

BOLEY CENTERS, INC.

TITLE VI PLAN

ADOPTED: 11/21/2019

Title VI/Nondiscrimination Policy Statement and Management Commitment to Title VI Plan

49 CFR Part 21.7(a): Every application for Federal financial assistance to which this part applies shall contain, or be accompanied by, an assurance that the program will be conducted or the facility operated in compliance with all requirements imposed or pursuant to [49 CFR Part 21].

Boley Centers, Inc. assures the Florida Department of Transportation that no person shall on the basis of race, color, national origin, 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 and the Florida Civil Rights Act of 1992 be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination or retaliation under any program or activity undertaken by the agency.

Boley Centers, Inc. further agrees to the following responsibilities 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 or authorized representative.
2. Issue a policy statement signed by the Executive Director or authorized representative, 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 language other than English.
3. Insert the clauses of Section 4.5 of this plan into every contract subject to the Acts and the Regulations.
4. Develop a complaint process and attempt to resolve complaints of discrimination against Boley Centers, Inc..
5. Participate in training offered on the Title VI and other nondiscrimination requirements.
6. If reviewed by FDOT or any other state or federal regulatory agency, take affirmative actions to correct any deficiencies found within a reasonable time period, not to exceed ninety (90) days.
7. Have a process to collect racial and ethnic data on persons impacted by the agency's programs.
8. Submit the information required by FTA Circular 4702.1B to the primary recipients (refer to Appendix A of this plan)

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 agency.

Signature

Gary MacMath, President/CEO
Boley Centers, Inc.
11/21/2019

Title VI Plan Concurrence and Adoption

Your Agency will submit the Title VI Plan to FDOT for concurrence every three (3) years or any time a major change in the Plan occurs.

This Plan was approved and adopted by Boley Centers, Inc.'s Board of Directors during a meeting held on 11/21/2019. A copy of the meeting minutes is included in **Appendix A** of this Plan.

1.0 Title VI Notice to the Public

1.1 Notice to Public

Recipients must notify the public of its rights under Title VI and include the notice and where it is posted in the Title VI Plan. The notice must include:

- A statement that the agency operates programs without regard to race, color and national origin
- A description of the procedures members of the public should follow to request additional information on the grantee's nondiscrimination obligations
- A description of the procedure members of the public should follow to file a discrimination complaint against the grantee

A sample of the notice is included in the **Appendix B** of this Plan. The sample notice should be translated into other languages, as necessary.

1.2 Notice Posting Locations

The Notice to Public will be posted at many locations to apprise the public of Boley Centers, Inc.'s obligations under Title VI and to inform them of the protections afforded them under Title VI. At a minimum, the notice will be posted in public areas of Boley Centers, Inc.'s office(s) including the reception desk and meeting rooms, and on the Boley Centers, Inc.'s website at boleycenters.org. Additionally, Boley Centers, Inc. may also post the notice on transit vehicles.

A sample version of this notice is included in **Appendix B** of this Plan along with any translated versions of

If your agency does not have a website, contact Mr. Dave Newell, District 7 – Tampa Florida
Dave.Newell@dot.state.fl.us
813/975-6195

the notice, as necessary. The public notice must be provided in any other language which meets the Safe Harbor threshold (See Appendix E).

2.0 Title VI Procedures and Compliance

2.1 Complaint Procedure

Any person who believes he or she has been discriminated against on the basis of race, color or national origin by Boley Centers, Inc. may file a Title VI complaint by completing and submitting the agency's Title VI Complaint Form (see **Appendix C**). Boley Centers, Inc. investigates complaints received no more than 180 days after the alleged incident. Boley Centers, Inc. will process complaints that are complete.

Once the complaint is received, Boley Centers, Inc. will review it to determine if our office has jurisdiction. The complainant will receive an acknowledgement letter informing him/her whether the complaint will be investigated by our office.

Boley Centers, Inc. has ninety (90) days to investigate the complaint. If more information is needed to resolve the case, Boley Centers, Inc. may contact the complainant. The complainant has ten (10) business days from the date of the letter to send requested information to the investigator assigned to the case. If the investigator is not contacted by the complainant or does not receive the additional information within ten (10) business days, Boley Centers, Inc. can administratively close the case. A case can also be administratively closed if the complainant no longer wishes to pursue their case.

After the investigator reviews the complaint, she/he will issue one of two letters to the complainant: a closure letter or a letter of finding (LOF). A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed. A LOF summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member or other action will occur. If the complainant wishes to appeal the decision, she/he has seven (7) days to do so from the time he/she receives the closure letter or the LOF.

The complaint procedure will be made available to the public on Boley Centers, Inc.'s website www.boleycenters.org.

2.2 Complaint Form

A copy of the complaint form in English and Spanish is provided in the **Appendix C** and on Boley Centers, Inc.'s website (www.boleycenters.org). The complaint form must be provided in any languages spoken by the LEP population which meet the Safe Harbor threshold (See **Appendix C**).

3.0 Title VI Investigations, Complaints, and Lawsuits

In accordance with 49 CFR 21.9(b), Boley Centers, Inc. must record and report any investigations, complaints, or lawsuits involving allegations of discrimination. The records of these events shall include the date the investigation, lawsuit, or complaint was filed; a summary of the allegations; the status of the investigation, lawsuit, or complaint; and actions taken by Boley Centers, Inc. in response; and final findings

related to the investigation, lawsuit, or complaint. The records for the previous three (3) years shall be included in the Title VI Plan when it is submitted to [FDOT].

Boley Centers, Inc. has had no investigations, complaints, or lawsuits involving allegations of discrimination on the basis of race, color, or national origin over the past three (3) years. A summary of these incidents is recorded in Table 1.

Table 1: Summary of Investigations, Lawsuits, and Complaints

	Date (Month, Day, Year)	Summary (include basis of complaint: race, color, or national origin)	Status	Action(s) Taken
Investigations				
1.				
2.				
Lawsuits				
1.				
2.				
Complaints				
1.				
2.				

4.0 Public Participation Plan

Boley Centers, a private not-for profit agency, therefore the Public Participation Plan (PPP) is developed for the specific populations that it serves. Boley Centers supports and operates a Consumer Advisory Board with representatives from throughout Boley Centers’ programs to provide Boley Centers’ administration and staff with feedback regarding the agency’s services. The Public Participation Plan is shown in Appendix D. Below is Boley Centers Policy Regarding input from people served.

INPUT FROM PERSONS SERVED

C -10

It is the policy of Boley Centers to ensure that programs and services are as responsive as possible to the needs and wants of those served. Boley Centers believes in the importance of securing input from its consumers regarding all aspects of the Agency’s operations. Input from consumers is seriously considered when the Board and administration are making decisions regarding program changes, improvements, and enhancements as well as developing long range plans.

A number of agency structures, ranging from formal committees to informal open meetings and forums, have been created to assure that input from those served and their families is gathered, reviewed, and utilized on a regular basis.

BOARD OF DIRECTORS

The Board of Directors will maintain representation at all times by having a consumer and/or a family member as a Director.

CONSUMER ADVISORY COUNCIL

The Consumer Advisory Council has been in existence at Boley Centers since 1984. The Council's mission is to provide a forum for consumers to voice their concerns regarding program and facility issues. The Council is comprised of representatives from each program area and each residence of Boley Centers, including consumers currently living and working in the community. Boley Centers' staff serve in the capacity of staff advisor to the Council to ensure that all issues are addressed by the appropriate program area. Minutes of CAC meetings are disseminated to all program areas throughout Boley Centers.

FACT TEAM ADVISORY COUNCIL

Boley Centers' Florida Assertive Community Treatment (FACT) Team program has, as one of its components, an Advisory Council which meets monthly. Membership in this Council is comprised of individuals who represent consumers; family members (through the local chapter of NAMI); case managers from involved mental health agencies; law enforcement; and Central Florida Behavioral Health Network. The charge of this Council is that of providing oversight and input to the FACT Team in order to ensure that the Team is operating in accordance with State guidelines, that the appropriate consumers are being served, and that the Team is responsive to the needs and wants of Pinellas County's consumers and family members.

RESIDENTIAL TOWN MEETINGS

Town Meetings take place at each residential facility on a weekly basis to provide an opportunity for residents to share news and to raise concerns and issues which may affect the facility residents as a whole. These meetings are attended by the Residential Supervisor, Residential Rehabilitation Specialist III staff, and by all residents of the facility. These meetings are held in the evenings to better enable working consumers to attend.

CONSUMER SATISFACTION SURVEYS

Consumer Satisfaction Surveys provide a mechanism for consumers to comment on the programs and services of Boley Centers in an anonymous fashion. These annual surveys cover all areas of Boley Centers' operations: programs, facilities, and staff behaviors. Results of these surveys are used by management to improve services, facilities, and staff as well as in future planning efforts.

BOLEY CENTERS' COMMUNITY HOUSING DEVELOPMENT ORGANIZATION

Boley Centers' housing subsidiary, Pinellas Affordable Living, Inc. (PAL, Inc.), a Community Housing Development Corporation (CHDO), has a Board of Directors comprised of a minimum of 33% consumers to advise on the location and style for new

housing projects. PAL, Inc.'s mission is to develop truly integrated and affordable rental housing in Pinellas County for low and very low income households. Ten percent of its rental units are reserved for Boley Centers' consumers.

Additional participation/feedback from Pinellas County's social services network is obtained by Boley's staff involvement in community based meetings and networks, for example Boley Centers maintains membership in the Pinellas County Homeless Leadership Board's network and Provider's Group, Boley staff are active with the local government's affordable housing task forces, Boley is an active participant with the Veteran's Administration's Grant and Per Diem work group, the Central Florida Behavioral Health Network and specific ad hoc committees in our community.

Boley Centers receives referrals to our programs through a variety of sources, based on the individual programs' entry criteria which is set by the funding source. Boley Centers works closely with these private and public referral sources to ensure the clients seeking services are able to access the programs that best meet their needs.

Current Outreach Efforts

Boley Centers, Inc. is required to submit a summary of public outreach efforts made over the last three (3) years. The following is a list and short description of Boley Centers, Inc.'s recent, current, and planned outreached activities.

- Boley Centers participates in the Homeless Leadership Board's Coordinated Entry Process
- Boley Centers provided transportation county-wide to assist homeless individuals to access cold night shelters.
- Boley Centers' Homeless Outreach staff made weekly visits to the Veteran's Administration, local shelters such as Pinellas Hope, the Pinellas County Safe Harbor and Turning Point to recruit homeless people in need of permanent housing.
- Boley Centers Outreach staff receive referrals from local psychiatric hospitals including public and private facilities to interview clients in need of group homes as an alternative to long-term hospitalization.
- Boley Centers participates in Pinellas County's High Utilizers Project, ensuring the highest users of mental health crisis beds, emergency rooms and jail are provided with the service, treatment, supports and housing needed to break their cycles of crisis.

5.0 Language Assistance Plan

Boley Centers, Inc. operates a transit system providing service to clients enrolled in a Boley Centers' program. The Language Assistance Plan (LAP) has been prepared to address Boley Centers, Inc.'s responsibilities as they relate to the needs of individuals with Limited English Proficiency (LEP). Individuals, who have a limited ability to read, write, speak or understand English are LEP. In Boley Centers, Inc. service

area there are 26,544 residents or 2.99 % who describe themselves as not able to communicate in English very well (Source: US Census). Boley Centers, Inc. is federally mandated (Executive Order 13166) to take responsible steps to ensure meaningful access to the benefits, services, information and other important portions of its programs and activities for individuals who are LEP. Boley Centers, Inc. has utilized the U.S. Department of Transportation (DOT) LEP Guidance Handbook and performed a four factor analysis to develop its LAP. The LAP is included in this Title VI Plan as **Appendix E**.

Transit Planning and Advisory Bodies

Boley Centers, Inc. does not have a transit-related committee or board; therefore, this requirement does not apply.

6.0 Title VI Equity Analysis

Boley Centers, Inc. has not recently constructed any facilities nor does it currently have any facilities in the planning stage. Therefore, Boley Centers, Inc. does not have any Title VI Equity Analysis reports to submit with this Plan. Boley Centers, Inc. will utilize the demographic maps included in Appendix I for future Title VI analysis.

7.0 Appendices

APPENDIX A	TITLE VI PLAN ADOPTION MEETING MINUTES
APPENDIX D	TITLE VI SAMPLE NOTICE TO PUBLIC
APPENDIX C	TITLE VI COMPLAINT FORM
APPENDIX D	PUBLIC PARTICIPATION PLAN
APPENDIX E	LANGUAGE ASSISTANCE PLAN
APPENDIX F	OPERATING AREA LANGUAGE DATA: BOLEY CENTERS, INC. SERVICE AREA
APPENDIX G	DEMOGRAPHIC MAPS (COULD BE OPTIONAL)

Appendix A
Title VI Plan Adoption Meeting Minutes



BOARD OF DIRECTORS
Thursday, November 21, 2019
Paula J. Hays Center

<u>Directors Present</u>	<u>Directors Excused</u>	<u>Staff Present</u>
Rutland Bussey Paul Misiewicz	Leonard Coley	Gary MacMath
Markus Hughes Gail Phares	Jack Hebert	Kevin Marrone
Sandy Incorvia Sally Poynter	Maggi McQueen	Jack Humburg
Martin Lott Joseph Stringer	Joseph Smith	Nancy Recvlohe
Robert Wallace		

CALL TO ORDER

Chair Gail Phares called the meeting to order at 4:35 p.m.

Approval of October 17, 2019 Minutes

- Sally made a motion to approve the October 17, 2019 minutes, seconded by Paul and unanimously approved.

FINANCE COMMITTEE REPORT

Paul Misiewicz

	September 2019			
	Current Month		Year to Date	
	Actual	Budget	Actual	Budget
Income	\$1,599,554	\$1,563,759	\$4,683,888	\$4,817,519
Expenses	\$1,588,118	\$1,505,976	\$4,670,191	\$4,664,508
Net Operating Income	\$11,436	\$57,783	\$13,697	\$153,011
Other				
Income/Expenses	\$0	\$0	\$0	\$0
Net Income	\$11,436	\$57,783	\$13,697	\$153,011

Paul shared current and year to date totals with Board members. The Finance Committee has three items requiring Board approval:

- As in past years, the Finance Committee approved holiday gift cards for staff at \$25 each, totaling \$5,625.
The motion coming from the Finance Committee, went straight to vote. 2019 Holiday gift cards for staff were unanimously approved by the Board of Directors.

- The Finance Committee also discussed the purchase of a van. Paul said there is money in the vehicle fund and also in property improvements to use toward the purchase. The van will cost \$37,606.20.
The motion coming from the Finance Committee, went straight to vote. The purchase of a Boley van was unanimously approved by the Board of Directors.
- The third item will come before the Board when the subject matter is being addressed.

EXECUTIVE SUMMARY

Gary and Kevin

- Kevin explained the current grantors, purpose and amounts of the Grants & Funding list – Total County Contract is \$603,202.
- Kevin said he found out this morning that AHCA will be releasing \$10M in additional temporary housing assistance annually for Regions 5 & 6, which is Orlando/Pasco/Pinellas.
This is a 4-year pilot that provides four new billing codes to individuals who are homeless and at risk of homelessness.
- The New Codes/Revenue Source are:
 - »Transitional Housing Services
 - »Individual Housing and Tenancy Sustaining Services
 - »Mobile Crisis Management
 - »Self-help/peer support
- Kevin said the AHCA codes perfectly describe what we do at Boley Centers and that we have over 100 clients who fit into this plan. We are currently providing the services and we need to justify it is a social/services rehabilitation. Kevin said with these codes, there are no prior authorizations put in place. The main point is to prove to managed care companies that housing clients keeps them well, out of the hospital and lowers medical costs.
- Kevin said Boley would like to start this new program by December 1.

EVENTS

- Consumer Thanksgiving Dinner, 11-27-19, 11:00 AM, Koenig Center
- Angels Mingle Jingle Brunch, 12-3-19, 10:30 AM, Club @ Treasure Island
- William Doran Art Fest, 12-5-19, 12 Noon, Koenig Center
- Consumer Holiday Party, 12-9-19, 4:30 PM, Gulfport Casino Ballroom
- 37th Annual Jingle Bell Run, 12-13-19, 7:30 PM, Albert Whitted Park
- Queen of Hearts Ball, 2-29-19, 6:00 PM, Downtown St. Pete Hilton
- 50th Anniversary Soiree, 5-14-20, 6:00 PM, The James Museum

HOUSING UPDATE

Jack Humburg

- The first 25 units of the Ranch is complete, have opened and the moving process for 15 families has begun.
- Jack showed pictures from the October 30th Grand Opening of the Ranch. Several dignitaries attended, guests enjoyed tours of the complex, Sonny's Barbeque catered the event and Gypsy Wind provided the music.
- Phase 2 of the Ranch is scheduled for completion by 2020.

- The final building, an additional 8 units for homeless individuals, at the Sally Poynter Preserves is now under construction. The total budget is 1.4M, seven months is the targeted completion date.
- The loan has been closed for Evergreen Village. The \$5M development, 2.39 acre lot is located off of 62nd Ave. N, and will house 21 units (duplexes and triplexes). We have paid back the \$530,000 loan to Bessie Boley Foundation. We are targeting October, 2020 for occupancy at Evergreen Village.
- Delmar 745 is moving along. The developer has received permission from Florida Housing for a second extension that will give them until June to complete construction.
- Butterfly Grove was awarded \$5M for the redevelopment of that site. We received permission from Florida Housing to reduce the number of units from 22 to 20.
- All is quiet at our 54th Ave. site, which we refer to as Whispering Pines. The Florida Housing Finance Corporation is requesting applications be submitted by late February. There will be one, two and three bedrooms at this 20-unit location. Jack said this is the only site that is not currently financed. We anticipate financing by early 2020. Gary said that based on the latest conversation with the neighborhood association, he is recommending the Ad Hoc Committee hold off meeting for now. Jack confirmed there has been no negative activity in that area.
- The newest site is located at 7041 34th St. in Pinellas Park. We are calling it Mystic Woods. There is potential, with the Affordable Housing bonus, to develop 50 units on this site. The property is owned by the Jehovah Witness church and a second party owns the mineral rights. The listing states they do not want to sell the mineral rights. Jack said a discussion with the Finance Committee involved the option of making an offer on the property, contingent on us obtaining the mineral rights. The realtor said they have a contract offer that may get signed, but they are accepting backup offers. Jack said if we could get this property for \$13,000/unit, it would be a great deal.

FINANCE COMMITTEE, Item #3

- Paul said the Finance Committee discussed and approved asking for \$685,000 plus the mineral right fees (up to \$700,000) from the Bessie Boley Foundation. Gary noted a Foundation membership quorum was present at the Board of Directors meeting.
 Board Comments: Rutland asked what “potential” for 50 units means. He is concerned potential and end result are not always the same.
 Jack said the current zoning allows us to build 30 units. With the Workforce Affordable Housing bonus we get 15 units per acre, which totals 51 units. We are allowed a pre-development meeting with the County, where we will confirm the building of 50 units.
Gail said coming from Committee, the proposal goes straight to vote. The Board of Directors voted unanimously to approve asking the Bessie Boley Foundation for \$685,000 to purchase the property and up to \$700,000 to include mineral rights for the property at 7041 34th St., Pinellas Park.

OLD BUSINESS

- A phone poll to the Board of Directors was conducted November 6, 2019. Board members approved: Boley Centers' staff is requesting \$10,000 from the Boley Foundation for the production of a professionally made video to celebrate Boley Centers' 50 Anniversary. The video will be used for additional fund-raising efforts.
- Gary said the Boley Foundation approved the \$10,000.

NEW BUSINESS – Both relate to the purchase of two new vans through FDOT

- Approval of FDOT Title VI Plan and Limited English Proficiency Plan with provisions allowing staff to make minor adjustments to the plan as required by the FDOT. Jack said this document requires us to have a plan to communicate with non-English speakers.

Martin Lott made a motion to approve the FDOT Title VI Plan and Limited English Proficiency Plan. Markus Hughes seconded the motion and it was unanimously approved.

- Resolution allowing Boley Centers staff to apply to the FDOT for funds to purchase new vehicles and permission for Gary MacMath, President/CEO to sign the application, grant award and any other documents required to obtain vehicles.

Martin Lott made a motion to approve allowing Boley Centers staff to apply to the FDOT for funds to purchase new vehicle and allow Gary MacMath, President/CEO to sign all documents required to obtain vehicles. Sally Poynter seconded the motion and it was unanimously approved.

There being no further business, Chair Gail Phares adjourned the meeting at 5:35 PM.

- Gary asked that a Bessie Boley Foundation meeting be called to order.
- **Foundation President Martin Lott made a motion to approve a loan from the Bessie Boley Foundation of up to \$700,000 for the purchase of Mystic Woods, new property in Pinellas Park. Sally Poynter seconded the motion and it was unanimously approved.**

Respectfully Submitted,



Kevin Marrone,
Corporate Secretary

There is no meeting in December
The next Board of Directors meeting will be January 16, 2020

Appendix B
Title VI Sample Notice to Public

Notifying the Public of Rights Under Title VI

Boley Centers, Inc.

- Boley Centers, Inc. operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with Boley Centers, Inc..
- For more information on Boley Centers, Inc.'s civil rights program, and the procedures to file a complaint, contact 727-821-4819 ext 5222, (TTY 727-); email teckman@sastampabay.org or visit our administrative office at 445 31st Street N., St. Petersburg, FL 33713. For more information, visit boleycenters.org.
- If information is needed in another language, contact 727-821-4819 ext 5222

Appendix C
Title VI Complaint Form

Boley Centers, Inc.

Title VI Complaint Form

Section I:				
Name:				
Address:				
Telephone (Home):			Telephone (Work):	
Electronic Mail Address:				
Accessible Format Requirements?	Large Print		Audio Tape	
	TDD		Other	
Section II:				
Are you filing this complaint on your own behalf?			Yes*	No
*If you answered "yes" to this question, go to Section III.				
If not, please supply the name and relationship of the person for whom you are complaining:				
Please explain why you have filed for a third party: _____				
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.			Yes	No
Section III:				
I believe the discrimination I experienced was based on (check all that apply):				
<input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin <input type="checkbox"/> Age <input type="checkbox"/> Disability <input type="checkbox"/> Family or Religious Status <input type="checkbox"/> Other_____				
Date of Alleged Discrimination (Month, Day, Year): _____				
Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form. _____ _____				
Section IV				
Have you previously filed a Title VI complaint with this agency?			Yes	No

Appendix D

Public Participation Plan (PPP)

Boley Centers is a private not-for profit agency, therefore the Public Participation Plan (PPP) is developed for the specific populations that it serves. Boley Centers supports and operates a Consumer Advisory Board with representatives from throughout Boley Centers' programs to provide Boley Centers' administration and staff with feedback regarding the agency's services. Below is Boley Centers Policy Regarding input from people served.

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Appendix E

Language Assistance Plan (LAP)

I. Introduction

Boley Centers, Inc. operates a transportation department that specifically serves individuals participating in Boley Centers' services and housing programs in Pinellas County. It does not provide transportation to the public at large. transit system within Pinellas County. The Language Assistance Plan (LAP) has been prepared to address Boley Centers, Inc.'s responsibilities as they relate to the needs of individuals with Limited English Proficiency (LEP). Individuals, who have a limited ability to read, write, speak or understand English are LEP. In Boley Centers, Inc. service area there are 26,544 residents or 2.99% who describe themselves as not able to communicate in English "very well" (Source: US Census). Boley Centers, Inc. is federally mandated (Executive Order 13166) to take responsible steps to ensure meaningful access to the benefits, services, information and other important portions of its programs and activities for individuals who are LEP. Boley Centers, Inc. has utilized the U.S. Department of Transportation (USDOT) LEP Guidance Handbook and performed a four factor analysis to develop its LAP.

The U.S. Department of Transportation Handbook, titled "Implementing the Department of Transportation's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons: A Handbook for Public Transportation Providers, (April 13, 2007) " (hereinafter "Handbook"), states that Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq., and its implementing regulations provide that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity that receives Federal financial assistance (Handbook, page 5). The Handbook further adds that Title VI prohibits conduct that has a disproportionate effect on LEP persons because such conduct constitutes national origin discrimination (Handbook, page 5).

Executive Order 13166 of August 16, 2000 states that recipients of Federal financial assistance must take reasonable steps to ensure meaningful access to their programs and activities by LEP persons (Handbook, page 6). Additionally recipients should use the DOT LEP Guidance to determine how best to comply with statutory and regulatory obligations to provide meaningful access to the benefits, services, information and other important portions of their programs and activities for individuals who are LEP (Handbook, page 6). These provisions are included in FTA Circular 4702.1B in Paragraph 9 of Chapter III (pages III-6 to III-9).

II. Four Factor Analysis

The analysis provided in this report has been developed to identify LEP population that may use Boley Centers, Inc. services and identify needs for language assistance. This analysis is based on the "Four Factor Analysis" presented in the Implementing the Department of Transportation's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons, dated April 13, 2007, which considers the following factors:

1. The number and proportion of LEP persons in the service area who may be served or are likely to encounter a Boley Centers, Inc. program, activity or service.
2. The frequency with which LEP persons come in contact with Boley Centers, Inc. programs, activities or services.

3. The nature and importance of programs, activities or services provided by Boley Centers, Inc. to the LEP population.
4. The resources available to Boley Centers, Inc. and overall costs to provide LEP assistance

a. **Factor 1: The Number and Proportion of LEP Persons Serviced or Encountered in the Eligible Service Population**

Of the 889,154 residents in the Boley Centers, Inc. service area 26,544 residents describe themselves as speaking English less than “very well”. People of Spanish and Vietnamese descent are the primary LEP persons likely to utilize Boley Centers, Inc. services. For the Boley Centers, Inc. service area, the American Community Survey of the U.S. Census Bureau shows that among the area’s population 91.3% speak English “very well”. For groups who speak English “less than very well”, 14.8% speak Vietnamese and 8.5% speak Spanish.

Appendix F contains a table which lists the languages spoken at home by the ability to speak English for the population within the Boley Centers, Inc. service area.

b. **Factor 2: The Frequency with which LEP Individuals Come into Contact with Your Programs, Activities, and Services**

The Federal guidance for this factor recommends that agencies should assess the frequency with which they have contact with LEP individuals from different language groups. The more frequent the contact with a particular LEP language group, the more likely enhanced services will be needed.

Boley Centers, Inc. has assessed the frequency with which LEP individuals come in contact with the transit system. The methods utilized for this assessment include analysis of Census data, examining phone inquiries, requests for translated documents, and staff survey. As discussed above, Census data indicates that possible prominent LEP groups are Vietnamese and Spanish speakers. Phone inquiries and staff survey feedback indicated that Boley Centers, Inc. dispatchers and drivers interact [infrequently] with LEP persons. The majority of these interactions have occurred with LEP persons who mainly spoke Spanish. Over the past 5 years, Boley Centers, Inc. has had 10 requests for translated documents.

c. **Factor 3: The Nature and Importance of the Program, Activity, or Service Provided by the Recipient to People’s Lives**

Boley Centers does not provide public transportation, but provides transportation to the people we serve in our treatment programs, vocational programs and housing. 100% of the people served are disabled. Of the approximately 1,000 people served in a given year, approximately 1% of the population is LEP. Our transportation and LEP plan allows us to provide the skills training, social activities, access to health care and community resources and amenities to people who are both English proficient and have limited English proficiency. Our staff ensure equal access by making accommodations in the event any barriers to services exist.

d. Factor 4: The Resources Available to the Recipient and Costs

Language Assistance Measures

INTERPRETER & DOCUMENT SERVICES FOR PEOPLE WITH LIMITED ENGLISH PROFICIENCY GPO-72

1. To ensure consumers with limited English proficiency receive high quality treatment services, Boley Centers' Comprehensive Community Service team members will make a good faith effort to obtain qualified interpreters with proficiency in the consumer's native language for all treatment services provided.
2. Boley Centers' staff will work with local service agencies, including Catholic Charities, Gulf coast Community Care, American Red Cross Language Bank and other providers of interpreter services to obtain appropriate services.
3. In the event there are charges for the services, consumer contingency funds and other sources of revenues will be accessed. Consumers will not be charged for the cost of the interpreter.

III. Language Assistance Plan

In developing a Language Assistance Plan, FTA guidance recommends the analysis of the following five elements:

1. Identifying LEP individuals who need language assistance
2. Providing language assistance measures
3. Training staff
4. Providing notice to LEP persons
5. Monitoring and updating the plan

The five elements are addressed below.

a. Element 1: Identifying LEP Individuals Who Need Language Assistance

Federal guidance provides that there should be an assessment of the number or proportion of LEP individuals eligible to be serviced or encountered and the frequency of encounters pursuant to the first two factors in the four-factor analysis.

Boley Centers, Inc. has identified the number and proportion of LEP individuals within its service area using United States Census data (see Appendix H). As presented earlier, 86.3% of the service area population speaks English only. The largest non-English spoken language in the service area is Vietnamese . Of those who primary spoken language is Vietnamese , approximately 0.4% identify themselves as speaking less than “very well”. Those residents whose primary language is not English or Vietnamese and who identify themselves as speaking English less than “very well” account for .51% of the service area population.

Boley Centers, Inc. may identify language assistance need for an LEP group by:

1. Examining records to see if requests for language assistance have been received in the past, either at meetings or over the phone, to determine whether language assistance might be needed at future events or meetings.

2. Boley Centers will identify interpreters in the area who can assist with language barriers.
3. Having Census Bureau Language Identification Flashcards on all transit vehicles to assist operators in identifying specific language assistance needs of passengers. If such individuals are encountered, vehicle operators will be instructed to obtain contact information to give to Boley Centers, Inc. management to follow-up.
4. Vehicle operators and front-line staff (i.e. Dispatchers, Transit Operation Supervisors, etc.) will be surveyed on their experience concerning any contacts with LEP persons during the previous year.

b. Element 2: Language Assistance Measures

Federal Guidance suggests that an effective LAP should include information about the ways in which language assistance will be provided. This refers to listing the different language services an agency provides and how staff can access this information.

For this task Federal Guidance recommends that transit agencies consider developing strategies that train staff as to how to effectively deal with LEP individuals when they either call agency centers or otherwise interact with the agency.

Boley Centers, Inc. has undertaken the following actions to improve access to information and services for LEP individuals:

1. Arrange for translators with prior notification of need at community events and for treatment.
2. Survey transit drivers and other front-line staff annually on their experience concerning any contacts with LEP persons during the previous year.
3. Provide Language Identification Flashcards onboard transit vehicles and in the Boley Centers, Inc. offices.
4. Include statements clarifying that being bilingual is preferred on bus driver recruitment flyers and onboard recruitment posters.
5. When an interpreter is needed in person or on the telephone, staff will attempt to access language assistance services from a professional translation service or qualified community volunteers.

Boley Centers, Inc. will utilize the demographic maps provided in **Appendix G** in order to better provide the above efforts to the LEP persons within the service area.

c. Element 3: Training Staff

Federal guidance states staff members of an agency should know their obligations to provide meaningful access to information and services for LEP persons and that all employees in public contact positions should be properly trained.

Suggestions for implementing Element 3 of the Language Assistance Plan, involve: (1) identifying agency staff likely to come into contact with LEP individuals; (2) identifying existing

staff training opportunities; (3) providing regular re-training for staff dealing with LEP individual needs; and (4) designing and implementing LEP training for agency staff.

The following training will be provided to Customer Service Representative:

1. Information on Title VI Procedures and LEP responsibilities
2. Use of Language Identification Flashcards
3. Documentation of language assistance requests
4. How to handle a potential Title VI/LEP complaint

d. Element 4: Providing Note to LEP Persons

Boley Centers, Inc. will make Title VI information available in English and Vietnamese on the Agency's website. Key documents are written in English and Vietnamese. Notices are also posted in Boley Centers, Inc. office lobby, and on buses. Additionally, when staff prepares a document or schedules a meeting, for which the target audience is expected to include LEP individuals, then documents, meeting notices, flyers, and agendas will be printed in an alternative language based on the known LEP population.

e. Element 5: Monitoring and Updating the Plan

The plan will be reviewed and updated on an ongoing basis. Updates will consider the following:

- The number of documented LEP person contacts encountered annually
- How the needs of LEP persons have been addressed
- Determination of the current LEP population in the service area
- Determination as to whether the need for translation services has changed
- Determine whether Boley Centers, Inc.'s financial resources are sufficient to fund language assistance resources needed

Boley Centers, Inc. understands the value that its service plays in the lives of individuals who rely on this service, and the importance of any measures undertaken to make the use of system easier. Boley Centers, Inc. is open to suggestions from all sources, including customers, Boley Centers, Inc. staff, other transportation agencies with similar experiences with LEP communities, and the general public, regarding additional methods to improve their accessibility to LEP communities.

IV. Safe Harbor Provision

DOT has adopted the Department of Justice's Safe Harbor Provision, which outlines circumstances that can provide a "safe harbor" for recipients regarding translation of written materials for LEP population. The Safe Harbor Provision stipulates that, if a recipient provides written translation of vital documents for each eligible LEP language group that constitutes five percent (5%) or 1,000 persons, whichever is less, of the total population of persons eligible to be served or likely to be affected or encountered, then such action will be considered strong evidence of compliance with the recipient's written translation obligations. Translation of non-vital documents, if needed, can be provided orally. If there are fewer than

50 persons in a language group that reaches the five percent (5%) trigger, the recipient is not required to translate vital written materials but should provide written notice in the primary language of the LEP language group of the right to receive competent oral interpretation of those written materials, free of cost.

Boley Centers, Inc. service area has LEP populations which qualify for the Safe Harbor Provision. As shown in **Appendix F**, 26,544 speakers qualify for the Safe Harbor Provision as the number of person which speak English less than “very well” is over 1,000 persons.]

Boley Centers, Inc. may determine, based on the Four Factor Analysis, that even though a language group meets the threshold specified by the Safe Harbor Provision, written translation may not be an effective means to provide language assistance measures.

Appendix F

Operating Area Language Data:
Boley Centers, Inc. Service Area

Pinellas County, Florida		
<u>Language</u>	<u>People</u>	<u>Percentage</u>
Total	889,154	100.0%
Speak only English	767,354	86.3%
Spanish or Spanish Creole	5,647	6.4%
Speak English "very well"	3,385	3.8%
Speak English less than "very well"	2,262	2.5%
French (incl. Patois, Cajun)	5,625	0.6%
Speak English "very well"	4,056	0.5%
Speak English less than "very well"	1,569	0.2%
French Creole	1,215	0.1%
Speak English "very well"	800	0.1%
Speak English less than "very well"	415	0.0%
Italian	2,486	0.3%
Speak English "very well"	1,803	0.2%
Speak English less than "very well"	683	0.1%
Portuguese or Portuguese Creole	2,428	0.3%
Speak English "very well"	1,611	0.2%
Speak English less than "very well"	817	0.1%
German	4,698	0.5%
Speak English "very well"	3,968	0.4%
Speak English less than "very well"	730	0.1%
Yiddish	18	0.0%
Speak English "very well"	6	0.0%
Speak English less than "very well"	12	0.0%
Other West Germanic languages	709	0.1%
Speak English "very well"	681	0.1%
Speak English less than "very well"	28	0.0%
Scandinavian languages	501	0.1%
Speak English "very well"	479	0.1%
Speak English less than "very well"	22	0.0%
Greek	5,055	0.6%
Speak English "very well"	3,610	0.4%
Speak English less than "very well"	1,445	0.2%
Russian	1,851	0.2%
Speak English "very well"	1,201	0.1%
Speak English less than "very well"	650	0.1%
Polish	2,971	0.3%
Speak English "very well"	1,727	0.2%
Speak English less than "very well"	1,244	0.1%
Serbo-Croatian	5,074	0.6%
Speak English "very well"	2,753	0.3%
Speak English less than "very well"	2,321	0.3%

Other Slavic Languages	2,410	0.3%
Speak English “very well”	1,353	0.2%
Speak English less than “very well”	1,057	0.1%
Armenian	92	0.0%
Speak English “very well”	50	0.0%
Speak English less than “very well”	42	0.0%
Persian	294	0.0%
Speak English “very well”	141	0.0%
Speak English less than “very well”	153	0.0%
Gujarati	1,390	0.2%
Speak English “very well”	997	0.1%
Speak English less than “very well”	393	0.0%
Hindi	916	0.1%
Speak English “very well”	735	0.1%
Speak English less than “very well”	181	0.0%
Urdu	220	0.0%
Speak English “very well”	210	0.0%
Speak English less than “very well”	10	0.0%
Other Indic languages	1,190	0.1%
Speak English “very well”	806	0.1%
Speak English less than “very well”	384	0.0%
Other Indo-European Languages	2,780	0.3%
Speak English “very well”	1,522	0.2%
Speak English less than “very well”	1,258	0.1%
Chinese	2,723	0.3%
Speak English “very well”	1,150	0.1%
Speak English less than “very well”	1,573	0.2%
Japanese	734	0.1%
Speak English “very well”	470	0.1%
Speak English less than “very well”	264	0.0%
Korean	600	0.1%
Speak English “very well”	341	0.0%
Speak English less than “very well”	259	0.0%
Mon-Khmer, Cambodian	1,110	0.1%
Speak English “very well”	459	0.1%
Speak English less than “very well”	651	0.1%
Hmong	231	0.0%
Speak English “very well”	142	0.0%
Speak English less than “very well”	89	0.0%
Thai	726	0.1%
Speak English “very well”	316	0.0%
Speak English less than “very well”	410	0.0%
Laotian	1,593	0.2%

Speak English “very well”	632	0.1%
Speak English less than “very well”	961	0.1%
Vietnamese	5,712	0.6%
Speak English “very well”	1,767	0.2%
Speak English less than “very well”	3,945	0.4%
Other Asian languages	1,681	0.2%
Speak English “very well”	1,262	0.1%
Speak English less than “very well”	419	0.0%
Tagalog	3,387	0.4%
Speak English “very well”	2,631	0.3%
Speak English less than “very well”	756	0.1%
Other Pacific Island languages	290	0.0%
Speak English “very well”	167	0.0%
Speak English less than “very well”	123	0.0%
Navajo	0	0.0%
Speak English “very well”	0	0.0%
Speak English less than “very well”	0	0.0%
Other Native American languages	119	0.0%
Speak English “very well”	96	0.0%
Speak English less than “very well”	23	0.0%
Hungarian	813	0.1%
Speak English “very well”	663	0.1%
Speak English less than “very well”	150	0.0%
Arabic	2,653	0.3%
Speak English “very well”	1,650	0.2%
Speak English less than “very well”	1,003	0.1%
Hebrew	385	0.0%
Speak English “very well”	354	0.0%
Speak English less than “very well”	31	0.0%
African languages	546	0.1%
Speak English “very well”	343	0.0%
Speak English less than “very well”	203	0.0%
Other and unspecified languages	96	0.0%
Speak English “very well”	88	0.0%
Speak English less than “very well”	8	0.0%

Appendix G

Demographic Maps

