged for the cost of language assistance.
 - c) They will not be personally charged for the cost of translating vital documents.

Based on its assessments and these guidelines, Lee County will access appropriate interpreters and translators. Lee County maintains purchase order agreements with private vendors to provide these services. The Lee County Visitor & Convention Bureau also maintains a list of volunteer translators for general LEP translation services available to departments countywide. Departments with frequent contact with LEP customers hire bilingual staff.

The language needs, the resources to provide effective language, and the arrangements to access these resources in a timely fashion shall be promptly determined and prominently displayed for future reference. These arrangements may include the use of:

- A list of interpreters who have agreements with multiple Lee County departments;
- A list of bilingual staff; and
- Online resources, such as Google translate, <http://translate.google.com>.
- Translators personally selected by LEP persons may be used only when the LEP person:
 - a) Specifically requests this option;
 - b) Understands that Lee County will provide an interpreter at no charge;
 - c) Understands that Lee County is not responsible for any fees or charges owed to the personally selected interpreter, and the LEP person must pay those fees or charges at their own expense;
 - d) Understands that Lee County may object to the use of a personally selected translator due to concerns about accuracy of interpretation, confidentiality, privacy, and/or conflict of interest.
 - e) Agrees to document this choice and understanding.

When written translation of vital documents is needed, each program area will submit documents to Lee County's Title VI Nondiscrimination Coordinator or the appointed departmental staff person who retains translated versions of vital documents.

Safe Harbor Provisions

In consideration of HUD and other federal assistance programs, Lee County acknowledges these guidelines for "safe harbor," meaning that written translations provided under these circumstances will be considered strong evidence of compliance. There are two safe harbor provisions:

- The HUD recipient provides written translations of vital documents for each eligible LEP language group that constitutes five percent or 1,000, whichever is less, of the

- population of persons eligible to be served or likely to be affected or encountered. Translation of other documents, if needed, can be provided orally; or
- If there are fewer than 50 persons in a language group that reaches the five percent trigger in (a), the recipient does not translate vital written materials but instead provides written notice in the primary language of the LEP language group of the right to receive competent oral interpretation of those written materials, free of cost.

The table below from HUD sets forth safe harbors for written translations:

Size of Language Group	Recommended Provision of Written Language Assistance
1,000 or more in the eligible population in the market area or among current beneficiaries	Translated vital documents
More than 5% of the eligible population or beneficiaries and more than 50 in number	Translated vital documents
More than 5% of the eligible population or beneficiaries and 50 or less in number	Translated written notice of right to receive free oral interpretation of documents
5% or less of the eligible population or beneficiaries and less than 1,000 in number	No written translation is required

These safe harbor provisions only apply to written documents and do not negate the requirement to provide meaningful access to LEP persons through competent oral translation services where such services are needed and reasonable.

Based on U.S. Census Bureau data, written translations into Spanish would satisfy the safe harbor provision.

V. 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), the US Department of Housing and Urban Development (HUD), and the US Department of Transportation’s (DOT) Federal Highway Administration and Federal Transit Administration 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.

Persons with limited English proficiency (LEP) are defined as persons who have limited ability to read, write, speak or understand English.

Examples of populations likely to include LEP persons who are encountered and/or served by HUD recipients and should be considered when planning language services include, but are not limited to:

- Persons who seek housing assistance from a public housing agency or assisted housing provider or are current tenants in such housing;
- Persons who seek assistance from a state or local government for home rehabilitation;
- Persons who attempt to file housing discrimination complaints with a local Fair Housing

- Assistance Program grantee;
- Persons who are seeking supportive services to become first-time homebuyers;
 - Persons seeking housing-related social services, training, or any other assistance from HUD recipients; and
 - Parents and family members of the above.

VI. Public Involvement

To plan for efficient, effective, safe, equitable, and reliable County services, including those delivered by the departments of Transportation, LeeTran (public transit), Human and Veteran Services, and all other County departments, particularly those responsible for disaster recovery, the County must gather public input. Lee County continually invites public input into decision-making without discrimination and in compliance with the Civil Rights Act, particularly Title VI.

Public involvement policies and procedures specifically required by grantors, including FWHA, FTA, HUD, and FEMA will be reviewed as part of grant compliance documents. For general business, the County holds meetings, workshops, and other events designed to gather public input on project planning and construction. Further, the County attends and participates in other community events to promote its services to the public. Finally, the County continually seeks ways of measuring the effectiveness of its public involvement.

Persons wishing to request special presentations, volunteer in County activities, or offer suggestions for improvement of County public involvement may contact:

Raphaella Morais-Peroba
ADA/Title VI Nondiscrimination Coordinator
1500 Monroe Street, 4th Floor
Fort Myers FL 33902
ADArequests@leegov.com
(239) 533-8782
Florida Relay Service 711

VII. Data Collection

Lee County's Title VI Nondiscrimination Coordinator annually reviews and utilizes current countywide demographic data to enable the County to assess the effectiveness of its language access services and adjust its strategies to meet the population's evolving needs. This data applies to all operating departments of County Administration, Transportation, LeeTran (Public Transit), Human and Veteran Services, and Public Safety.

VIII. Assurances

Regarding Transportation: Every three years or commensurate with a change in Lee County executive leadership, the County must certify to FHWA, FDOT, and HUD that its programs, services, and activities are being conducted in a nondiscriminatory manner. These assurances serve two important purposes. First, they document the County's commitment to nondiscrimination and equitable service to its community. Second, they serve as a legally enforceable agreement by which the County may be held liable for breach. The public may view the assurance on the County's website or by visiting the County offices.

Assurances by LeeTran (public transit) and the Department of Human and Veterans Services are similarly updated as required.

Appendix A
LAP Procedure Including the Four-Factor Analysis

I. Determining the Need

To determine the extent to which LEP services are required and in which languages and develop a Language Access Plan, Lee County considered the analysis of four factors:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by Lee County programs, services, or activities;
2. The frequency with which LEP individuals encounter 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 County and the likely costs of the LEP services.

This analysis is outlined in the following section.

II. LEP Four Factor Analysis for Lee County

Analysis Factor 1: Annual Proportion Assessment

The initial step in understanding the needs of the LEP population is to annually evaluate and determine the percentage of individuals with limited English proficiency residing in Lee County. To carry out this assessment, Lee County employs various methods, including reviewing the current and past experiences with LEP individuals encountered by staff, as well as examining the latest data from the U.S. Census Bureau.

In September 2024, the assessment for the FY 24/25 confirmed that Lee County has a significant number of residents who speak languages other than English, with Spanish being the most common language spoken. The table below, includes data from the 2023 American Community Survey 1-year estimates related to the number of households’ that are limited English proficiency households.

The table below from the 2023 US Census Bureau’s American Community Survey shows the number of limited English proficiency households by language.

Lee County, Florida			
	Total	LEP Households	Percentage
Total LEP Households		19,747	(x)
Spanish	58,070	15,808	5%
French, Haitian, or Cajun	6,153	980	0.3%
Other Indo-European Languages	6,061	974	0.2%
Chinese	1,182	501	0.1%
Russian	1,589	440	0.1%
German	3,620	286	0.0%
Vietnamese	478	246	0.0%
Arabic	361	176	0.0%
Other Unspecified Languages	1,142	170	0.0%
Other Asian and Pacific Island Languages	719	166	0.0%
Korean	93	0	0.0%

Data from the Lee County School District’s 2022-2023 School Year Impact Report shows 46,617 students out of the 99,354 students enrolled live in homes where English is not the primary language. The most significant group of students with limited English proficiency are Spanish speakers and the next significant group of students speak Haitian Creole, but this group of students represents less than 1 percent of the enrollment.

As one of the primary providers of client facing HUD-funded services, the Lee County Department of Human and Veteran Services (HVS) track the proportion of encounters with LEP persons during their program intake process. Staff are advised to examine prior experiences with LEP encounters to determine the scope of language services needed.

Language	#	Percent of Total Clients Seen Through HVS Intake
English	1849	85.8%
Spanish	307	14.2%
Total	2313	100%

As noted into the chart above, the number of clients seen through HVS’s intake from 9/01/2022 through 8/31/2023 indicates that the most frequently encountered language other than English is Spanish.

Other departments where there is direct contact with members of the public were consulted such as Public Transportation, Libraries, the Department of Community Development were consulted, and Spanish was identified by all as the language in most need of translation and consistent with the demographic data.

Consistent with the above analysis, historic program inquiries, and outreach, it confirms the ongoing need for language access services in Spanish, which the County continues to offer. Annual monitoring has determined that the current language assistance provided meets the needs of Limited English Proficiency (LEP) individuals residing within Lee County.

Analysis Factor 2: Frequency of Contact with LEP Customers

As the population in the region continues to grow, the LEP (Limited English Proficiency) population also increases, leading to a higher likelihood of future contact with Lee County. The more frequent the contact and/or the number of associated requests for languages other than English, as self-identified by applicants and participants in its programs, the more likely it is that language services for a specific language group will be needed.

Lee County’s departments such as Utilities, Public Library, Public Transportation, and Human and Veteran Services experience significant demand for services in Spanish. Other departments may not have frequent contact with members of the public but will determine the necessity for translating documents into alternate languages as needed.

Analysis Factor 3: Nature and Importance of the Program

The purpose of this factor is to evaluate the nature and significance of the program, activity, or services provided by the department. The more important the activity, information, service, or program, or the more significant the possible consequences of the contact to the LEP individuals,

the more likely language services will be needed. Federal guidelines require consideration as to whether denial or delay of access to services or information could have serious or even life-threatening implications for LEP individuals.

Lee County provides various programs and services to the public to improve and enrich their lives. Services include transportation, infrastructure, housing and economic development, as well as parks and recreation programs. These vital services play a pivotal role in enriching County neighborhoods and improving the overall quality of life for its residents.

Listed below are some of the vital services provided by various City Departments:

Department	Program(s)
Human and Veteran Services	Home Purchase Assistance, Home Repair Assistance, Homelessness Assistance, Veteran Assistance
Public Transportation (“LeeTran”)	Public Transportation, ADA Paratransit Service, Transportation Disadvantaged Services, Employer Vanpool Program
Strategic Resources and Government Affairs	Lee Care’s Home Rehabilitation Assistance, Home Purchase Assistance, Affordable Housing Development and Preservation, Public
Parks and Recreation	Health and Recreation Programs and Community Events
Animal Services	Domestic Animal Clinic and Licensing Services
Community Development	Permitting Services, Code Enforcement
Library	Community Events

Analysis Factor 4: Available Resources

Lee County currently has staff available in various departments to assist in the oral and written translation. For FY24/25, Lee County has purchase order agreements with four local vendors to provide language interpretation and translation services, including American Sign Language, Spanish, and Haitian Creole. Lee County also has access to volunteer translators associated with the Lee County Visitor and Convention Bureau.

All employees who are likely to have contact with LEP persons shall be trained to ensure that they know LEP policies and procedures, that they work effectively with in-person and telephone interpreters, and they understand the dynamics of interpretation among LEP providers and interpreters. Staff having the greatest contact shall be trained first to effectively implement the LAP and policies through standardized procedures. Those staff having the least amount of contact with LEP persons shall, at a minimum, be trained to be fully aware of the Plan and Policies so that they may reinforce its importance and ensure implementation by other staff.

Lee County has a Civil Rights Title VI Coordinator who monitors Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000(d) et seq.; Executive Order 13166; and the U.S. Department of Labor Revised Guidance Regarding the Title VI Prohibition against National Origin Discrimination Affecting Limited English Proficient (LEP) Persons. Each Department also has someone who

serves as a contact for Title VI and ADA compliance.

LEP Analysis Conclusion

Through the four-factor analysis, Lee County has determined that the current language assistance we are currently offering are compliant with Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000(d) et seq.; Executive Order 13166; and the U.S. Department of Labor Revised Guidance Regarding the Title VI Prohibition against National Origin Discrimination Affecting Limited English Proficient (LEP) Persons.

Lee County is prepared to respond to any request received for oral interpretation services or a language other than English with appropriate interpretation services. No Lee County Departments reported an inability to provide timely language assistance when needed and no grievances from the public were made.

Appendix B Lee County Civil Rights Act Title VI Annual Monitoring

Public Involvement

Lee County continually invites public input into decision-making without discrimination and in compliance with the Civil Rights Act, particularly Title VI. Public meetings and hearings to solicit public input for the period Oct. 1, 2023, to the present and including meetings scheduled through FY24/25 can be viewed on the County’s website by clicking here:

<https://www.leegov.com/events>.

Lee County Civil Rights Act Title VI Monitoring – Data Collection

Lee County’s current population is approximately 834,573 residents as of the 2023 American Community Survey (ACS) – 1 Year Estimate. According to the 2023 U.S. Census, 29% of the population is 65 years of age, approximately 26% speak a language other than English at home, and nearly 27% of the population has a disability. The population contains 25.1% Hispanic/Latino, 9.3% African American/Black, and less than 2.6% for all other races.

Florida has a relatively large population and has experienced significant recent population growth. According to the 2020 Census, Florida is now the third most populous state in the nation, after California and Texas, with a population of nearly 21 million people in 2023. These findings suggest that there is ongoing population growth in the state, which could present opportunities for attracting residents to the Lee County area.

Age Distribution

Accurate age data allows for better resource allocation and planning, enabling services to be proactive rather than reactive to language access challenges. Different age groups may have different language needs and preferences. For example, younger individuals may prefer digital and online language support, while older individuals may prefer in-person or telephone language assistance. Considering age helps customize language access services to meet the specific needs of different age groups within a community.

Lee County, Florida		
Total Population	834,573	(X)
Male	410,622	49.2%
Female	423,951	50.8%
Under 5 Years	36,920	4.4%
5 to 9 Years	40,684	4.9%
10 to 14 Years	38,335	4.6%
15 to 19 Years	44,370	5.3%
20 to 24 Years	41,715	5.0%
25 to 34 Years	88,382	10.6%
35 to 44 Years	91,087	10.9%
45 to 54 Years	92,740	11.1%
55 to 59 Years	57,404	6.9%
60 to 64 Years	60,561	7.3%
65 to 74	125,119	15%
75 to 84	89,232	10.7%

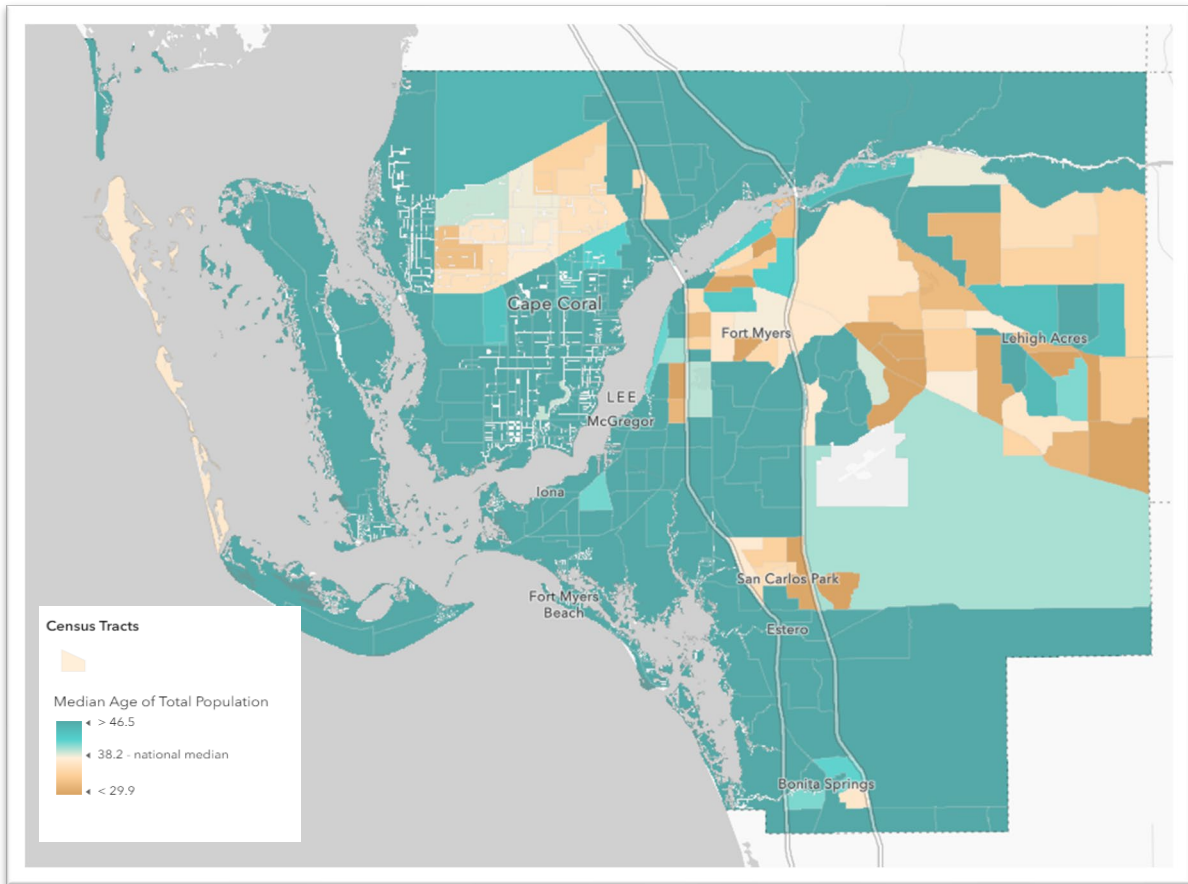


Figure 2: Median Age of Population in Lee County

Race Distribution

The table below presents the breakdown of the different racial groups in Lee County, showcasing the area’s rich diversity with a blend of cultures, races, and ethnicities. According to the 2020 Decennial Census by the United States Census Bureau, the minority population in Lee County is predominantly Hispanic, followed by Blacks, a growing number of Asians, and a small American Indian population. Overall, the minority population constitutes approximately 40.6% of the total population in Lee County.

Lee County, Florida		
Total Population	834,573	(X)
White	546,327	65.5%
Hispanic or Latino (of any race)	209,329	25.1%
Black or African American	68,708	8.2%
Asian	14,675	1.8%
American Indian and Alaska Native	12,878	1.5%
Native Hawaiian and Other Pacific Islander	231	0%
Other	33,336	4%

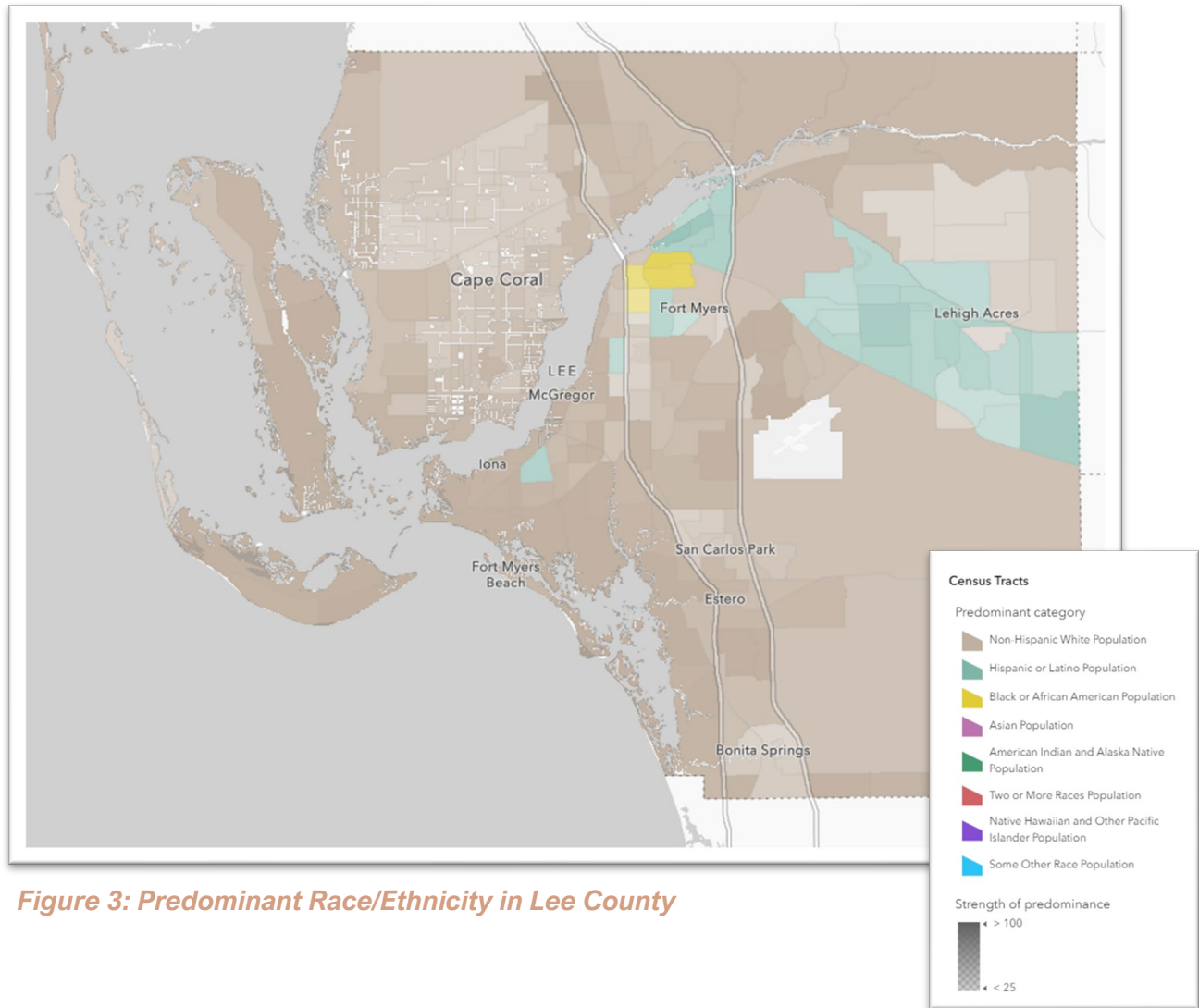


Figure 3: Predominant Race/Ethnicity in Lee County

Appendix C

Lee County Notice of ADA Policy

This is a Notice of Policy that Title II of the Americans with Disabilities Act of 1990 governs the processes and standards by which the County serves its public customers. Lee County will not discriminate against qualified individuals on the basis of disability in the County's services, programs, or activities.

Employment:

Title I of the ADA addresses employment. Lee County does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title I of the Americans with Disabilities Act (ADA).

Effective Communication:

Lee County will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the County's programs, services, and activities, including qualified sign language interpreters, documents translated into preferred digital or print formats, and other ways of making information and communications accessible to those who use accommodations for speech, hearing, or vision.

Lee County provides online content in formats accessible to optical character readers (OCR) and screen readers. If you have problems accessing any web content, please contact Samantha Westen at 239-533-2112 or swesten@leegov.com.

Modifications to Policies and Procedures:

Lee County will make all reasonable modifications to policies and procedures to ensure that our customers have an equal opportunity to enjoy all its programs, services, and activities.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a county program, service or activity, should contact Raphaela Morais-Peroba, ADArequests@leegov.com, (239) 533-8782 or Florida Relay Service 711, as soon as possible but no later than five (5) business days before the scheduled event.

The ADA does not require Lee County to take any action that would fundamentally alter the nature of its programs or services or impose an undue financial or administrative burden.

Complaints that a program, service or activity of Lee County is not accessible to persons with disabilities should be directed to Raphaela Morais-Peroba, ADArequests@leegov.com, (239) 533-8782, or Florida Relay Service 711.

Lee County will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy.

Appendix D
Grievance Procedure Under the Americans with Disabilities Act

This Grievance Procedure is established to meet the requirements of 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, activities, programs, or benefits by Lee County, Florida (“Lee County”). Lee County’s Personnel Policies and Procedures govern employment-related complaints of disability discrimination by Lee County employees.

Any complaint by a member of the public alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by Lee County 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. 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 by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

Raphaela Morais-Peroba
ADA/Title VI Nondiscrimination Coordinator
2115 Second Street
P.O. Box 398
Fort Myers FL 33901
ADArequests@leegov.com
(239) 533-8782
Florida Relay Service 711

Within 15 calendar days after receipt of the complaint, Lee County’s ADA Coordinator or his/her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, the ADA Coordinator or his/her designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of Lee County and offer options for substantive resolution of the complaint.

If the response by the ADA Coordinator or his/her designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the County Manager or other appropriate high-level official designated by Lee County, or his/her designee.

Within 15 calendar days after receipt of the appeal, the County Manager or other Lee County official or his/her designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the County Manager or other Lee County official or his/her designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by Lee County’s ADA Coordinator or his/her designee, appeals to the County Manager or other appropriate high-level official or his/her designee, and responses

from these two offices will be retained by Lee County for at least three (3) years.

Additional documents related to the ADA can be found at www.leegov.com/ada/.