

FY19/20

# ***ADA Title II Compliance Self-Evaluation Report and Transition Plan***

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Lee County  
*Southwest Florida*

## Contents

I. ADA Legislative Mandates .....	5
A. The Americans with Disabilities Act and Amendments.....	5
B. Designation of an ADA Coordinator – 28 C.F.R. § 35.107(a) .....	5
C. Notice of ADA Policy – 28 C.F.R § 35.106.....	6
D. Establish and Publish Grievance Procedures – 28 C.F.R. § 35.107(b) .....	6
II. Self-Evaluation – 28 C.F.R § 35.105 .....	8
A. Physical Accessibility – 28 C.F.R §§ 35.150 and 35.151 .....	8
1. Transportation .....	8
2. Transit (LeeTran).....	9
3. Facilities .....	9
B. Non-Structural Service and Program Accessibility – 28 C.F.R §§ 35.149 - 35.150.....	10
1. Subrecipient and Vendor Contracts .....	11
2. Communication/Training – 28 C.F.R. § 35.160.....	11
3. Public hearings/meetings .....	12
4. Alternate Delivery of Services.....	13
5. Public Safety .....	14
6. Language Assistance .....	14
C. Public Input .....	15
D. Records Retention .....	15
III. Transition Plan 28 C.F.R. §35.150(d).....	17
A. Transportation.....	17
1. Cost Consideration.....	18
2. Target Timeline .....	19
B. Transit (LeeTran) .....	19
1. Cost Consideration.....	19
2. Target Timeline .....	19
C. Facilities.....	20
1. Cost Consideration.....	20
2. Target Timeline .....	20
IV. Appendices.....	21
Appendix 1 – Policies and Procedure	
A. Notice of ADA Policy	

- B. Public Notice of Grievance Procedure
- C. Recommended Notice of Accommodation
- D. Title VI LEP Plan

Appendix 2 – Self-Evaluation

- A. ADA Self-Evaluation Questionnaire
- B. ADA County Contractor and Subrecipient Contract Notice
- C. Website ADA Policies and Notices
- D. Public Access Computers Windows 7 Accessibility
- E. Department of Transportation Atkins Report
- F. Lee County Transit FY14 FTA Triennial Review

Appendix 3 – Transition Plan

## Section I



# ***ADA Legislative Mandates***

## I. ADA Legislative Mandates

### A. The Americans with Disabilities Act and Amendments

The Americans with Disabilities Act became law in 1990. For people with disabilities, it reinforces the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973. ADA Title II regulations for government service providers were amended in 2008. Those amendments resulted in the 2010 ADA Standards of Accessible Design and the Department of Justice 2016 Final Rule.

Title II of the Americans with Disabilities Act (ADA) states that a public entity must reasonably modify its policies, practices, or procedures to avoid discrimination against people with disabilities. Lee County complies with this mandate.

This ADA Self-Evaluation Report and Transition Plan assists Lee County administration, operations directors, program managers and all employees in identifying policies, program and physical barriers to accessibility with the goal of developing solutions to ensure the opportunity for access to all individuals.

This report and documents incorporated by reference and presented in the appendices establish the ADA Self-Evaluation Report and Transition Plan for Lee County. This report is available online at [www.leegov.com/ada/](http://www.leegov.com/ada/). It can be viewed with the assistance of font size enhancers and is compatible with screen readers and optical character recognition devices. On the website, it can be translated into other languages, digitally downloaded, or printed.

For assistance in obtaining a copy of Lee County's ADA Self-Evaluation and Transition Plan in any reasonable format, contact Joan D. LaGuardia, ADA Coordinator, (239) 533-2314, Florida Relay Service 711, or [jlaquadria@leegov.com](mailto:jlaquadria@leegov.com). Accommodation will be provided at no cost to the requestor.

### B. Designation of an ADA Coordinator – 28 C.F.R. § 35.107(a)

The ADA 28 C.F.R. § 35.107(a) requires a public entity with 50 or more employees to designate at least one employee to coordinate ADA compliance. Lee County has a designated ADA Coordinator who provides centralized oversight and coordination of ADA compliance with all departments and offices reporting to the Lee County Board of County Commissioners. The identity and contact information of the ADA Coordinator is included in notices of ADA policies and grievance procedure and in notices regarding requests for accommodation, posted for the public on the ADA page of the County's website, placed in frequently used publications, and provided to staff.

Duties of the ADA Coordinator include:

- Validate County compliance with the ADA Title II;
- Coordinate investigation of ADA-related complaints;
- Oversee internal training and both internal and external communication regarding ADA rights and compliance;

- Assist departmental ADA initiatives and compliance;
- Oversee countywide self-evaluation and transition planning and implementation.

### **C. Notice of ADA Policy – 28 C.F.R § 35.106**

All public entities must provide information to interested parties regarding the ways in which Title II applies to its particular programs, services and activities, according to 28 C.F.R § 35.106. For all departments and offices reporting to the Lee County Board of County Commissioners, the County uses Department of Justice recommended formats for public notices which include, but are not limited to:

- Continual posting on the Lee County website ADA page ([www.lee.gov/ada](http://www.lee.gov/ada)); NOTE: It can be viewed online with the assistance of font size enhancers and is compatible with screen readers and optical character recognition devices. On the website, it can be translated into other languages, digitally downloaded or printed.

Continual posting in all County building lobbies and public service areas;

- Continual posting in the Bulletin Board of LeeTV, the County's 24-hour government access channel airing on Comcast Cable Channel 97 and CenturyLink Prism Channel 88, and accessible online.

In addition, an abbreviated version of the notice is included in notices of request for accommodations in advertisements for public hearings, meetings, programs and events.

Four Lee County departments have additionally posted accessibility information particular to their service areas. These include Lee County Public Transit (LeeTran) information for Passport, a paratransit service; the Department of Information Technology's Website Policies and Notices; the Department of Parks and Recreation ADA Notice; and the Emergency Management Special Needs Program.

Notices and templates are in Appendix 1.

### **D. Establish and Publish Grievance Procedures – 28 C.F.R. § 35.107(b)**

Local governments with 50 or more employees must have a system for promptly and fairly resolving complaints of disability discrimination, according to 28 C.F.R. § 35.107(b). This mechanism is intended to resolve issues at the local rather than the federal level. Grievance issues for the general public are handled by Lee County's ADA Coordinator for all departments and offices reporting to the Lee County Board of County Commissioners. In addition, employee grievances are addressed through Human Resources Policies 201-Equal Employment Opportunity and 202-Workplace Harassment Policy and through Standard Operating Procedures for ADA Interactive Process 09-04-2013 and Harassment/Discrimination 09-11-2013.

The Notice of Grievance Procedure also uses the Department of Justice recommended format and is distributed to the public in the same methods outlined above for the Notice of ADA Policy.

The Notice of Grievance Procedure is in Appendix 1.

## Section II



# ***Self-Evaluation***

## **II. Self-Evaluation – 28 C.F.R § 35.105**

Lee County conducted its first mandated self-evaluation for ADA compliance to 28 C.F.R § 35.105 in the 1990s and has periodically reviewed it. From 2012 through 2016, County Administration again assessed its overall compliance for ADA policies, public notice and grievance procedures; physical accessibility to roads, mass transit and structures; and accessibility to all departmental services and programs. This included compliance to the 2010 ADA revisions -- particularly the Standards for Accessible Design -- and the 2012 Florida Accessibility Code and Department of Justice 2016 Final Rule.

On Jan, 24, 2017, the Lee Board of County Commissioners adopted an updated ADA Title II Self-Evaluation Report and Transition Plan. This plan is periodically updated. This update is completed effective Jan. 2, 2020.

### **A. Physical Accessibility – 28 C.F.R §§ 35.150 and 35.151**

Physical assessments were done for the departments of Transportation, Public Transit, and Facilities Construction and Management, which is responsible for most County-owned structures.

#### **1. Transportation**

Evaluation of arterial and collector roads with an emphasis on intersections was completed with assistance from Atkins Traffic Engineering. Recommendations have been categorized into 21 priority groups. The original Atkins Report finalized in February 2015 is in Appendix 2.

The report is structured as follows:

- Project Area Development – Reviews the development of the project area for the Lee County Department of Transportation Transition Plan. It also discloses how the project area was prioritized for the order of inspections;
- Final Project Area – Presents the list of the final project area that was identified;
- Evaluation Criteria – Documents the criteria that were identified to assess compliance of the project area with ADA accessibility;
- Data Collection – Reviews the processes that were taken during field inspections as well as the quality control;
- GIS Database – Summarizes the development of the geographic information system (GIS) database which is submitted electronically in conjunction with this report.

In addition, Lee County received its Local Agency Program recertification in November 2016 from the Florida Department of Transportation, which included a review of ADA compliance by the Florida Department of Transportation, the Federal Highway Administration Civil Rights Coordinator and State LAP Administrator. No deficiencies were noted, and the County's transition plan for intersections was approved.

## 2. Transit (LeeTran)

LeeTran provides more than 3 million rides per year as the County's public transit system. LeeTran's evaluation includes:

- Vehicles, stop locations and shelters serving 24 bus routes;
- Passport paratransit service, which the ADA mandates for transporting disabled persons to destinations within  $\frac{3}{4}$  of a mile of fixed-route stops;
- Passport Premium Service, an additional, locally provided service for transporting the disabled to locations beyond the  $\frac{3}{4}$  mile area;
- An employer vanpool program.

Passport passenger trips are approximately 140,000 annually. Passport annually approves 300 to 600 disabled residents for the Passport program. Interaction with these potential clients assists Passport managers to determine trends and needs. Passport vehicles cover more than 1 million miles annually.

In its 2017 triennial review of LeeTran, the Federal Transit Administration cited no deficiencies for ADA compliance. All vehicles and service thresholds are ADA compliant. The next federal triennial review is in 2020.

Therefore, LeeTran now focuses its self-evaluation and transition planning on stop locations and shelters. This ADA review dovetails with LeeTran's continuing Shelter Program, which identifies bus stop locations to improve amenities such as landing pads, shelters, bike racks, and trash receptacles. Stop locations that are part of the Shelter Program will be built to ADA standards and will have security lighting included as a part of the project.

The stop location and shelter self-evaluation is in two categories:

- The evaluation of stop locations and shelter locations along the 24 bus routes;
- Assessment of major shelters that will be upgraded with grant funding as it becomes available. This includes the Rosa Parks Intermodal Center, where expansion options are being considered.

In 2018, Lee County reached a settlement agreement with Jeffrey Judy regarding ADA improvements to 104 bus stops. Thirteen of the bus stops had an 18-month investigation timeline, while the remaining 91 must be investigated by September 30, 2024. One of the 13 bus stops was removed due to stop optimization. The remaining 12 bus stops with an 18-month timeline have been investigated.

## 3. Facilities

The Facilities Construction and Management Department administers physical compliance of most County-owned structures under the jurisdiction of the Board of County Commissioners. Lee County worked with ADA Consulting of Southwest Florida to evaluate approximately 120 structures, including offices, libraries, park structures and amenities, law enforcement and justice facilities.

The ADA establishes requirements to ensure that buildings and facilities are accessible to

people who use a variety of accommodations. At a minimum, each facility was evaluated in these categories:

- Point of entry, which includes parking, sidewalks, doors, entry halls and other considerations;
- Access to service areas, which includes entry to service lobbies and offices, counters, auxiliary service-delivery areas, equipment and other considerations;
- Restrooms;
- Miscellaneous obstructions.

Deficiencies were determined based on the 2010 ADA Standards for Accessible Design and the 2012 Florida Accessibility Code.

Two County departments have specific programs for ADA structural improvements that are provided by specialty vendors and contractors in addition to those generally handled by the facilities department:

- Libraries have targeted upgrades to their distinctive equipment and amenities throughout the system; and
- Parks and Recreation routinely upgrades and maintains playground equipment and other recreational amenities to ensure ADA compliance.

## **B. Non-Structural Service and Program Accessibility – 28 C.F.R §§ 35.149 - 35.150**

Operating departments under the jurisdiction of the Lee County Board of County Commissioners were directed to evaluate their adherence to the County's ADA policies and access to their services and programs. The policies, service and program self-evaluation was conducted with a questionnaire. Results of this survey were reviewed by an internal working group, which was tasked with the broad examination of these Title II considerations:

- Physical barriers to access programs and services and the steps needed to enable accessibility, when viewed in their entirety;
- Policy modifications to provide access to individuals with disabilities and justifications for any exclusionary or limiting policies that will not be modified;
- Methods of communication with the public;
- Alternative communication methods and devices;
- Emergency evacuation techniques;
- Portrayal of individuals with disabilities in written and audio-visual materials;
- Policies and methods to provide access to historic preservation programs;
- The rationale for making decisions that providing access poses an undue financial or administrative burden;
- Building and construction policies;
- Measures that have been made to familiarize staff with the policies and practices for providing full participation of individuals with disabilities during shelter training;
- Ensuring that no practices limit participation by individuals based on drug usage.

The County's ADA working group reviewed the questionnaires and other aspects of the countywide self-evaluation of policies, services and programs as well as the physical inventories of County structures and the County's transportation and mass transit networks. The questionnaire is in Appendix 2.

In general, this comprehensive review assured County Administration that:

- Staff is continually aware of compliance responsibilities;
- Accommodation needs are being routinely met by existing conditions and aids with few additional requests for accommodation; and
- Staff works steadily toward the removal of remaining barriers to accessibility.

In addition, the following specific categories were reviewed.

## **1. Subrecipient and Vendor Contracts**

Lee County requires vendors and contractors who are hired to offer County services to the public and subrecipients of County grants to comply with the ADA.

Self-evaluation included a review of those contracts and an update of applicable contract language. The language can be viewed in Appendix 2.

## **2. Communication/Training – 28 C.F.R. § 35.160**

### **a. Telephone Service**

Hearing impaired persons may contact any County office through the Florida Relay Service at 711. The service provides trained operators to relay telephone conversations between people who are deaf, hard of hearing or speech-disabled and Lee County's customer service staff.

In addition, departments with heavy customer-service demands have their own TTY lines. The computerized telephone system serving County Public Safety Communications automatically recognizes a teletypewriter (TTY) call, and 9-1-1 and dispatch personnel are trained to answer emergency calls from persons who are hearing and/or speech impaired.

Lee County's FY19-20 budget includes an expenditure of nearly \$100,000 for equipment installation and staff training for implementation of Text to 9-1-1 service. That service, which will benefit persons who are deaf, hard of hearing or speech-disabled, may be available as early as 2020.

### **b. Website**

Adaptations for customer access via the Internet have focused on:

- Ensuring that the Lee County website is compatible to the technology and equipment most frequently used by persons who have adapted their personal computers or use other smart devices to accommodate their disabilities;
- Ensuring that the design of the Lee County website is consistent with the best practices for accommodating users with disabilities;
- Ensuring that public access terminals, particularly in libraries, are updated with Microsoft

Windows 7, which offers these accessibility features:

- Magnifier, to make items on the screen appear bigger;
  - On-screen keyboard, to allow entry without using a keyboard;
  - Narrator, which allows the user to hear text read aloud;
  - Use of speech recognition;
- Ensuring that departmental webmasters and content managers are trained in the County's ADA accessibility standards, which include:
    - Images on the website contain "alt tags" to help users with screen readers listen to the content. A "skip to" link allows these users to bypass the header and go directly to the main content each time a page is accessed;
    - Users can get information regarding the accessibility of Adobe Portable Document Format (PDF) files from the Adobe website [www.adobe.com/accessibility](http://www.adobe.com/accessibility);
    - To improve the accessibility of our website, Lee County Government reviews the site's accessibility with outside web tools and periodically will ask users with disabilities to review the site. Adjustments are then made as necessary.

Approximately 350 employees have been trained to post documents online in accessible formats.

Questions or grievances about the website are directed to the Website Content Coordinator, who welcomes comments on how to improve the site's accessibility for users with disabilities and works in conjunction with the County's ADA coordinator.

Lee County's Website Policies and Notice, Website Standards and Guidelines for webmasters and content managers, and the Accessibility in Windows 7 users guide are in Appendix 2.

### ***c. Employee Training***

As part of the 2016 self-evaluation update, the Lee Board of County Commissioners adopted an Action Plan that called for Standard Operating Procedure for ADA compliance and a new round of employee baseline training followed by implementing a method of annual training updates.

Baseline training has since included:

- An ADA Update presentation to all supervisors at the "Currents" training session Nov. 18, 2016;
- Creation of new standard operating procedures for staff to understand their responsibilities for ADA compliance; the SOP was distributed to all department heads and posted on the employee intranet in 2017;
- A "refresher" course on ADA compliance presented by Jack Humburg of the Boley Centers on March 28, 2017 for ADA coordinators and key staff responsible for ADA compliance;
- In-house training presented to Facilities and Construction Management Staff by Larry M. Schneider AIA -- three seminars covering basic, intermediate and inspection levels – on May 23, 2018;
- LeeTran staff participation in the Lighthouse of Southwest Florida sensitivity training, May 31, 2018; and

- Interactive Shelter Worker Training by Lee County Public Safety on April 18, 2019.

Annual training includes:

- An online training program for:
  - Anyone who answers telephone calls or emails from the general public that come in on main departmental phone lines or emails;
  - Anyone seated at a reception-area desk likely to be approached by someone from the general public;
  - Anyone in a customer service position likely to handle special requests or complaints, including Requests For Action and Public Record Requests;
  - Web masters and online content managers;
  - Marketing or communications staff, or anyone who handles brochures, advertising or promotions; and
  - Anyone who schedules public meetings or hearings or handles legal advertising.
- ADA Update handouts to supervisors at the County's "Currents" training sessions;
- Participation in a variety of webinars offered by agencies and advocacy groups

### **3. Public hearings/meetings**

#### ***a. Board of County Commissioners***

Sites used for public hearings and meetings were inspected and deemed structurally accessible or accessible with non-structural modifications. Lee County contracts with American Sign Language interpreters and verbal language interpreters for those who request accommodations during a meeting. Meetings and public hearings in the Board of County Commissioners Chambers are televised on local cable and streamed live online. Closed captioning is provided live by The Captioning Group. Audio/video recordings in MP3 format are available online immediately after the event. Transcripts in OCR-accessible PDF format are available online within two weeks. Requests to have recordings downloaded to disk or thumb drive are honored. Personal hearing devices receiving a feed from the chamber's audio system are also available on request for the hard-of-hearing.

#### ***b. Hearing Examiner***

Public hearings in the Hearing Examiner chambers have audio recordings in MP3 format. Staff summaries or transcripts prepared by court reporters are available online in OCR-accessible PDF format. Requests to have recordings downloaded to disk or thumb drive are honored. In 2016, the County expanded the availability of personal hearing devices for the hard of hearing in the Hearing Examiner's meeting room.

### **4. Alternate Delivery of Services**

The departmental self-evaluation surveys assured Staff that the departments are offering new, alternative service delivery including, for example:

- The Library Department is installing accessible self-checkout kiosks;
- The Library Department manages a program for home-delivery of printed and audio books;
- The Technology Services department has trained departmental web masters to meet

evolving website accessibility standards.

## 5. Public Safety

Lee County meets accessibility standards for:

- 9-1-1 Emergency Services Dispatching;
- Ambulance services;
- Emergency management planning, notices and warnings through its accessible website and through AlertLee an emergency notification process that allows residents to sign up for preferred methods of notification to personal smart devices;

Specifically for emergency response and recovery, Lee County maintains a Special Needs Registry and offers specialized planning guidance to elderly persons and persons who require a variety of accommodations in emergency evacuations. In cases of mandatory evacuations, Lee County hosts a Special Needs Shelter for registered persons.

The Public Safety Department has formed a Disability Working Group to specifically collaborate with community advocates on ADA issues regarding emergency services.

Recent project goals are creating a disability Appendix to the Comprehensive Emergency Management Plans (CEMP) and devoting specific information for the ADA-qualified community in the All Hazards Guide.

- Interactive shelter manager/worker training, provided by advocates of and people with particular disabilities. Training covers deaf, hard of hearing, blind, visually impaired, mobility, service animals, and general ADA people first instruction.
- Technical Specialist for persons with disabilities in Plans Section during Emergency Operations Center activations.
- Shelter Friendliness Ratings for people with disabilities.

## 6. Language Assistance

Lee County also complies with Executive Order (E.O.) 13166 and Title VI of the Civil Rights Act of 1964 providing that no person shall be subjected to discrimination on the basis of race, color, or national origin under any program or activity that receives federal financial assistance, including the Title VI prohibition against discrimination affecting Limited English Proficient (LEP) Persons. A Limited English Proficiency (LEP) person is one who does not speak English as their primary language and who has a limited ability to read, speak, write, or understand English. Lee County takes reasonable steps to ensure that persons with Limited English Proficiency have timely meaningful access and an equal opportunity to participate in services and benefits.

Using U.S. Census material and statistics from the Lee County School System, the County annually assesses the languages spoken by LEP persons within our service area and the number of LEP persons who are eligible for the services, and then supply appropriate language assistance according to guidelines. Based on its assessments and these guidelines, the County makes arrangements to access appropriate interpreters and translation services, including joining in the State of Florida contract for Language Line Services. Agreements usually cover language interpreters for Spanish, German, Danish, French, Italian, Japanese, Polish, Portuguese, Swedish and Ukrainian. These interpreters can be reached "on call" by telephone in emergency situations or their assistance can be requested in advance.

Lee County's LEP Plan is in Appendix 1.

## C. Public Input

Lee County continually invites interested persons to evaluate the accessibility of County services, programs and facilities by:

- Submitting comments through the ADA page on its Website;
- Responding to the invitation to request accommodations that is part of legally advertised meetings and public hearings;
- Participating in annual Passport/LeeTran outreach to approve disabled residents for the Passport program;
- Lee County staff's regular attendance at meetings of the ADA Advisory Council of Southwest Florida and other advocacy groups;
- Lee County Emergency Management hosting of the Disability Working Group.

For the 2016 self-evaluation update, Lee County added two additional public outreaches:

- A special presentation by the Lee County ADA Coordinator to the ADA Advisory Council of Southwest Florida to update them on progress of the self-evaluation and to specifically receive input on planning a public open house to discuss accessibility;
- An open house scheduled for one-on-one input from the community with the County ADA Coordinator and representatives of key departments including transportation, transit (LeeTran and Passport), facilities, parks and recreation, and libraries.

## D. Records Retention

Lee County not only complies with ADA requirements for retaining self-evaluation and transition plan records for a minimum of three years, but also complies with Florida Statute Chapter 119, which regulates access to public records and requires that all documents relating to self-evaluation of ADA compliance be available for public review.

For assistance in obtaining records related to Lee County's ADA Self-Evaluation and Transition Plan, contact Joan D. LaGuardia, ADA Coordinator, (239) 533-2314, Florida Relay Service 711, or [jlguardia@leegov.com](mailto:jlguardia@leegov.com). Accommodation will be provided at no cost to the requestor.

In concluding this Self-Evaluation section, the County notes that this survey process also revealed the need for action items that will be undertaken in FY17 and FY18, including formalizing staff compliance through Standard Operating Procedures, staff training, reaching out to the community for input, and discussing possible revisions to budgeting for the ADA transition plan. The Action Plan is detailed in Section IV of this report.

## Section III



# ***Transition Plan***

### III. Transition Plan 28 C.F.R. §35.150(d)

Lee County's evolving transition plan addresses remaining structural accessibility issues that were identified through its self-evaluation process.

To comply with ADA requirements for an acceptable Transition Plan, Lee County has compiled:

- Lists of the physical barriers that limit the accessibility to programs, activities or services for individuals with disabilities;
- An explanation of the approach used to prioritize removal of these barriers according to ADA Accessibility Guidelines, federal and state transportation guidelines, and Lee County's established planning for capital improvement, major maintenance projects, and ADA-specific line items in departmental budgets;
- Goals for achieving compliance, including project lists with target dates and costs;
- Demonstration of opportunities for input from ADA-qualified residents;
- Identification of Glen Salyer, Assistant County Manager, as the official responsible for implementation of the plan.

This Transition Plan represents the remedies that are most likely to be undertaken in FY17 and FY18. The order in which these projects are completed may be altered by the emergence of newly discovered safety considerations, public requests, availability of funds and emerging efficiencies of grouping projects and buying materials.

It is also important to note that significant progress toward improved accessibility begins with Lee County's ongoing Capital Improvement and Major Maintenance planning. Lee County addresses ADA deficiencies at intersections and bus stops as roads are resurfaced or otherwise improved. Structural barriers are addressed in expansions and remodels.

Therefore, the primary factors for moving a project from the comprehensive list of needed remedies to the Transition Plan for a specific fiscal year are:

- Scheduling in current CIP and major maintenance planning and budgeting;
- Fiscal year departmental budgeting for ADA-specific projects;
- Departmental prioritization methodologies.

The Transition Plan has been developed according to the prioritization methodologies explained below.

#### A. Transportation

Lee County's Transportation Transition Plan was completed in two phases.

In the first phase, Lee County worked with consultant Atkins to process the results of the inventory of arterial and collector roadways and intersections into 21 prioritized groups of projects. Atkins developed its methodology from the following documents:

- 2010 Standards for Accessible Design, Department of Justice;
- Manual for Uniform Traffic Control Devices;

- Public Rights of Way Accessibility Guidelines;
- DOT's ADA Standards for Transportation Facilities 2006;
- Section 400 (curb ramps);
- Section 705 (detectable warnings).

Various scenarios of ADA deficiencies for curb ramps and cross walks were identified and prioritized by their degree of severity, as shown in *Table 1 Prioritization of Types of Deficiencies* on p. 69 of the Atkins report and by their type of ADA deficiency, as shown in *Table 2 Types of ADA Deficiencies* on p. 71 of the Atkins report. Every deficiency had a value associated with it. Priority 1-5 was ranked highest because they had the greatest value of overall deficiency. Any inspected intersection that required attention was listed within 21 priority categories. Both tables and the resulting Priority 1-5, 5-10, 10-15 and 15-21 project lists can be viewed in the Atkins Report in Appendix 2 – Self-Evaluation.

In the second phase, Lee County reviewed these lists with its existing policies, budgets, project lists and funding allocations, including:

- Lee County's overall practice that all transportation improvements include bringing intersections into full ADA compliance;
- The existing multi-year plan for Transportation Capital Improvement Projects approved by Lee County Commissioners and the Lee County Metropolitan Planning Organization;
- The existing budget for Transportation Major Maintenance Projects approved by Lee County Commissioners;
- Allocation of an additional \$250,000 specifically for ADA improvements in FY17 according to these general guidelines:
  - Allocate approximately \$150,000 to be used on the top-rated ADA non-compliant intersections identified in the Atkins report;
  - Allocate approximately \$50,000 to repave arterial/collector intersections identified in the Atkins report;
  - Allocate approximately \$50,000 to respond to ADA-specific requests with any year-end remainder to be reallocated to the top-rated intersection in the Adkins ADA Arterial and Collector study that can be completed with the money available.

## 1. Cost Consideration

Costs associated with the transportation transition plan include these sources for allocation:

- \$250,000, as outlined above, is funded through gas taxes for ADA-specific projects in the transition plan for FY17. It is anticipated that this amount will also be budgeted annually;
- \$13.4 million is allocated for DOT Bicycle and Pedestrian facilities in FY20 through FY24; these will be done to ADA standards. These are paid for through gas tax and impact fee funds;
- \$269 million is allocated in FY20 through FY24 for CIP projects, which will be completed to ADA standards and which will include intersection improvements that address projects in the transition plan. These are paid for through gas tax and impact fee funds;
- \$1.5 million for FY20-25 for major intersection improvements, which includes some of the intersections identified in the transition plan. These are paid for through gas tax and

impact fee funds.

## 2. Target Timeline

Looking initially at the Priority 1-5 list and noting which projects are already earmarked for completion in current CIP and maintenance programs, Lee County has committed to addressing the remaining Priority 1-5 projects which can reasonably be addressed within FY17 and FY18. There are six projects for which engineering design services will be done in FY17 with work to be offered for bid in FY17. An additional 10 projects are targeted to have engineering design services done in FY17 with work to be offered for bid in FY18. Through FY21, there are 53 projects on the transition plan list.

Costs for these projects will be entered into the transition plan project list/spreadsheet as the design services are completed. A construction estimate will be completed with the design, and projects will be programmed with the available funds. Lee County will continue through the priority list on a yearly basis as funds are available.

## B. Transit (LeeTran)

Lee County Transit has a Shelter Program that aims to upgrade approximately stop locations and shelters through 2024. Shelters targeted in the program go through two phases of planning. The first is site design, which includes the investigation of existing right-of-way, and the second phase is site construction.

Several stop location/shelter projects, which are through Phase 1 site design and ready for permitting, are on the current Lee County transition plan.

Selection of appropriate standards and criteria for design includes the Americans with Disabilities Act (ADA) Compliance, February 2003 and is influenced by several factors, which may include but is not limited to traffic volume, composition, policies and regulations, terrain features, surrounding developments, existing conditions, and budgetary constraints.

Each year, LeeTran will review the system as a whole to ensure that emerging needs from the ADA community, changing passenger trip statistics and public input are reflected in the selection of projects in the transition plan.

## 1. Cost Consideration

LeeTran has prioritized approximately \$1.2 million in existing federal grants for passenger amenities. Historic Lee County Transit spending in its Shelter Program has equated to an average cost of \$25,000 per site. However, based on topology, design or construction difficulties, or additional permitting requirements based on location specific issues, costs will vary.

## 2. Target Timeline

Stop location upgrades are planned annually through 2024.

## C. Facilities

Primary placement of projects on the Facilities plan is determined by Capital Improvement (CIP) and Major Maintenance (MM) budgeting not only for the facilities department but also for the operating departments. All remodeling projects are also reviewed for opportunities to accomplish tasks on the transition plan as well as for assurance that new construction is compliant.

For FY19/20, the department continues to prioritize projects by considering:

- The necessity of the structure in providing direct customer-service for vital, tax-supported and social justice services. These specifically include access to the Lee County Board of County Commissioners, voting and judicial process.
- ADA Accessibility Guidelines are also considered:
  - Priority 1 projects improve accessibility of approach and entrance;
  - Priority 2 improve access to services and goods;
  - Priority 3 improve access to public toilet rooms; and
  - Priority 4 improve access to ancillary items.
- Subjective departmental considerations, including efficiencies in grouping work orders and buying parts and materials may also affect a project's timing.
- Requests for accommodation and emerging safety issues also weigh heavily. Projects on the transition plan list may be moved up in order to satisfy an immediate need.

### 1. Cost Consideration

Since FY 08/09, Lee County has invested more than \$80 million in projects that replace ADA non-compliant structures and bring older structures into ADA compliance. ADA transition plan tasks continue to be addressed annually in CIP, MM and remodeling budgets. In addition, the Facilities Department earmarks \$250,000 in its annual budget to satisfy requests for accommodation and complete design and implementation of ADA projects.

### 2. Target Timeline

As part of its FY19 Transition Plan, the department will continue to remedy ADA issues associated with CIP and Major Maintenance projects. These specifically include ADA upgrades in FY19/20 to the Lehigh Acres Senior Citizen Center, which has recently come under the management of the Lee County Department of Parks and Recreation.

## Section V



# ***Appendices***

## V. Appendices

### Appendix 1 – Policies and Procedure

#### A. Notice of ADA Policy

##### LEE COUNTY NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (“ADA”), Lee County, Florida (“Lee County”) will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

**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 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 Lee County’s programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

**Modifications to Policies and Procedures:** Lee County will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of 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 program, service, or activity of Lee County, should contact the office of Joan LaGuardia, (239) 533-2314, Florida Relay Service 711, or [jlguardia@leegov.com](mailto:jlguardia@leegov.com) 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 Joan LaGuardia, (239) 533-2314, Florida Relay Service 711, or [jlguardia@leegov.com](mailto:jlguardia@leegov.com).

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 policies, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

## B. Public Notice of Grievance Procedure

### **LEE COUNTY 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:

Joan D. LaGuardia, ADA Coordinator

Lee County Manager’s Office

2115 Second Street

P.O. Box 398

Fort Myers, FL 33901

(239) 533-2314, Florida Relay Service 711

[jlaguardia@leegov.com](mailto:jlaguardia@leegov.com)

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.

### C. Recommended Notice of Accommodation

## LEE COUNTY

### RECOMMENDED WORDING OF NOTICE OF ACCOMMODATION

In accordance with the Americans with Disabilities Act, Lee County will not discriminate against qualified individuals with disabilities in its services, programs, or activities. To request an auxiliary aid or service for effective communication or a reasonable modification to participate, contact Joan LaGuardia, (239) 533-2314, Florida Relay Service 711, or [jla Guardia@leegov.com](mailto:jla Guardia@leegov.com). Accommodation will be provided at no cost to the requestor. Requests should be made at least five business days in advance.

**NOTE:** *Departments with ADA specialists should substitute their departmental contact.*

D.

*Civil Rights Act, Title VI Nondiscrimination  
Policy, Plan and Monitoring Report*

*With*

*Policy, Plan and Monitoring Report for  
Serving Persons with Limited English  
Proficiency (LEP)*

**2115 Second Street**

**Fort Myers, FL 33901**

**239.533.2111**

**Florida Relay 711**

**[www.leegov.com/ada/](http://www.leegov.com/ada/)**



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 pwosedi plent dwa sivil. Kontakte Koodinate Ned Diskriminasyon Tit VI nan Konte Lee:

Joan D. LaGuardia  
Title VI Nondiscrimination Coordinator  
2115 Second St.  
Fort Myers FL 33902  
[jlaguardia@leegov.com](mailto:jlaguardia@leegov.com)  
(239) 533-2314 - desk  
(239) 839-6038 - mobile  
Florida Relay Service 711

## I. Civil Rights Act Title VI Policy Statement

Lee County 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 of its communities including when those communities are involved in the transportation, public transit and human services decision-making process. Thus, Lee County does not tolerate discrimination in any of its programs, services or activities. Pursuant to Title VI of the Civil Rights Act of 1964 and other federal and state authorities, the County will not exclude anyone from participation, deny benefits, or discriminate against anyone on the grounds of race, color, national origin, sex, age, disability, religion, income or family status.

## 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, religion, age, disability, family or income status in any of the County's programs, services or activities may file a complaint with the County Title VI Nondiscrimination Coordinator:

Joan D. LaGuardia  
Title VI Nondiscrimination Coordinator  
2115 Second St.  
Fort Myers FL 33902  
[jla Guardia@leegov.com](mailto:jla Guardia@leegov.com)  
(239) 533-2314 - desk  
(239) 839-6038 - mobile  
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 complainant, 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.

**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

**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 800-440-8091 or by submitting online at [https://www.hud.gov/program\\_offices/fair\\_housing\\_equal\\_opp/online-complaint](https://www.hud.gov/program_offices/fair_housing_equal_opp/online-complaint):

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

**Regarding LeeTran:** A complainant may communicate directly with the Federal Transit Administration by filing a complaint with the Office of Civil Rights:

Attention: Title VI Program Coordinator  
East Building, 5th Floor-TCR  
1200 New Jersey Ave., SE  
Washington, DC 20590

### 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 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 programs, services and activities, including transportation.

Lee County makes every effort to ensure that its facilities, programs, services, and activities are accessible to those with disabilities. The County 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 are disabled. Furthermore, the County will provide reasonable accommodation to disabled 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 for requests 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 Officer:

Joan D. LaGuardia  
Title II ADA Coordinator  
2115 Second St.  
Fort Myers, FL 33902  
[jlaguardia@leegov.com](mailto:jlaguardia@leegov.com)  
[adarequests@leegov.com](mailto:adarequests@leegov.com)  
(239) 533-2314 - desk  
(239) 839-6038 - mobile  
Florida Relay Service 711

Lee County's Notice of ADA Policy and Notice of Grievance Procedure are attached in the Appendix of this document.

## IV. 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:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by the 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 County and the likely costs of the LEP services.

Lee County's detailed LEP policy is in the Appendix of this document.

## V. Public Involvement

In order to plan for efficient, effective, safe, equitable and reliable County services, including those delivered by the departments of Transportation, Public Transportation (LeeTran) and Human and Veteran Services and all other County departments, the County must gather public input. The County spends extensive staff and financial resources in furtherance of this goal and strongly encourages the participation of the entire community. 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:

Joan D. LaGuardia  
2115 Second St.  
Fort Myers, FL 33902

[jlaguardia@leegov.com](mailto:jlaguardia@leegov.com)

(239) 533-2314 - desk

(239) 839-6038 - mobile

Florida Relay Service 711

## **VI. Data Collection**

Lee County's Title VI Nondiscrimination Coordinator annually reviews countywide demographic data. This data applies to all operating departments including the departments of Transportation and Public Transportation (LeeTran), which receive Federal Highway Administration funds to serve the public through transportation programs, services and activities. In addition, the Department of Human and Veteran Services follows the Housing and Urban Development requirements for demographic data collection.

Therefore, from time to time, the County finds it necessary to request voluntary identification of certain racial, ethnic or other data from those who participate in its public involvement events. This information assists the County with improving its targeted outreach and measures of effectiveness. 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 regulations.

## **VII. Assurances**

Regarding Transportation: Every three years, or commensurate with a change in Lee County executive leadership, the County must certify to FHWA and FDOT that its programs, services and activities are being conducted in a nondiscriminatory manner. These certifications are termed 'assurances' and 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 and the Department of Human and Veterans Services are similarly updated as required.

## VIII. Appendix – Title VI Annual Monitoring as of October 2019

### A. Lee County Civil Rights Act Title VI Monitoring – Public Involvement

Recent and planned public meetings and hearings to solicit public input for the period Oct. 1, 2018 to the present include:

#### Lee County Civil Rights Public Outreach

Lee County continually invites public input into decision-making. Public outreach is solicited without discrimination and in compliance with the Civil Rights Act, particularly Title VI. Please add your department meetings and outreach events.

Department	Date	Event	Location
Community Development	4/27/2019	Page Park Community Visioning	Fort Myers
Community Development	4/13/2019	Caloosahatchee Shores Community Visioning	Olga Community Center
Community Development	3/26/2019	North Olga Community Visioning	Bayshore Fire Department
Community Development	3/23/2019	Amendments to the Lee Plan regarding the Alva Community Plan	Alva Community Park
Community Development	3/20/2019	San Carlos Island Open House Meeting	Fort Myers Beach
Community Development	2/18/2019	Amendments to the Lee Plan, Land Development Code	Lee Civic Center
Human & Veteran Services	3/14/2019	2019 Annual Action Plan	HVS Fort Myers Office
Human & Veteran Services	2/25/2019	2019 Annual Action Plan	Fort Myers Beach
Human & Veteran Services	2/7/2019	2019 Annual Action Plan	Bonita Springs
Human & Veteran Services	1/23/2019	2019 Annual Action Plan	Lehigh Acres
Human & Veteran Services	1/16/2019	2019 Annual Action Plan	Pine Island
Human & Veteran Services	12/10/2018	2019 Annual Action Plan	Pine Manor, Fort Myers
Human & Veteran Services	12/4/2018	2019 Annual Action Plan	Sanibel
Human & Veteran Services	11/15/2018	2019 Consolidated Plan	HVS Fort Myers Office
Lee DOT	10/24/2019	Corkscrew Widening	Preserve at Corkscrew Neighborhood
Lee DOT	10/23/2019	Corkscrew Widening	Bella Terra neighborhood
Lee DOT	10/22/2019	Corkscrew Widening	Corkscrew Shores neighborhood

Lee County ADA Title II Compliance -- Self-Evaluation Report and Transition Plan

Lee DOT	10/17/2019	Corkscrew Widening	Wildcat Run neighborhood
Lee DOT	10/15/2019	Corkscrew Widening	East Corkscrew neighborhood
Lee DOT	10/2/2019	Corkscrew Widening	The Place neighborhood
Lee DOT	11/19/2018	Three Oaks Parkway Extension	Olde Hickory neighborhood
Lee DOT	11/18/2018	Littleton Road Public Meeting	
Lee DOT	11/13/2018	Three Oaks Parkway Extension	Fiddlesticks neighborhood
Lee DOT	11/7/2018	Three Oaks Parkway Extension	Legends neighborhood
LeeTran	11/1/2019	Mobility Week Expo	Rosa Parks Transfer Center, Fort Myers
LeeTran	10/4/2019	Lee MPO Citizen Advisory Committee	
LeeTran	10/4/2019	Lee MPO Technical Advisory Committee	
LeeTran	8/18/2019	LeeTran FFY 20-22 Disadvantaged Business Enterprise Goals and Methodology Public Meeting	
LeeTran	6/25/2019	Lee MPO Bicycle & Pedestrian Coordinating Committee	
LeeTran	6/12/2019	Lee MPO Traffic Management & Operations Committee	
LeeTran	6/4/2019	Lee MPO Technical Advisory Committee	
LeeTran	6/4/2019	Lee MPO Citizen Advisory Committee	
Natural Resources	7/2/2019	Coastal Advisory Council	Lee Public Works Center, Fort Myers
Natural Resources	1/28/2019	Coastal Advisory Council	Lee Public Works Center, Fort Myers
Natural Resources	12/17/2018	Coastal Advisory Council	Lee Public Works Center, Fort Myers
Natural Resources	3/21/2018	Coastal Advisory Council	Lee Admin East, Fort Myers

## B. Lee County Civil Rights Act Title VI Monitoring – Data Collection

Countywide Population Estimate as of July 1, 2018

Geography	April 1, 2010	July 1, 2018
Lee County Florida	8,754	9,506
Source: US Census Bureau, American Fact Finder Annual Estimates of Resident Population April 1, 2010 to July 1, 2018		

Countywide population demographics for 2017:

<b>Lee County Demographics</b>	
Male	49.0%
Female	51.0%
AGE	
Under 5 years	4.9%
5 to 9 years	5.1%
10 to 14 years	5.4%
15 to 19 years	5.3%
20 to 24 years	5.2%
25 to 34 years	10.7%
35 to 44 years	10.6%
45 to 54 years	12.4%
55 to 59 years	6.6%
60 to 64 years	7.4%
65 to 74 years	14.9%
75 to 84 years	8.2%
85 years and over	3.2%
Median age (years)	47.30
18 YEARS AND OVER	
18 years and over	81.4%
21 years and over	78.3%
62 years and over	30.8%
65 years and over	26.3%
Male/Female 18 Years and Over	
Male	48.5%
Female	51.5%
Male/Female 65 Years and Over	
Male	47.7%
Female	52.3%
RACE	

Lee County ADA Title II Compliance -- Self-Evaluation Report and Transition Plan

One race	98.2%
Two or more races	1.8%
<b>ONE RACE</b>	
One race	98.2%
White	84.9%
Black or African American	8.6%
American Indian and Alaska Native	0.2%
Cherokee tribal grouping	0.1%
Asian	1.6%
Asian Indian	0.3%
Chinese	0.4%
Filipino	0.3%
Japanese	0.1%
Vietnamese	0.2%
Other Asian	0.3%
Some other race	2.9%
<b>TWO OR MORE RACES</b>	
Two or more races	1.8%
White and Black or African American	0.5%
White and American Indian and Alaska Native	0.3%
White and Asian	0.3%
<b>ETHNICITY</b>	
Hispanic or Latino (of any race)	19.6%
Mexican	5.7%
Puerto Rican	4.3%
Cuban	3.9%
Other Hispanic or Latino	5.7%
<b>NOT HISPANIC OR LATINO</b>	
Not Hispanic or Latino	80.4%
White alone	69.1%
Black or African American alone	8.2%
American Indian and Alaska Native alone	0.2%
Asian alone	1.5%
Some other race alone	0.2%
Two or more races	1.2%
Two races including Some other race	0.1%
Two races excluding Some other race, and Three or more races	1.1%
<b>CITIZEN, VOTING AGE POPULATION</b>	
Citizen, 18 and over population	73.5%
Male	48.1%
Female	51.9%

Source: U.S. Census Bureau, 2012-2016 American Community Survey 5-Year Estimates

Department of Human and Veteran Services customer demographics for FY17:

<b>Race</b>	<b>#</b>	<b>%</b>
American Indian or Alaskan Native	17	0.13%
American Indian or Alaskan Native, Black or African American	9	0.07%
American Indian or Alaskan Native, White	3	0.02%
Asian	24	0.18%
Asian, White	5	0.04%
Black or African American	5645	42.44%
Black or African American, White	197	1.48%
Native Hawaiian or Other Pacific Islander	13	0.10%
Other Multi-Racial	55	0.41%
White	7152	53.77%
Don't Know / Refused	182	1.37%
<b>Total</b>	<b>13302</b>	<b>100.00%</b>

<b>Ethnicity</b>	<b>#</b>	<b>%</b>
Hispanic or Latino	3622	27.23%
Non-Hispanic or Non-Latino	9576	71.99%
Don't Know / Refused	104	0.78%
<b>Total</b>	<b>13302</b>	<b>100.00%</b>

<b>Age</b>	<b>#</b>	<b>%</b>
<18	5303	39.87%
18 -24	1052	7.91%
25 - 64	5671	42.63%
65+	1276	9.59%
<b>Total</b>	<b>13302</b>	<b>100.00%</b>

### C. Lee County Civil Rights Act Title VI Monitoring – Assurances

#### TITLE VI/ NONDISCRIMINATION ASSURANCE

Pursuant to Section 9 of US DOT Order 1050.2A, the Lee County assures the Florida Department of Transportation (FDOT) that no person shall on the basis of race, color, national origin, sex, age, disability, family or religious status, as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, the Florida Civil Rights Act of 1992 and other nondiscrimination authorities be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination or retaliation under any program or activity.

The Lee County further assures FDOT that it will undertake the following with respect to its programs and activities:

1. Designate a Title VI Liaison that has a responsible position within the organization and access to the Recipient's Chief Executive Officer.
2. Issue a policy statement signed by the Chief Executive Officer, which expresses its commitment to the nondiscrimination provisions of Title VI. The policy statement shall be circulated throughout the Recipient's organization and to the general public. Such information shall be published where appropriate in languages other than English.
3. Insert the clauses of *Appendices A and E* of this agreement in every contract subject to the Acts and the Regulations
4. Develop a complaint process and attempt to resolve complaints of discrimination against sub-recipients. Complaints against the Recipient shall immediately be forwarded to the FDOT District Title VI Coordinator.
5. Participate in training offered on Title VI and other nondiscrimination requirements.
6. If reviewed by FDOT or USDOT, take affirmative action to correct any deficiencies found within a reasonable time period, not to exceed ninety (90) calendar days.
7. Have a process to collect racial and ethnic data on persons impacted by your agency's programs.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all federal funds, grants, loans, contracts, properties, discounts or other federal financial assistance under all programs and activities and is binding. The person whose signature appears below is authorized to sign this assurance on behalf of the Recipient.

Dated 10/01/2018

by , Chief Executive Officer

## APPENDICES A and E

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "Contractor") agrees as follows:

- (1.) **Compliance with Regulations:** The Contractor shall comply with the Regulations relative to nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation (hereinafter, "USDOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this Agreement.
- (2.) **Nondiscrimination:** The Contractor, with regard to the work performed during the contract, shall not discriminate on the basis of race, color, national origin, sex, age, disability, religion or family status in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The Contractor shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
- (3.) **Solicitations for Subcontractors, including Procurements of Materials and Equipment:** In all solicitations made by the Contractor, either by competitive bidding or negotiation for work to be performed under a subcontract, including procurements of materials or leases of equipment; each potential subcontractor or supplier shall be notified by the Contractor of the Contractor's obligations under this contract and the Regulations relative to nondiscrimination on the basis of race, color, national origin, sex, age, disability, religion or family status.
- (4.) **Information and Reports:** The Contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the *Florida Department of Transportation*, the *Federal Highway Administration*, *Federal Transit Administration*, *Federal Aviation Administration*, and/or the *Federal Motor Carrier Safety Administration* to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a Contractor is in the exclusive possession of another who fails or refuses to furnish this information the Contractor shall so certify to the *Florida Department of Transportation*; the *Federal Highway Administration*, *Federal Transit Administration*, *Federal Aviation Administration*, and/or the *Federal Motor Carrier Safety Administration* as appropriate, and shall set forth what efforts it has made to obtain the information.
- (5.) **Sanctions for Noncompliance:** In the event of the Contractor's noncompliance with the nondiscrimination provisions of this contract, the *Florida Department of Transportation* shall impose such contract sanctions as it or the *Federal Highway Administration*, *Federal Transit Administration*, *Federal Aviation Administration*, and/or the *Federal Motor Carrier Safety Administration* may determine to be appropriate, including, but not limited to:
  - a. withholding of payments to the Contractor under the contract until the Contractor complies, and/or
  - b. cancellation, termination or suspension of the contract, in whole or in part.
- (6.) **Incorporation of Provisions:** The Contractor shall include the provisions of paragraphs (1) through (7) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The Contractor shall take such action with respect to any subcontract or procurement as the

*Florida Department of Transportation, the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. In the event a Contractor becomes involved in, or is threatened with, litigation with a sub-contractor or supplier as a result of such direction, the Contractor may request the Florida Department of Transportation to enter into such litigation to protect the interests of the Florida Department of Transportation, and, in addition, the Contractor may request the United States to enter into such litigation to protect the interests of the United States.*

- (7.) **Compliance with Nondiscrimination Statutes and Authorities:** Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21; The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects); Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex); Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27; The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age); Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex); The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not); Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131 -- 12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38; The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex); Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations; Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100); Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).



Records / TrAMS | Recipient Organizations

# LEE, COUNTY OF | FT. MYERS LEE CO. BCC | 1083

Summary Applications/Awards TrAMS Users Locations Designated Recipient Suballocations News Related Actions

## Certifications & Assurances | FY 2019 C&A Affirmations

### Recipient Details

Recipient ID: 1083 Recipient Name: LEE, COUNTY OF

### Certification and Assurance Information

Fiscal Year: 2019 Original Certification Date: 4/24/2019  
 Assigned Date: 3/13/2019 Latest Certification Date: 4/24/2019  
 Due Date: 6/11/2019

### Published Certifications and Assurances

FTA CERTIFICATIONS AND ASSURANCES

### Certifications and Assurances

#### Certification History

Certification Date: 4/24/2019 | Official: Robert Codle | Attorney: Mark Trank

Category	Title	Ce rti fie d
01	Certifications and Assurances Required of Every Applicant	✓
02	Tax Liability and Felony Convictions	✓
03	Lobbying	✓
04	Private Sector Protections	✓
05	Transit Asset Management Plan	✓
06	Rolling Stock Buy America Reviews and Bus Testing	✓
07	Urbanized Area Formula Grants Program	✓
08	Formula Grants for Rural Areas	✓
09	Fixed Guideway Capital Investment Grants and the Expedited Project Delivery for Capital Investment Grants Pilot Program	✓
10	Grants for Buses and Bus Facilities and Low or No Emission Vehicle Deployment Grant Programs	✓
11	Enhanced Mobility of Seniors and Individuals with Disabilities Programs	✓
12	State of Good Repair Grants	✓
13	Infrastructure Finance Programs	✓
14	Alcohol and Controlled Substances Testing	✓



Category	Title	Certified
15	Rail Safety Training and Oversight	<input checked="" type="checkbox"/>
16	Demand Responsive Service	<input checked="" type="checkbox"/>
17	Interest and Financing Costs	<input checked="" type="checkbox"/>
18	Construction Hiring Preferences	<input checked="" type="checkbox"/>

1 - 18 of 18

## Documents

### Existing Documents

Document	Description	Uploaded By	Date
No items available			

## Affirmation of Applicant

**Affirmation of Applicant** BY SIGNING BELOW, on behalf of the Applicant, I declare that it has duly authorized me to make these Certifications and Assurances and bind its compliance. Thus, it agrees to comply with all federal laws, regulations, and requirements, follow applicable federal guidance, and comply with the Certifications and Assurances as indicated on the foregoing page applicable to each application its Authorized Representative makes to the Federal Transit Administration (FTA) in federal fiscal year 2018, irrespective of whether the individual that acted on his or her Applicant's behalf continues to represent it.

FTA intends that the Certifications and Assurances the Applicant selects on the other side of this document should apply to each Award for which it now seeks, or may later seek federal assistance to be awarded during federal fiscal year 2018.

The Applicant affirms the truthfulness and accuracy of the Certifications and Assurances it has selected in the statements submitted with this document and any other submission made to FTA, and acknowledges that the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. § 3801 et seq., and implementing U.S. DOT regulations, "Program Fraud Civil Remedies," 49 CFR part 31, apply to any certification, assurance or submission made to FTA. The criminal provisions of 18 U.S.C. § 1001 apply to any certification, assurance, or submission made in connection with a federal public transportation program authorized by 49 U.S.C. chapter 53 or any other statute.

In signing this document, I declare under penalties of perjury that the foregoing Certifications and Assurances, and any other statements made by me on behalf of the Applicant are true and accurate.

**Official's Name** Robert Code  
 accept the above

**Certification Date** Mar 14, 2019

## Affirmation of Attorney

**Affirmation of Applicant's Attorney** As the undersigned Attorney for the above-named Applicant, I hereby affirm to the Applicant that it has authority under state, local, or tribal government law, as applicable, to make and comply with the Certifications and Assurances as indicated on the foregoing pages. I further affirm that, in my opinion, the Certifications and Assurances have been legally made and constitute legal and binding obligations on it.

I further affirm that, to the best of my knowledge, there is no legislation or litigation pending or imminent that might adversely affect the validity of these Certifications and Assurances, or of the performance of its FTA assisted Award.

**Attorney's Name** Mark Trank  
 accept the above

**Certification Date** Apr 24, 2019

Records / Recipient Organization

**Lee, County Of | FT. MYERS LEE CO. BCC | 1083**

Summary Applications/Awards TrAMS Users Locations Designated Recipient Suballocations News Related Actions

**Certifications & Assurances | FY 2018 C&A Affirmations**

**Recipient Details**

**Recipient ID** 1083 **Recipient Name** Lee, County Of

**Certification and Assurance Information**

**Fiscal Year** 2018 **Original Certification Date** 3/5/2018  
**Assigned Date** 2/21/2018 **Latest Certification Date** 3/5/2018  
**Due Date** 5/22/2018

**Published Certifications and Assurances**

FTA CERTIFICATIONS AND ASSURANCES

**Certifications and Assurances**

**Certification History**

Certification Date: 3/5/2018 | Official: slmyers@leegov.com | Attorney: Mark Trank

Category	Title	Ce rti fie d
01	Required Certifications and Assurances for Each Applicant	✓
02	Lobbying	✓
03	Private Sector Protections	✓
04	Rolling Stock Reviews and Bus Testing	✓
05	Demand Responsive Service	✓
06	Intelligent Transportation Systems	✓
07	Interest and Financing Costs and Acquisition of Capital Assets by Lease	✓
08	Transit Asset Management Plan, Public Transportation Safety Program, and State Safety Oversight Requirements	✓

# Lee County ADA Title II Compliance -- Self-Evaluation Report and Transition Plan

Category	Title	Ce rti fie d
09	Alcohol and Controlled Substances Testing	✓
10	Fixed Guideway Capital Investment Grants Program (New Starts, Small Starts, and Core Capacity Improvement)	✓
11	State of Good Repair Program	✓
12	Grants for Buses and Bus Facilities and Low or No Emission Vehicle Deployment Grant Programs	✓
13	Urbanized Area Formula Grants Programs and Passenger Ferry Grant Program	✓
14	Enhanced Mobility of Seniors and Individuals with Disabilities Programs	✓
15	Rural Areas and Appalachian Development Programs	✓
16	Tribal Transit Programs (Public Transportation on Indian Reservations Programs)	✓
17	State Safety Oversight Grant Program	✓
18	Public Transportation Emergency Relief Program	✓
19	Expedited Project Delivery Pilot Program	✓
20	Infrastructure Finance Programs	✓
21	Construction Hiring Preferences	✓

1 - 21 of 21

FTA intends that the Certifications and Assurances the Applicant selects on the other side of this document should apply to each Award for which it now seeks, or may later seek federal assistance to be awarded during federal fiscal year 2018.

The Applicant affirms the truthfulness and accuracy of the Certifications and Assurances it has selected in the statements submitted with this document and any other submission made to FTA, and acknowledges that the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. § 3801 et seq., and implementing U.S. DOT regulations, "Program Fraud Civil Remedies," 49 CFR part 31, apply to any certification, assurance or submission made to FTA. The criminal provisions of 18 U.S.C. § 1001 apply to any certification, assurance, or submission made in connection with a federal public transportation program authorized by 49 U.S.C. chapter 53 or any other statute

In signing this document, I declare under penalties of perjury that the foregoing Certifications and Assurances, and any other statements made by me on behalf of the Applicant are true and accurate.

**Official's Name** slmyers@leegov.com

I accept the above

**Certification Date** Feb 21, 2018

## Affirmation of Attorney

**Affirmation of Applicant's Attorney** As the undersigned Attorney for the above-named Applicant, I hereby affirm to the Applicant that it has authority under state, local, or tribal government law, as applicable, to make and comply with the Certifications and Assurances as indicated on the foregoing pages. I further affirm that, in my opinion, the Certifications and Assurances have been legally made and constitute legal and binding obligations on it.

I further affirm that, to the best of my knowledge, there is no legislation or litigation pending or imminent that might adversely affect the validity of these Certifications and Assurances, or of the performance of its FTA assisted Award.

**Attorney's Name** Mark Trank

I accept the above

**Certification Date** Mar 05, 2018





U.S. Department  
of Transportation  
Federal Transit  
Administration

REGION 4  
Alabama, Florida,  
Georgia, Kentucky,  
Mississippi, North  
Carolina, South Carolina,  
Tennessee, Puerto Rico,  
and the US Virgin Islands

230 Peachtree, NW Suite 1400  
Atlanta, GA 30303

October 17, 2019

Ranice Monroe  
Lee County, Recipient ID: 1083  
2115 SECOND ST  
FORT MYERS, FL 33901

Re: 2020-2022 Triennial DBE Goal Submission

Dear Ranice Monroe,

The Federal Transit Administration (FTA) has received and reviewed Lee County's Disadvantaged Business Enterprise (DBE) triennial goal setting methodology for Federal Fiscal Years (FFY) 2020-2022. This DBE goal will be effective October 1, 2019 through September 30, 2022. This submission is required by the Department of Transportation DBE regulations found at 49 C.F.R. Part 26. Your proposed overall goal is 4%, with a proposed race-conscious/race-neutral split of 0% RC / 4% RN.

Our review considered all elements required by the Department of Transportation regulations found at 49 C.F.R. § 26.45, including the descriptions of the evidence and methods used to calculate, adjust and establish the overall goal. The review assessment attached to this letter identifies the specific areas reviewed, any concerns, and relevant reviewer comments. You must address and correct any identified concerns to assure you are implementing the goal in accordance with the regulations. Your goal status is now *Concur*, and your next triennial goal is due to FTA on August 1, 2022. FTA will verify corrections have been made and implemented at the next oversight opportunity.

You are expected to make a good faith effort to meet your goal each year during the three-year period for which it is in effect. You must document your DBE attainment on FTA-funded contracts and purchases by submitting a semi-annual report via TrAMS on June 1 and December 1 of each year. If you fall short of your overall DBE goal in any given year, you must develop a shortfall analysis and corrective action plan following the guidance in 49 C.F.R. § 26.47(c). Transit vehicles must be purchased from a DBE-certified transit vehicle manufacturer (TVM) and reported to FTA within 30 days of purchase. The current list of DBE-certified TVMs and the online reporting tool can be found on the DBE portion of FTA's website at [www.transit.dot.gov](http://www.transit.dot.gov). Finally, any mid-cycle adjustment to your goal to reflect changed circumstances must be submitted to FTA.

FTA is committed to providing technical assistance to help correct your DBE goal and to implement your program consistent with the regulations and guidance. In order to preserve paper, we are issuing this letter electronically via email and it is attached to your profile in

TrAMS. Please do not hesitate to contact me directly at [richard.musto.ctr@dot.gov](mailto:richard.musto.ctr@dot.gov) if you have any questions.

Sincerely,

Richard Musto  
Policy Analyst

**On behalf of:**  
Doretha Foster/s/  
Civil Rights Officer, Region 4

cc: Yvette G. Taylor, FTA Region 4, Regional Administrator  
Monica McCallum, FTA Civil Rights, Director of Regional Operations

**LEE COUNTY HUMAN AND VETERAN SERVICES - MONITORING REPORT**

**DATE(S) OF MONITORING:** September 1, 2017

**DATE REPORT DISTRIBUTED TO DHS:**

**Monitor:** Jeannie Sutton, Grants Coordinator, Lee County Human and Veteran Services (HVS)

The following monitoring is conducted in compliance with the Lee County Human and Veteran Services Language Access Plan (LAP). This monitoring report covers the LAP program year, which is August 1, 2016 through August 31, 2017, and is valid through September 1, 2018.

Monitoring Item #	Findings
1. a. Review and report changes/updates in American Community Survey – Language Spoken at Home, Table ID S1601 <i>(http://www.census.gov/acs/www/data/data-tables-and-tools/subject-tables/)</i>	Review of changes in American Community Survey (ACS) data revealed that the most current data available is 2015 1-year estimates; the estimated Lee County Population has been changed from 614,846 to 630,859. The percentage of Spanish speaking population has increased slightly from 15.7% (96,328 individuals) to 15.8% (99,378 individuals). The French Creole speaking population is no longer reported in the ACS data. The population of other Indo-European speakers has also decreased from 4.6% (28,113 individuals) to 4.4% (28,032 individuals). The populations who speak Asian, Pacific Island, and other languages remain at less than 1%.
1. b. Review and report changes/update in Lee County Public Schools Fast Facts Section regarding language information <i>(http://www.leeschools.net/fast-facts#1489C2B4-BB3A-4BB8-BCC2-971C7A317F10)</i>	The Lee County Public School District's Fast Facts section detailed student language proficiency and was last updated in October 2016. The District's data continues to indicate that 8,600 currently enrolled students identified as limited in English proficiency. The District removed data regarding the difference languages and heritages represented in the school system, as well as the number of students who live in home where English is not the primary language. These items were removed from the LAP.
1. c. Review and report changes from previous year CSN reports regarding languages of clients that present for services	Limited English Proficiency (LEP) data from DHS Client Services Network was reported for FY 2016 and indicated that 10.44% of the 6866 total clients were identified as limited English proficient and were Spanish speaking.
2. a. Conduct random surveys of persons with LEP throughout the year to determine if existing language services are meeting their needs; evaluate results of survey each year	No random surveys were conducted for the 2015-2016 program year.
2. b. Evaluate the number of written and oral translations completed by Language Line Services each year	From August 2016 through August 2017 Human and Veteran Services translated 11 key documents into Spanish, and certified 7 staff members as Spanish translators to increase accessibility for persons with LEP. All program areas continue to identify, update, and translate key documents to increase accessibility for persons who are limited English proficient.
3. a. Evaluate technology available through Language Line Solutions: Report on any new services offered	Language Line Solutions offers a variety of options to obtain translation/interpretation services including: on-demand phone interpretation, video remote interpretation, onsite interpretation, comprehensive document translation, and interpreter training and testing. There are several items, such as video remote interpretation, that are not available to HVS through our current quote.
4. a. Evaluate department documents that are currently translated feature the most current information	Documents translated on the Lee County HVS website reflect the most current information. The Department continues to identify and translate key documents as needed.
4. b. Verify that all department documents feature alternative access language	Press releases, newspaper ads and most other relevant documents created by HVS reflect alternative access language and updated accommodation language as prescribed by County administration.
5. a. Conduct staff survey and annual training for new employees annually	No staff survey was conducted for the 2016-2017 program year. The office manager verified that news hires are informed of the Language Access Plan and the Department policies for providing access to persons who are limited English proficient.

# Lee County ADA Title II Compliance -- Self-Evaluation Report and Transition Plan

6. a. Complete during public hearings for the development and implementation of the annual plan, con plan, and assessment of fair housing	No public comments were received during the planning process for the 2016-2017 program year. Solicitation for public comment on the LAP will be completed in conjunction with the development of Lee County's Annual Plan during the 2017-2018 program year.
7. a. Evaluate programs that are utilized the most by persons with LEP and ensure that all documents and resources for those programs are completely and accurately translated	FSS, Youth Services and Housing programs are highly utilized by persons identified as limited English proficient. Each program has identified and translated key documents, including necessary legal documents. All program areas will continue identify, update, and translate documents as necessary.
7. b. Evaluate programs that are utilized the most by persons with LEP and ensure that oral translation by a certified translator is easily accessible.	FSS, Youth Services and Housing programs are highly utilized by persons identified as limited English proficient. Each program area has multiple staff who have received interpreter certification through Language Line Solutions and other staff who are Spanish proficient. Frontline staff is aware of the certified interpreters in each program area, and the internal telephone directory has been updated to clearly delineate which staff have been certified and are available to assist persons identified as limited English proficient.

**CONCLUSIONS:** The Language Access Plan (LAP) for the Lee County Human and Veteran Services (HVS) has been updated to reflect the new data reported in monitoring items 1.a, 1.b, and 1.c. The HVS will continue to identify, update, and translate key documents. Random client surveys should be developed and incorporated in the planning process for the 2018 program year. Additional technology available through Language Line Solutions should be identified and utilized as necessary. Additional training and a Department wide LAP refresher may be useful to ensure staff is familiar with the most recent LAP and language access policies and procedures. DHS staff should continue to collect utilization data for all programs through CSN.

**Department of Human Services Staff:**

Prepared By: Jeannie Sutton Date: 09/01/2017  
 Reviewed and Approved by: Julie Boudreaux Date: 9-1-2017  
 Julie Boudreaux

Department of Public Transportation (LeeTran)

**FTA FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES**

**FEDERAL FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES FOR  
FEDERAL TRANSIT ADMINISTRATION ASSISTANCE PROGRAMS**

(Signature pages alternative to providing Certifications and Assurances in TrAMS)

Name of Applicant: LEE County Board of County Commissioners

The Applicant agrees to comply with applicable provisions of (Categories 01 – 23. X  
OR

The Applicant agrees to comply with applicable provisions of the Categories it has selected:

<u>Category</u>	<u>Description</u>	
01.	Required Certifications and Assurances for Each Applicant.	_____
02.	Lobbying.	_____
03.	Procurement and Procurement Systems.	_____
04.	Private Sector Protections.	_____
05.	Rolling Stock Reviews and Bus Testing.	_____
06.	Demand Responsive Service.	_____
07.	Intelligent Transportation Systems.	_____
08.	Interest and Financing Costs and Acquisition of Capital Assets by Lease.	_____
09.	Transit Asset Management Plan, Public Transportation Safety Program, and State Safety Oversight Requirements.	_____
10.	Alcohol and Controlled Substances Testing.	_____
11.	Fixed Guideway Capital Investment Grants Program (New Starts, Small Starts, and Core Capacity Improvement).	_____
12.	State of Good Repair Program.	_____
13.	Grants for Buses and Bus Facilities and Low or No Emission Vehicle Deployment Grant Programs.	_____
14.	Urbanized Area Formula Grants Programs and Passenger Ferry Grant Program.	_____
15.	Enhanced Mobility of Seniors and Individuals with Disabilities Programs.	_____
16.	Rural Areas and Appalachian Development Programs.	_____
17.	Tribal Transit Programs (Public Transportation on Indian Reservations Programs).	_____
18.	State Safety Oversight Grant Program.	_____
19.	Public Transportation Emergency Relief Program.	_____
20.	Expedited Project Delivery Pilot Program.	_____
21.	Infrastructure Finance Programs.	_____
22.	Paul S. Sarbanes Transit in Parks Program.	_____
23.	Construction Hiring Preferences.	_____

## FTA FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES

### FEDERAL FISCAL YEAR 2017 FTA CERTIFICATIONS AND ASSURANCES SIGNATURE PAGE

(Required of all Applicants for federal assistance to be awarded by FTA and all FTA Grantees with an active Capital or Formula Award)

#### AFFIRMATION OF APPLICANT

Name of the Applicant: LEE County Board of County Commissioners

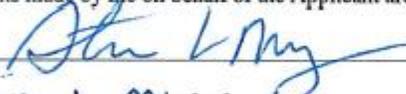
Name and Relationship of the Authorized Representative: Steven L. Myers, Transit Director

BY SIGNING BELOW, on behalf of the Applicant, I declare that it has duly authorized me to make these Certifications and Assurances and bind its compliance. Thus, it agrees to comply with all federal laws, regulations, and requirements, follow applicable federal guidance, and comply with the Certifications and Assurances as indicated on the foregoing page applicable to each application its Authorized Representative makes to the Federal Transit Administration (FTA) in federal fiscal year 2017, irrespective of whether the individual that acted on his or her Applicant's behalf continues to represent it.

FTA intends that the Certifications and Assurances the Applicant selects on the other side of this document should apply to each Award for which it now seeks, or may later seek federal assistance to be awarded during federal fiscal year 2017.

The Applicant affirms the truthfulness and accuracy of the Certifications and Assurances it has selected in the statements submitted with this document and any other submission made to FTA, and acknowledges that the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. § 3801 *et seq.*, and implementing U.S. DOT regulations, "Program Fraud Civil Remedies," 49 CFR part 31, apply to any certification, assurance or submission made to FTA. The criminal provisions of 18 U.S.C. § 1001 apply to any certification, assurance, or submission made in connection with a federal public transportation program authorized by 49 U.S.C. chapter 53 or any other statute

In signing this document, I declare under penalties of perjury that the foregoing Certifications and Assurances, and any other statements made by me on behalf of the Applicant are true and accurate.

Signature  Date: 12/21/16

Name Steven L. Myers  
Authorized Representative of Applicant

#### AFFIRMATION OF APPLICANT'S ATTORNEY

For (Name of Applicant): LEE County Board of County Commissioners

As the undersigned Attorney for the above named Applicant, I hereby affirm to the Applicant that it has authority under state, local, or tribal government law, as applicable, to make and comply with the Certifications and Assurances as indicated on the foregoing pages. I further affirm that, in my opinion, the Certifications and Assurances have been legally made and constitute legal and binding obligations on it.

I further affirm that, to the best of my knowledge, there is no legislation or litigation pending or imminent that might adversely affect the validity of these Certifications and Assurances, or of the performance of its FTA assisted Award.

Signature  Date: 12/21/16

Name MARK A. TRANK  
Attorney for Applicant

*Each Applicant for federal assistance to be awarded by FTA and each FTA Recipient with an active Capital or Formula Project or Award must provide an Affirmation of Applicant's Attorney pertaining to the Applicant's legal capacity. The Applicant may enter its electronic signature in lieu of the Attorney's signature within FTA's electronic award and management system, provided the Applicant has on file and uploaded to FTA's electronic award and management system this hard-copy Affirmation, signed by the attorney and dated this federal fiscal year.*

## D. Lee County Notice of ADA Policy

### LEE COUNTY

#### NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (“ADA”), Lee County, Florida (“Lee County”) will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

**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 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 Lee County’s programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

**Modifications to Policies and Procedures:** Lee County will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of 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 program, service, or activity of Lee County, should contact the office of Joan D. LaGuardia, (239) 533-2314, Florida Relay Service 711, or [jlguardia@leegov.com](mailto:jlguardia@leegov.com) 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 Joan D. LaGuardia, (239) 533-2314, Florida Relay Service 711, or [jlguardia@leegov.com](mailto:jlguardia@leegov.com) or [ADArequests@leegov.com](mailto:ADArequests@leegov.com).

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, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

## E. Lee County Notice of ADA Grievance Procedure

### LEE COUNTY

#### 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:

Joan D. LaGuardia, ADA Coordinator  
Lee County Manager’s Office  
2115 Second Street  
P.O. Box 398  
Fort Myers, FL 33901  
(239) 533-2314 – desk  
(239) 839-6039 - mobile  
Florida Relay Service 711  
[jlguardia@leegov.com](mailto:jlguardia@leegov.com)  
[ADArequests@leegov.com](mailto:ADArequests@leegov.com)

Within 15 calendar days after receipt of the complaint, Lee County’s ADA Coordinator or a 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 a 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 a designee 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 the County Manager or other appropriate high-level official designated by Lee County.

Within 15 calendar days after receipt of the appeal, the County Manager or other Lee County official or a 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 a 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 a designee, appeals to the County Manager or other appropriate high-level official, and responses from these two offices will be retained by Lee County for at least three (3) years.

## IX. Appendix – Lee County Policy for Limited English Proficiency

### A. LEP Purpose

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 are guidelines that apply to 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.

### B. LEP Policy

All departments and offices reporting to the Lee County Board of County Commissioners will comply with these guidelines to take reasonable steps to ensure that persons with Limited English Proficiency (LEP) have timely, meaningful access and an equal opportunity to participate in services and benefits provided by the County. Through its Language Access Plan, Lee County will accomplish these goals:

- Annually assess target audiences for LEP services;
- Ensure meaningful verbal communication with LEP persons and their authorized representatives;
- Communicate information contained in vital documents;
- Provide ADA compliant interpretation services at no cost to the person being served;
- Inform LEP persons of these services and their right to access them free of charge;
- Accommodate public input from the LEP community;
- Manage this plan routinely to ensure continuing compliance.

**Definition:** A Limited English Proficiency (LEP) person is one who does not speak English as their primary language and who has a limited ability to read, speak, write, or understand English.

### C. LEP Plan Development

This plan was developed through analysis of four factors:

1. The number or proportion of eligible LEP persons in the Lee County service area;
2. The frequency with which LEP individuals come in contact with County service providers;
3. The nature and importance of the program, activity or service provided to the LEP population; and
4. Available resources and overall costs to provide LEP assistance.

## **D. LEP Plan Procedure**

### **1. Annually Assess the Proportion of LEP Persons Eligible to be Served**

Using U.S. Census/American Community Survey data, statistics from the Lee County School System, Lee County Community Development and Lee County GIS resources, the Lee County Civil Rights Act Title VI Nondiscrimination Coordinator will annually assess the languages spoken by LEP persons within Lee County and the number of LEP persons who are eligible for the services. The coordinator will ensure distribution of the information among all County departments, including Transportation, Human and Veteran Services and Public Transportation (LeeTran) and will update the LEP Plan or translator services contracts if needed.

### **2. Record the Frequency of LEP Service Requests**

Lee County acknowledges its responsibility to record the frequency by which LEP individuals use Lee County programs, services, or activities. Note that nearly 17% of Lee County's population speaks Spanish and nearly 8% have limited English proficiency. The County's hiring practices reflect this. Bilingual staff provide routine customer service in Spanish. In addition, operations departments and service offices track specific requests for translation when bilingual staff is not immediately available. Staff also tracks specific language-related requests, including verbal, print and digital translations.

Both the hiring of bilingual staff and the tracking of specific requests allow the County to determine the frequency of contact with customers who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English. The more frequent the contact and/or the number of associated requests for alternate format(s) for languages other than English, as self-identified by applicants and participants in its programs, the more likely that language services – including increased hiring of bilingual staff – for a specific language group will be needed. Measures necessary for a program that serves a person with LEP occasionally may differ from those that serve persons with LEP every day. Regardless of the frequency of LEP-related requests, the County requires all departments to provide service for LEP persons.

### **3. Provide Notice**

Lee County will inform LEP persons that the County will provide them with language assistance at no charge to them. Written notice will be provided on the Lee County website, which has compliant language translation options for its content; by posting notices at appropriate points of service and points of entry; and by including references to LEP rights and services in public notices.

LEP persons are encouraged through these public notices to request interpreter and translator services and to provide input at public meetings.

### **4. Provide Language Assistance**

Lee County will take reasonable steps to assure that LEP persons receive the language assistance necessary for meaningful access to our programs and services, both verbal and in the communication of written information contained in written documents to accomplish these goals:

- i. 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;
- ii. 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.
- iii. Based on its assessments and these guidelines, Lee County will make arrangements to 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, and they are encouraged to become certified translators.
- iv. 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. A list of interpreters who have agreements with multiple Lee County departments,
  - b. A list of bilingual staff,
  - c. Online resources, such as Google translate, <http://translate.google.com>,
  - d. Translators personally selected by LEP persons, but only under these conditions:
    - i. This option is specifically requested by the LEP person;
    - ii. The LEP person understands that Lee County will provide an interpreter at no charge;
    - iii. The LEP person understands that Lee County is not responsible for any fees or charges owed to the interpreter, and the LEP person must pay those fees or charges at their own expense;
    - iv. Lee County does not object to the use of the personally selected translator due to concerns about competency of interpretation, confidentiality, privacy, and/or conflict of interest.
    - v. The LEP person's election of this choice would be documented.
- v. 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 important documents.
- vi. 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:
  - a. The 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
  - b. 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 at no charge to the requestor.

## **E. LEP Annual Monitoring – Updates as of October 2019**

Lee County will monitor and periodically evaluate the Language Access Plan and the County's

compliance. At a minimum, the overall monitoring program will determine whether:

- A. Contractors hired to provide County services or Lee County grant subrecipients comply with Title VI;
- B. Existing language assistance is meeting LEP persons' needs;
- C. Staff is trained in current LEP policies; and
- D. Resources and arrangements for assisting LEP persons are still current and viable.

## F. LEP Annual Update

### Lee County Annual Proportion Assessment and Countywide Monitoring Report Annual Assessment

According to Lee County’s Limited English Proficiency Policy and Plan, Lee County will annually assess the proportion of persons with limited English proficiency residing in Lee County. The FY19/20 assessment verifies that Lee County has a significant number of Spanish speakers with limited English proficiency, and that the County should be prepared to provide services in Spanish.

For the newly ended FY18/19, only one department under the operations jurisdiction of the Lee County Board of County Commissioners – the Department of Human and Veteran Services – identified persons with limited English proficiency representing at least 5 percent of their customer base.

#### Proportion of the Population

Approximately 16 percent of individuals 5 years and older and residing in Lee County speak Spanish as a primary language with 8 percent of the total population unable to speak English “very well,” according to the 2015 US Census American Community Survey, the most recent year with statistics available for Lee County. The 2015 ACS also classifies 9,060 households, or 36% of the 252,287 households in Lee County as a “limited-English- speaking” household.

The Lee County School District’s 2017-2018 school year assessment counted 8,423 students – 9.67 percent of the of its 81,500 enrollment as primarily Spanish speaking. The next significant group of students with limited English proficiency speak Haitian Creole, but this group of 698 students represents less than 1 percent of the enrollment. The American Community Survey does not estimate the number of persons in Lee County that currently speak Haitian Creole.

	Total Estimate	%	Limited English Proficiency	% LEP of total population
<b>2017 American Community Survey Population Estimate</b>				
Population 5 years and older	666,471	100	62,713	9.4
Spanish Speakers	110,951	16.66	50,624	7.6
<b>2017 American Community Household Estimate</b>				
Total Households	266,266	100	13,187	5
Spanish Speaking Households	37,122	13.9	10,104	3.8
<b>Lee County School District 2017-2018 Enrollment</b>	93,167			

Spanish Speaking	NA	NA	8,772	9.4
Haitian Creole Speaking	NA	NA	601	.6

**Frequency of Contact with LEP Customers**

Lee County departments determine the frequency by which staff encounters customers who have a limited ability to read, speak, write, or understand English. 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 that language services for a specific language group will be needed.

Bilingual staff provides routine customer service in Spanish and Haitian Creole where needed. In some cases, routine daily interactions in Spanish are too numerous to count. The chart below notes which departments or service offices provide bilingual staff and enumerates special requests for translation when either bilingual staff was not immediately available or where other specific language-related requests or outreaches were made.

Departments determine the necessity for translating documents into alternate languages.

Lee County’s departments of Utilities and Human and Veteran Services encourage their bilingual staff to undergo the translator certification provided by Language Line Solutions.

Specific tracking of verbal language translation service in FY18/19 included:

Program	Requests	Notes
County Website	29,643	Hits on the Google translator option on our Website homepage to convert content to a language other than English.
Utilities	All routinely handled by bilingual staff	Five customer service specialists, one supervisor and one superintendent speak Spanish; one is certified. Cashier counter transactions in Spanish average 100 per week. All phone services, including service disruption and “hotline” notices, have a Spanish-language option; there were 4,071 such calls in FY19. All forms to connect, conduct and terminate service are provided in Spanish.
Library System	18,976 library patron contacts	Majority Spanish, interactions with bilingual staff in libraries and in bookmobiles.  There were 1,666 participants in 201 sessions of the Library System’s “English Café,” an educational program to help customers learn conversational English. Languages spoken by attendees include Portuguese, Spanish, German, Czech, Russian, Gujarati, Indian, Tagalog, Chinese, Mandarin, Haitian Creole, Romanian, Visayan, French, Polish, Thai, Lithuanian, Indonesian, Uzbek, Telugu, Peruvian, Hungarian

		<p>Library staff attends community events and celebrations at childcare centers, churches, community centers and schools. Events in FY19 included the Hispanic Heritage Month celebration, SWFL Refugee Task Force meeting, Annual Nations Association Holiday Celebration, MPAC Programa de Educacion Migrante, Community Cinco de Mayo Celebration and the ESOL Parent Institute. Staff who can communicate in Spanish participate in outreach events. Approximately 75% of library outreach events (408 events) in FY19 included a Spanish-speaking staff member.</p> <p>The library received no requests for translation of written materials in FY19. More than 75% of the standard library brochures for customers are translated into Spanish and Haitian Creole.</p>
Human and Veteran Services	All routinely handled by bilingual staff	<p>Eight bilingual staff are certified interpreters by Language Line Solutions; other staff are Spanish proficient. Frontline staff is aware of the certified interpreters in each program area, and the internal telephone directory has been updated to clearly delineate which staff have been certified and are available to assist persons identified as limited English proficient. LIHEAP, Intake, HOPWA, Rapid Rehousing and Homeless Rehousing all have both Spanish and English speaking case managers available, and applications, satisfaction surveys and client grievance forms are also available in Spanish. Each program has identified and translated key documents, including necessary legal documents. Language Line was utilized to translate two key documents into Spanish between October 1, 2018 and August 31, 2019.</p>
Parks & Recreation	629 non-English encounters, most by bilingual Spanish staff	<p>Has 17 Spanish-speaking employees, two Spanish-speaking volunteers. They routinely provide customer service in Spanish in parks, beaches, recreation centers and by park rangers in code enforcement activities. Three-way phone calls with interpreters, Google Translator and printed materials are used when bilingual staff are not available. Special requests in 2019 include:</p> <ul style="list-style-type: none"> <li>• Spanish interpretation of swim lessons and registration at San Carlos Pool</li> <li>• 1 Russian, 4 German and 2 French requests at Wa-KeHatchee Rec Center</li> </ul>

		<ul style="list-style-type: none"> <li>• 4 Russian encounters at North Fort Myers Rec Center</li> <li>• Rangers unit handled 46 German, 5 Portuguese, 3 Italian, 2 French, 2 Norwegian interactions</li> </ul>
LeeTran	7 80 3 9 4 6 2 1	<p>Bilingual staff who routinely provide customer service in Spanish</p> <p>Spanish phone conversations by bilingual staff;</p> <p>Spanish- in person Paratransit eligibility interviews by bilingual staff;</p> <p>Documents translated to Spanish. Route schedules;</p> <p>Rider Alerts;</p> <p>Public notices;</p> <p>Radio script</p> <p>LeeTran also contracts with VIOANCE to provide phone interpretation and translation services to customers</p>
Animal Services	691	<p>Spanish, handled by bilingual staff;</p> <p>Two Dog Bite Prevention flyers translated into Spanish</p>
Solid Waste	3	<p>Customer inquiries handled by bilingual staff at the County Administration level.</p> <p>Spanish-speaking staff routinely handle additional demand for Spanish translators at scale house operations.</p>
Community Development	4 Spanish 2 Mandarin 1 Vietnamese 1 Turkish	<p>Permitting and zoning transactions and conversations are routinely handled by bilingual staff. The specific requests noted resulted from lack of staff availability at particular times and were handled either by asking for assistance from other departmental staff, by setting appointments to meet with staff or by hiring the services of an interpreter. In addition, staff updated a print handout translated into Spanish and Haitian Creole to assist customers to make appointments when bilingual staff is not immediately available. Human Resources recruiters will council staff to hire additional bilingual staff when possible.</p>
Public Safety		<p>The All Hazards Guide is published in both Spanish and Haitian Creole and copies are dispersed to those communities through churches and other agencies that specialize in delivering services in those languages.</p> <p>Spanish- and Haitian Creole-language media are contacted for all Public Safety briefings and news releases.</p> <p>Training for shelter workers and shelter managers includes training on how to serve persons with limited English proficiency.</p>
Natural Resources	3 1	<p>All Spanish and all for well permit applicants.</p> <p>Well LEP contractor is assigned to work exclusively with a Spanish-speaking staff member.</p>
Risk	12	<p>All Spanish, three in person and nine by phone, all handled by bilingual staff.</p>

Lee County ADA Title II Compliance -- Self-Evaluation Report and Transition Plan

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Economic Development Office	1	Spanish, used bilingual staff from another department to provide information about business relocation.
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### **Evaluation of Contractors and Grant Subrecipients**

For FY19-20, 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. There were no reports from staff of any problems with those two sources of assistance.

The County also monitors subcontractors for Title VI compliance.

### **Evaluation of Staff Trained in Current LEP Policies**

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.

Specifically regarding language, within the Departments of Utilities and Human and Veteran Services, some bilingual staff members certified as Spanish translators.

In other departments, staff who can speak Spanish routinely handle interpretation requests.

### **Assessment of Resources and Arrangements**

No Lee County Departments reported an inability to provide timely language assistance when needed or are in the process of requesting additional resources for unmet demands or language assistance. No grievances from the public were made.

### **Conclusion**

Lee County complies 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. No additional resources are needed.

## Appendix 2 – Self-Evaluation

### A. ADA Self-Evaluation Questionnaire

#### LEE COUNTY

#### 504/ADA TITLE II/ADAAA SELF-EVALUATION OF POLICY, SERVICE AND PROGRAM COMPLIANCE

#### 504/ADA Self-Evaluation Questionnaire Form

This form will help you evaluate your department’s policies, services, and programs to ensure that they are accessible to people with disabilities. This self-evaluation process coincides with a new Department of Justice rule that becomes effective Oct. 11, 2016. That new rule results from the ADA Amendments Act of 2008 (ADAAA). It furthers the intention of Section 504 of the Rehabilitation Act of 1973, as amended (504), and the Americans with Disabilities Act of 1990 (ADA). This questionnaire is part of a comprehensive update of the County’s transition plan for ADA compliance.

Note that this survey focuses on policies and access to services and programs. The County has conducted separate surveys for transportation issues (roads and intersections, curbs, sidewalks), mass transit and physical structural issues (parking lots and entrances, physical barriers to points of service, restrooms).

**If you have questions regarding this process, or if you require this material in an alternate format, please contact Joan LaGuardia, ADA coordinator, 3-2314 or [jlguardia@leegov.com](mailto:jlguardia@leegov.com).**

#### General Policy

	Yes	No	NA
1. Does your staff fully understand the County policy of nondiscrimination on the basis of disability and take appropriate steps to facilitate participation of ADA-qualified individuals in services and programs?			
2. A. Is your staff aware of the County’s 504/ADA Coordinator? 2. B. Is your staff aware that County Administration will handle your requests for accommodation or ADA-related grievances? 2. C. Does your department also have a specialist for ADA issues? If so, please identify:			

3. Have you received requests for accommodation from ADA-qualified individuals in the past 12 months? Explain your standard operating procedure for handling accommodation requests.			
4. A. Is your staff aware of the County's 504/ADA grievance procedure? 4. B. Do you have a process for receiving ADA-related grievances, logging them and referring them to the County ADA Coordinator for processing? Explain your standard operating procedure for handling grievance requests. List the grievances you have referred in the past 12 months.			
5. Are Lee County's public notices of ADA rights and grievance procedure posted in your main service areas, major publications and in a method accessible to all members of the public?			
6. Does anyone on your staff routinely attend ADA-related training, events or meetings not sponsored by Lee County or regularly interact with a disability rights group to assist with recognizing accessibility issues and finding solutions? If yes, identify the employee and briefly explain the activity.			
7. How can Lee County Administration assist you further in accomplishing ADA compliance?			

**Access to Departmental Service and Programs**

	Yes	No	NA
1. Do you notify the public and other interested parties that your department's meetings, hearings, programs and other events will be held in accessible locations and that accommodations and auxiliary aids will be provided at no charge to ADA-qualified requestors? Explain your notification outreach and attach samples.			
2. Is information about your department's services or programs available on request in alternate formats for people who have disabilities?			
3. Is your staff aware of the procedure for safe emergency evacuation of people with disabilities from your facility(ies)?			
4. Do you apply and enforce regulations, rules, programs, awards and all other practices to allow full participation of individuals with disabilities?			
5.A. Have you reviewed your policies and practices for the possibility of direct or indirect effect of excluding or limiting the participation of individuals with disabilities? 5.B. If there is a possibility for direct or indirect exclusion, how will you alter or eliminate those policies or practices?			

6. Do you ensure that regulations, rules, programs, awards and all other practices do not limit participation by individuals who are recovering from past drug or alcohol usage?			
<p>7.A. Are you aware of any programmatic barriers that prevent ADA-qualified members of the public from participating in your services and programs?</p> <p>7.B. If yes, are you working with County Administration to prioritize a long-term solution?</p> <p>7.C. Are you using non-structural modifications and programmatic alternatives to enable ADA-qualified individuals to receive services and participate in programs?</p> <p>7. D. Do those options require ADA-qualified individuals to be served or located in segregated areas of your facility?</p> <p>7. E. Do those options require ADA-qualified individuals to receive services or participate in programs at an alternate location?</p>			
<p>8. A. Do you advertise or market your services or programs in venues or media other than the County website, legal advertisements, or standard County outreach?</p> <p>8. B. If yes, do you ensure that this communication is accessible to ADA-qualified individuals?</p> <p>C. Do you ensure that this communication portrays persons with disabilities in an appropriate manner?</p>			

**Departmental ADA Planning**

	Yes	No	NA
1. Are you aware that the County has an ADA Self-Evaluation Report and Transition Plan?			
2. Do you have any ADA-specific departmental priorities or compliance targets or projects in addition to County Administration's? If so, explain:			
3. In the past 12 months, have you submitted any ADA or civil-rights related compliance forms to qualify for state or federal grants or programs? List them:			
4. Does your department have ADA accessibility issues related to historic properties or historic preservation programs? If yes, identify the historic property, the accessibility issue and options for solutions.			
5. Do you have concerns that a specific action to address ADA compliance will fundamentally alter the nature of a program or present an undue financial or administrative burden? If yes, explain.			

**Compliance of Subrecipients**

	<b>Yes</b>	<b>No</b>	<b>NA</b>
1. A. Are you a pass-through agency for any Federal or State grants or do you contract with any service providers to conduct programs or activities on behalf of your department?			
1. B. Do you verify that subrecipients and service contractors are aware of their obligation for ADA compliance?			

**B. ADA County Contractor and Subrecipient Contract Notice**

<b>STANDARD BID DOCUMENT AND CONTRACT REFERENCE</b>	
Name of Form:	<b>MANDATORY LANGUAGE – AMERICANS WITH DISABILITIES ACT OF 1990</b>
Statutory Reference:	Title II of the Americans with Disabilities Act of 1990 (42 U.S.C. § 12101 et seq.)
Instructions Reference:	Statutory and Other Requirements
Description:	The Act prohibits discrimination on the basis of disability by public entities in all services, programs and activities provided or made available by public entities.

The federal Americans with Disabilities Act of 1990 requires bid specifications and contracts to contain language that prohibits discrimination on the basis of disability by public entities in all services, programs and activities provided or made available by public entities.

**APPENDIX A**

**AMERICANS WITH DISABILITIES ACT OF 1990**

**Equal Opportunity for Individuals with Disability**

The contractor and Lee County, Florida (hereafter the “County”) do hereby agree that the provisions of Title II of the Americans With Disabilities Act of 1990 (the "Act") (42 U.S.C. § 12101 et seq.), as amended, which prohibits discrimination on the basis of disability by public entities in all services, programs, and activities provided or made available by public entities, and the rules and regulations promulgated under the Act, are made a part of this contract. In providing any aid, benefit, or service on behalf of the County pursuant to this contract, the contractor agrees that its performance shall be in strict compliance with the Act. In the event that the contractor, its agents, servants, employees, or subcontractors violate or are alleged to have violated the Act during the performance of this contract, the contractor shall defend the County in any action or administrative proceeding that is filed under this Act. The contractor shall indemnify, protect, and save harmless the County, its agents, servants, and employees from and against any and all suits, claims, losses, demands, or damages, of whatever kind or nature arising out of or claimed to arise out of the alleged violation. The contractor shall, at its own expense, appear, defend, and pay all fees for legal services and all costs and other expenses arising from or incurred in connection with such action or administrative proceeding. In all complaints brought under the

County's grievance procedure, the contractor agrees to abide by the County's decision. If any action or administrative proceeding results in an award of damages against the County, or if the County incurs any expense to cure a violation of the ADA that has been brought under its grievance procedure, the contractor shall satisfy and discharge the same at its own expense.

The County shall, as soon as practicable after a claim has been made against it, give written notice to the contractor along with full and complete particulars of the claim. If any action or administrative proceeding is brought against the County or any of its agents, servants, and employees, the County shall expeditiously forward or have forwarded to the contractor every demand, complaint, notice, summons, pleading, or other process received by the County or its representatives.

It is expressly agreed and understood that any approval by the County of the services provided by the contractor pursuant to this contract will not relieve the contractor of the obligation to comply with the Act and to defend, indemnify, protect, and save harmless the County pursuant to this paragraph.

It is further agreed and understood that the County assumes no obligation to indemnify or save harmless the contractor, its agents, servants, employees and subcontractors for any claim which may arise out of their performance of obligations under this Agreement. Furthermore, the contractor expressly understands and agrees that the provisions of this indemnification clause shall in no way limit the contractor's obligations assumed in this Agreement, nor shall they be construed to relieve the contractor from any liability, nor preclude the County from taking any other actions available to it under any other provisions of the Agreement or otherwise at law.

## C. Website ADA Policies and Notices

11/10/2016 Website Policies & Notices

# Website Policies & Notices

## Website Mission

To provide the public with accurate, ADA-compliant information about the Lee County Board of County Commissioners and its underlying departments, using plain language and user-friendly navigation to improve communication and transparency; increase user satisfaction; and simplify the completion of self-service tasks.

View our website help video for navigation tips.

## Accessibility

Lee County Government is committed to the spirit of the Americans with Disabilities Act (ADA). We strive to ensure that people with disabilities can access our services, participate in our programs and benefit from our community resources. Accommodations are available upon request.

This website includes several features designed to improve accessibility for users with disabilities:

- Images on the website contain "alt tags" to help users with screen readers listen to the content. A "skip to" link allows these users to bypass the header and go directly to the main content each time a page is accessed.
- Users can get information regarding the accessibility of Adobe Portable Document Format (PDF) files from the Adobe website [www.adobe.com/accessibility](http://www.adobe.com/accessibility).

To improve the accessibility of our website, Lee County Government reviews the site's accessibility with outside web tools and periodically will ask users with disabilities to review the site. Adjustments are then made as necessary.

If you have a disability and the format of any material on our website interferes with your ability to access some information contained on our site, please email Website Content Coordinator Denise Scott at [dscott@leegov.com](mailto:dscott@leegov.com) She will refer your request to the appropriate Department to provide you with an alternate form of the requested material, as available. Please indicate the nature of the accessibility problem, your preferred format, the web address of the requested

material and your full contact information so we can reach you if questions arise while fulfilling your request.

We welcome comments on how to improve the site's accessibility for users with disabilities. Contact Samantha Westen, 239-533-2112 or Florida Relay Service 711 or email [swesten@leegov.com](mailto:swesten@leegov.com).

## Legal Notices

- Lee County provides this website as a public service. All Information submitted to Lee County via this site shall be deemed and remain the property of Lee County, except those submissions made under separate legal contract.
- Lee County shall be free to use, for any purpose, any ideas, concepts, or techniques contained in information provided to Lee County for and through this site.
- User access and use of this site constitutes acceptance of these terms and conditions. These terms and conditions may be updated periodically without notice to the user.
- Use of the Lee County logo is prohibited without official prior approval.

## Linking

- Linking to our website is permissible providing the link accurately describes the content of the linked page.
- Under no circumstances may you "frame" the website or any of its content. Each page within the website must be displayed in full, without any accompanying frame, design, branding, advertising or promotional materials.
- Any links from our site to external sites should not be considered an endorsement of that site. We are not responsible for the content of other websites.
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## Security & Privacy

Our website uses industry standard data encryption for credit card transactions. Email and information submitted in website forms is not secure and is subject to public records requests.

- Florida has a very broad public records law. Most of the written communications to or from County officials regarding County business are public records available to the public and media upon request.
- Your email communication may be subject to public disclosure. If you do not want your email address released in response to a public-records request, do not send electronic mail to this entity.
- Emails sent to staff will in no way be considered binding correspondence. For critical or legal correspondence, please contact staff via telephone or US Postal Service.

## Disclaimer

You should not assume this website is error free. Although we will make every effort to include current and accurate information on our website, the potential exists that an error may occur. Therefore, the county nor any agency, officer or employee of the County warrants the accuracy, reliability or timeliness of any information at this website. Lee County government is not responsible for the results of any defects or misinformation that may be found to exist in this site, or any lost profits or any other consequential damages that may result from such defects or misinformation. Thank you for your understanding.

### D. Public Access Computers Windows 7 Accessibility



# Accessibility in Windows 7



## Use Accessibility Tools

Windows 7 introduces significant improvements to the Microsoft accessibility tools Magnifier, On-Screen Keyboard, and Narrator.

**View Online Video Demos**

- Magnifier
- On-Screen Keyboard

In this section learn how to:

Make items on the screen appear bigger (Magnifier) ..... 22

Type without using a keyboard (On-Screen Keyboard)

Hear text read aloud with Narrator

Use Speech Recognition

Make items on the screen appear bigger (Magnifier)

Magnifier enlarges different parts of the screen. This is especially useful for viewing objects that are difficult to see, but also for seeing the whole screen more easily.

There are three modes:

- **Full-screen mode.** In full-screen mode, your entire screen is magnified. You can then have Magnifier follow the mouse pointer.
- **Lens mode.** In lens mode, the area around the mouse pointer is magnified. When you move the mouse pointer, the area of the screen that's magnified moves along with it.
- **Docked mode.** In docked mode, only a portion of the screen is magnified, leaving the rest of your desktop in a normal state. You can then control which area of the screen is magnified.



**Figure 1: Image of Magnifier magnifying a portion of the screen**

### Note

Full-screen mode and lens mode are only available as part of the Aero experience. If your computer doesn't support Aero, or if you're using a theme other than an Aero theme, Magnifier will only work in docked mode.

1. Open Magnifier by clicking the **Start** button, clicking **All Programs**, clicking **Accessories**, clicking **Ease of Access**, and then clicking **Magnifier**.
2. On the **Views** menu, click the mode that you want to use.
3. Move the pointer to the part of the screen that you want to magnify.

### Notes

- To exit Magnifier, press the Windows logo key **+Esc**.

When you're using full-screen mode, you can quickly preview your entire desktop by clicking the **Views** menu, and then clicking **Preview full screen**.

For a list of keyboard shortcuts that you can use with Magnifier, see Keyboard shortcuts.

Magnifier topics in this section:

- To choose where Magnifier focuses
- To change the zoom level
- To set the zoom increment

- To set the lens size
- To turn on color inversion
- To display the Magnifier toolbar

To choose where Magnifier focuses

1. Open Magnifier by clicking the **Start** button, clicking **All Programs**, clicking **Accessories**, clicking **Ease of Access**, and then clicking **Magnifier**.
2. Click the **Options** button, and then select the option that you want:

Option	Description
Follow the mouse pointer	Displays the area around the mouse pointer in the Magnifier window. When you select this option, you can choose to have the Magnifier window move when the mouse pointer approaches or when the mouse pointer hits the edge of the Magnifier window.
Follow the keyboard focus	Displays the area around the pointer when you press the Tab or arrow keys.
Have Magnifier follow the text insertion point	Displays the area around the text that you're typing.

To change the zoom level

1. Open Magnifier by clicking the **Start** button, clicking **All Programs**, clicking **Accessories**, clicking **Ease of Access**, and then clicking **Magnifier**.
2. Do one of the following:

To	Do this
Zoom in	Click <b>Zoom in</b> or press the Windows logo key  +Plus sign
Zoom out	Click <b>Zoom out</b> or press the Windows logo key  +Minus sign

To set the zoom increment

The zoom increment determines how quickly Magnifier zooms in and out.

1. Open Magnifier by clicking the **Start** button, clicking **All Programs**, clicking **Accessories**, clicking **Ease of Access**, and then clicking **Magnifier**.
2. Click the **Options** button, and then move the slider to adjust the zoom increment. Moving the slider to the left causes Magnifier to zoom slower, with smaller changes between zoom levels. Moving the slider to the right causes Magnifier to zoom faster, with larger changes between zoom levels.

To set the lens size

When you're using lens mode, you can adjust the size of the Magnifier lens.

1. Open Magnifier by clicking the **Start** button, clicking **All Programs**, clicking **Accessories**, clicking **Ease of Access**, and then clicking **Magnifier**.
2. Click the **Options** button, and then, under **Magnifier Lens Size**, move the sliders to adjust the size of the Magnifier lens. The lens size changes right away. Adjust the level until it's right for you.

## Notes

- You must be using lens mode for the lens size options to appear.
- You can quickly change the lens size by pressing Ctrl+Alt+R, and then moving the pointer up and down to change the height, and left and right to change the width.

To turn on color inversion

Turning on color inversion increases the contrast between items on your screen, which can help make your screen easier to see.

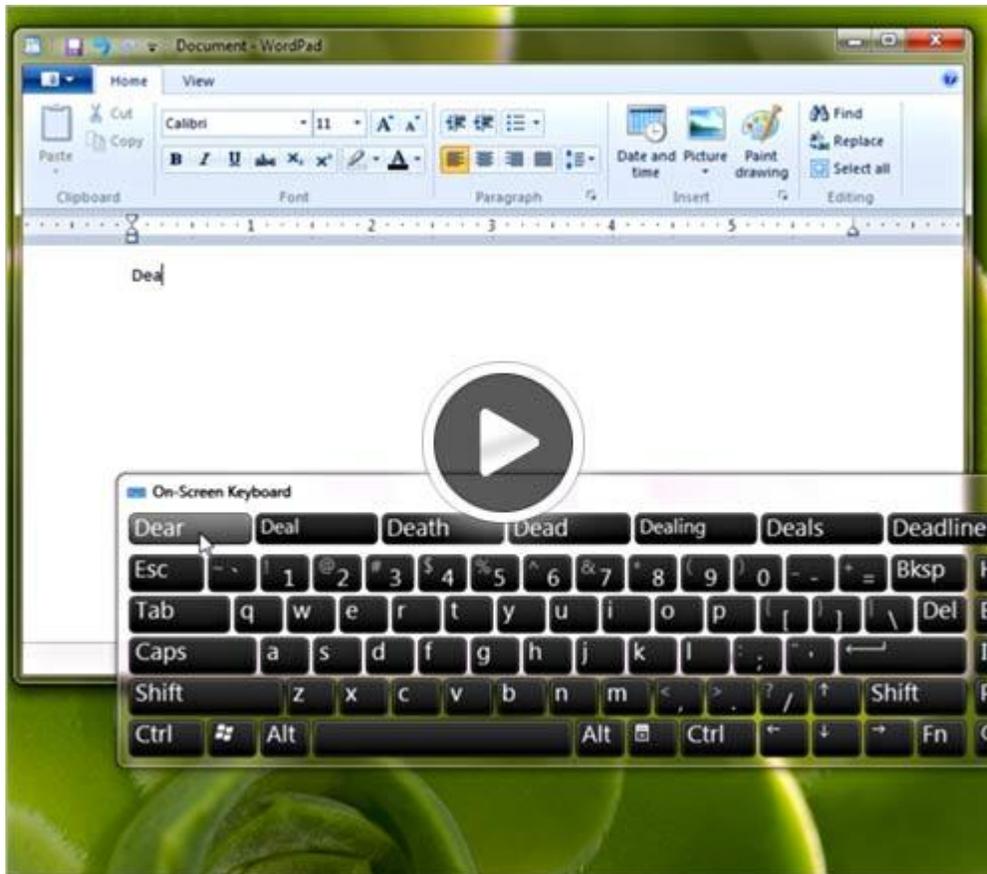
1. Open Magnifier by clicking the **Start** button, clicking **All Programs**, clicking **Accessories**, clicking **Ease of Access**, and then clicking **Magnifier**.
2. Click the **Options** button, and then select the **Turn on color inversion** check box.

To display the Magnifier toolbar

1. Open Magnifier by clicking the **Start** button, clicking **All Programs**, clicking **Accessories**, clicking **Ease of Access**, and then clicking **Magnifier**.
2. Click the magnifying glass icon or click **Magnifier** on the taskbar.

### Type without using the keyboard (On-Screen Keyboard)

Instead of relying on the physical keyboard to type and enter data, you can use On-Screen Keyboard. On-Screen Keyboard displays a visual keyboard with all the standard keys. You can select keys using the mouse or another pointing device, or you can use a single key or group of keys to cycle through the keys on the screen.



**Figure 2: Image of On-Screen Keyboard on computer screen**

### **On-Screen Topics in this section:**

- To change how information is entered into On-Screen Keyboard
- To set On-Screen Keyboard to use audible clicks
- To use a numeric key pad in On-Screen Keyboard
- To enable text prediction in On-Screen Keyboard

To change how information is entered into On-Screen Keyboard

In On-Screen Keyboard:

1. Open On-Screen Keyboard by clicking the **Start** button, clicking **All Programs**, clicking **Accessories**, clicking **Ease of Access**, and then clicking **On-Screen Keyboard**.
2. Click **Options**, and then, under **To use the On-Screen Keyboard**, select the mode you want:

Typing mode	Description
Click on keys	In clicking mode, you click the on-screen keys to type text.
Hover over keys	In hovering mode, you use a mouse or joystick to point to a key for a predefined period of time, and the selected character is typed automatically.
Scan through keys	In scanning mode, On-Screen Keyboard continually scans the keyboard and highlights areas where you can type keyboard characters by pressing a keyboard shortcut, using a switch input device, or using a device that simulates a mouse click.

### Notes

- If you're using either hovering mode or scanning mode and accidentally minimize On-Screen Keyboard, you can restore it by pointing to it in the taskbar (for hovering mode) or by pressing the scan key (for scanning mode).
- If you're using a mouse click to select a key in the Scan through keys mode, the mouse pointer must be located over On-Screen Keyboard.
- The keyboard layout changes in On-Screen Keyboard depending on the language displayed in the active program.

To set On-Screen Keyboard to use audible clicks

You can have On-Screen Keyboard make an audible click when a key is pressed.

Open On-Screen Keyboard:

1. Open On-Screen Keyboard by clicking the **Start** button, clicking **All Programs**, clicking **Accessories**, clicking **Ease of Access**, and then clicking **On-Screen Keyboard**.
2. Click **Options**, select the **Use click sound** check box, and then click **OK**.

To use a numeric key pad in On-Screen Keyboard

You can use a numeric key pad to enter numbers with On-Screen Keyboard.

1. Open On-Screen Keyboard by clicking the **Start** button, clicking **All Programs**, clicking **Accessories**, clicking **Ease of Access**, and then clicking **On-Screen Keyboard**.
2. Click **Options**, select the **Turn on numeric key pad** check box, and then click **OK**.

To enable text prediction in On-Screen Keyboard

When text prediction is enabled, as you type, On-Screen Keyboard displays a list of words that you might be typing.

1. Open On-Screen Keyboard by clicking the **Start** button, clicking **All Programs**, clicking **Accessories**, clicking **Ease of Access**, and then clicking **On-Screen Keyboard**.
2. Click **Options**, select the **Use Text Prediction** check box, and then click **OK**.

If you don't want to automatically add a space after you insert a word using text prediction, clear the **Insert space after predicted words** check box, and then click **OK**.

#### Notes

- Text prediction is only available in English, French, Italian, German, and Spanish. To enable text prediction in a specific language, you must first install additional language files for that language. For more information, see [Install or change a display language](#) in Help.
- Text prediction isn't included in Windows 7 Home Basic.

Hear text read aloud with Narrator

Windows comes with a basic screen reader called Narrator, which reads text on the screen aloud and describes some events (such as an error message appearing) that happen while you're using the computer.

#### Narrator topics in this section:

- Narrator Keyboard Shortcuts
- Choose which text Narrator reads aloud
- Change the Narrator voice
- Start Narrator minimized
- Narrator doesn't read what I expect it to
- I can't hear any text read aloud by Narrator
  - To check for a sound card
  - To determine if the sound card is working
  - Text to speech frequently asked questions

Narrator is not available in all languages, so if the steps below don't work, Narrator is not available for your language.

1. Open Narrator by clicking the **Start** button, clicking **All Programs**, clicking **Accessories**, clicking **Ease of Access**, and then clicking **Narrator**.

### Narrator Keyboard Shortcuts

Use the keyboard shortcuts in the following table to specify which text you want Narrator to read:

Use this keyboard shortcut	To do this
Ctrl+Shift+Enter	Get information about the current item
Ctrl+Shift+Spacebar	Read the entire selected window
Ctrl+Alt+Spacebar	Read the items that are selected in the current window
Insert+Ctrl+G	Read a description of the items that appear next to the currently selected element
Ctrl	Stop Narrator from reading text
Insert+Q	Move the cursor backward to the beginning of any preceding text that has different formatting. For example, the cursor moves from a bold word to the beginning of a non-bold word that precedes it.
Insert+W	Move the cursor to the beginning of any text that follows it that has different formatting. For example, the cursor moves from a bold word to the beginning of a non-bold word that follows it.
Insert+E	Move the cursor back to the beginning of any text that has the same formatting. For example, the cursor moves from the middle of a bold word to the beginning of that word.
Insert+R	Move the cursor to the end of any text that has the same formatting. For example, the cursor moves from the middle of a bold word to the end of that word.
Insert+F2	Select all of the text that has the same formatting as the character at the cursor
Insert+F3	Read the current character
Insert+F4	Read the current word
Insert+F5	Read the current line
Insert+F6	Read the current paragraph
Insert+F7	Read the current page
Insert+F8	Read the current document

### Note

- The Insert key is used for Narrator commands, so when you press Insert while Narrator is running, you won't be able to insert characters. To use the Insert key to insert characters while Narrator is running, press Insert+I and then the characters you want to add.

Choose which text Narrator reads aloud

1. Open Narrator by clicking the **Start** button, clicking **All Programs**, clicking **Accessories**, clicking **Ease of Access**, and then clicking **Narrator**.
2. Under **Main Narrator Settings**, do one or more of the following:

- To hear what you type, select the Echo User's Keystrokes check box.
- To hear background events, such as notifications, select the Announce System Messages check box.
- To hear an announcement when the screen scrolls, select the Announce Scroll Notifications check box.

#### Change the Narrator voice

1. Open Narrator by clicking the **Start** button, clicking **All Programs**, clicking **Accessories**, clicking **Ease of Access**, and then clicking **Narrator**.
2. Click **Voice Settings**, and then make any of the following adjustments:
  - To select a different voice, click the voice you want to use in the **Select Voice** box.
  - For a faster voice, select a number in the **Set Speed** list. The higher the number, the faster the voice.
  - For a louder voice, select a number in the **Set Volume** list. The higher the number, the louder the voice.
  - For a higher-pitched voice, select a number in the **Set Pitch** list. The higher the number, the higher the pitch. A higher-pitched voice can be easier for some people to hear.

#### Start Narrator minimized

1. Open Narrator by clicking the **Start** button, clicking **All Programs**, clicking **Accessories**, clicking **Ease of Access**, and then clicking **Narrator**.
2. Select the **Start Narrator Minimized** check box.

The next time you start Narrator, it will appear as an icon on the taskbar instead of being open on your screen.

To restore the Narrator dialog box to its full size, click **Narrator** in the taskbar.

#### Narrator doesn't read what I expect it to

This topic provides information about problems you might run into when using Narrator.

- ***Narrator doesn't read what I expect it to read.*** Narrator provides basic screen-reading capabilities that allow you to use Windows when you don't have a more full-featured screen reader. Narrator is not designed to read content in all programs. For more information about screen readers and other assistive technologies, go to the **Microsoft Accessibility website** [www.microsoft.com/enable](http://www.microsoft.com/enable).
- ***Narrator doesn't read notifications or the contents of some folders.*** Narrator can't read notifications because notifications can't be selected. For the same reason, it can't read the contents of some folders.
- ***Narrator doesn't read some Help topics.*** Narrator can't read the text that appears below collapsed headings in Help topics. To read the text of Help topics with collapsed headings, tab to the **Show all** link at the top of the topic and press Enter to expand all the topics. Then press Ctrl+Shift+Spacebar to have Narrator read the window again.

#### Note

- Narrator is not available in all languages.

I can't hear any text read aloud with Narrator

Here are some things to try if you're having trouble hearing text read aloud by Narrator:

- Make sure that your speakers are connected properly. If you're not sure how to do this, check the information that came with your speakers.
- Make sure that the speaker volume is turned up sufficiently and your speakers aren't muted.
- Make sure that your sound card is properly installed and the drivers are updated.

To check for a sound card

1. Open Audio Devices and Sound Themes by clicking the **Start** button, clicking **Control Panel**, clicking **Hardware and Sound**, and then clicking **Sound**.
2. Your sound card is listed on the **Playback** tab.

If you don't have a sound card installed, you'll have to get one for Narrator to work.

To determine if the sound card is working

1. Open **Device Manager** by clicking the **Start** button, clicking **Control Panel**, clicking **Systems and Maintenance**, and then clicking **Device Manager**.

If you are prompted for an administrator password or confirmation, type the password or provide confirmation.

2. If the sound card has a yellow question mark next to it, the sound card might not be working. Try reinstalling the sound card driver. For more information, see Update a driver for hardware that isn't working properly, in Help.
3. If the sound card appears twice in the list, you might have a ghost device. If so, delete the entry with the question mark.

Narrator does not read some Help topics

Narrator cannot read the text that appears below collapsed headings in Help topics. To read the text of Help topics with collapsed headings, tab to the Show all link at the top of the topic and press ENTER to expand all the topics. Then press CTRL+SHIFT+SPACEBAR to have Narrator read the window again.

The INSERT key doesn't work as expected when Narrator is running

The INSERT key is used for Narrator commands, so when you press INSERT while Narrator is running, you won't be able to insert characters. To use the INSERT key to insert characters while Narrator is running, press INSERT+I and then the characters you want to add.

Text to speech: frequently asked questions

Here are some answers to common questions about text-to-speech programs.

Note that Narrator is not available in all languages.

### **Can on-screen text be read aloud to me?**

Yes, Narrator and other programs read aloud text, buttons, menus, file names, and other items on the screen—even keystrokes. This can be helpful for people who don't see the screen or have difficulty seeing the screen.

### **Does Windows include a text-to-speech program?**

Yes. It's called Narrator. It's adjustable in many ways and can make the computer easier to use. For more information, see [Hear text read aloud with Narrator](#) in Windows Help.

### **Can any computer read text aloud?**

Nearly any computer can be set up to read text aloud. Make sure your computer has a functioning sound card, and that you meet the basic requirements. For more information, see [Troubleshoot Narrator problems](#) in Help.

### **Are there other text-to-speech programs?**

Yes, there are several. For a list of text-to-speech programs, go to the **Microsoft Accessibility website** [www.microsoft.com/enable](http://www.microsoft.com/enable).

### Use Speech Recognition

You can use your voice to control your computer. You can say commands that the computer will respond to, and you can dictate text to the computer.

Before you get started using Windows Speech Recognition, you'll need to connect a microphone to your computer.



**Figure 3: Image of Set up Speech Recognition dialog box**

Once you've got the microphone set up, you can train your computer to better understand you by creating a voice profile that your computer uses to recognize your voice and spoken commands. For information about setting up your microphone, see [Set up your microphone for Speech Recognition](#) in Windows Help.

After you've got your microphone and voice profile set up, you can use Speech Recognition to do the following:

- **Control your computer.** Speech Recognition listens and responds to your spoken commands. You can use Speech Recognition to run programs and interact with Windows.

For more information about the commands you can use with Speech Recognition, see Common commands in Speech Recognition in Windows Help.

- **Dictate and edit text.** You can use Speech Recognition to dictate words into word-processing programs or to fill out online forms in a web browser. You can also use Speech Recognition to edit text on your computer. For more information about dictating text, see Dictate text using Speech Recognition in Windows Help.

**Note** Speech Recognition is available only in English, French, Spanish, German, Japanese, Simplified Chinese, and Traditional Chinese.

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