



CDSS

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ARNOLD SCHWARZENEGGER  
GOVERNOR

December 20, 2010

Beverly Beasley Johnson, Director  
San Mateo County Human Services Agency  
472 Harbor Boulevard, Bldg. A  
Belmont, CA 94002

Dear Ms. Beasley:

I want to take this opportunity to thank you and your staff for the cooperation and assistance provided the reviewer from our office during the course of the Civil Rights Compliance Review of April 12, 2010, through April 15, 2010. Enclosed is the final report on the review. We apologize for the delay.

We commend you for your efforts on improving your provision of bilingual services and the documentation thereof. There were some compliance issues (deficiencies) identified in the report, which will require the development of a corrective action plan (CAP). Please submit your CAP within sixty days of this letter. Please address each deficiency and include steps and time lines for the completion of all corrective actions and recommendations listed in the attached report.

We will provide a copy of our report to any individual who makes a Public Records Act (PRA) request. Our reports are considered public documents under the PRA. Once we approve your CAP, it too, becomes a public document. Per the Governor's Executive Order S-09-09, all compliance reviews (and corresponding CAPs) performed after January 2008 will be ported on the state's Reporting Government Transparency website.

If you need technical assistance in the development of your CAP, please feel free to contact the Civil Rights Bureau at (916) 654-2107. You may also contact us by e-mail at [crb@dss.ca.gov](mailto:crb@dss.ca.gov).

Sincerely,

JIM TASHIMA, Acting Chief  
Civil Rights Bureau  
Human Rights and Community Services Division

Enclosure

c: Cecilia Dekovic, Civil Rights Coordinator

Chris Webb-Curtis, Branch Chief, CDSS Supplemental Nutrition Assistance Program  
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Mike Papin, CDSS Supplemental Nutrition Assistance Program  
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**CIVIL RIGHTS COMPLIANCE REVIEW REPORT**  
**FOR**  
**San Mateo County Human Services Agency**  
**Conducted April 12 – 15, 2010**

**California Department of Social Services**  
**Human Rights and Community Services Division**  
**Civil Rights Bureau**  
**744 P Street, M.S. 8-16-70**  
**Sacramento, CA 95814**  
**(916) 654-2107**

**Reviewer:**

**Cindy Guzman**

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# CIVIL RIGHTS COMPLIANCE REVIEW REPORT

## I. INTRODUCTION

The purpose of this review by the California Department of Social Services (CDSS) Civil Rights Bureau (CRB) staff was to assess the San Mateo County Human Services Agency with regard to its compliance with CDSS Manual of Policies and Procedures (MPP) Division 21 Regulations, and other applicable state and federal civil rights laws.

An on-site compliance review was conducted on April 12 - 15, 2010. An exit interview was held April 15, 2010 to review the preliminary findings.

The review was conducted in the following locations:

Name of Facility	Address	Programs	Non-English languages spoken by a substantial number of clients (5% or more)
Central Employment Services Center	550 Quarry Road San Carlos, CA	CalFresh Children & Family CalWORKS	Spanish
Human Services Agency Peninsula Works One Stop Center	2500 Middlefield Road Redwood City, CA	CalFresh Children & Family CalWORKS	Spanish
Human Services Agency	400 Harbor Blvd. Belmont, CA	Children & Family Services	Spanish

## II. SUMMARY OF METHODOLOGY

In preparing for this review, CDSS staff completed the following tasks:

- Reviewed the 2010 Annual Civil Rights Plan submitted by the County.
- Reviewed the civil rights discrimination complaint database for a complete listing of complaints filed against the County for the last year.

Headquarters and on-site review procedures included:

- Interviews of public contact staff
- Survey of program managers
- Case file reviews
- Facility inspections

Each site/program was reviewed for compliance in the following areas:

- Dissemination of Information
- Facility Accessibility for Individuals with Disabilities
- Bilingual Staffing/Services for Non-English-Speaking Clients
- Accessibility for Clients with Visual or Hearing Impairments
- Documentation of Client Case Records
- Staff Development and Training
- Discrimination Complaint Procedures

Here is a summary of the sources of information used for the review:

#### Interviews Conducted of Public Contact Staff

<b>Classifications</b>	<b>Total</b>	<b>Bilingual</b>
Eligibility Workers	7	3
Children Social Workers	2	1
Receptionist/Screeners	3	3
<b>Total</b>	<b>13</b>	<b>7</b>

#### Program Manager Surveys

Number of surveys distributed	3
Number of surveys received	3

#### Reviewed Case Files -53

English speakers' case files reviewed	4
Non-English or limited-English speakers' case files reviewed	49
Languages of clients' cases	English, Spanish, Farsi, Cantonese, Turkish, Mandarin, Vietnamese, Russian

Sections III through VIII of this report contain specific Division 21 civil rights requirements and present field review findings regarding the county's compliance with each requirement. The report format first summarizes each requirement, then the actual review team findings,

including appropriate comparisons. This format is an effort to validate the application of policies and procedures contained in the annual plan. Required corrective actions are stated at the end of each section.

Section IX of the report is reserved for the Civil Rights Compliance Plan Review and Approval.

Section X of the report is reserved for a declaration of overall compliance.

### III. DISSEMINATION OF INFORMATION

Counties are required to disseminate information about program or program changes and about how applicants and recipients are protected by the CDSS regulations (Division 21). This dissemination should occur through outreach and information to all applicants, recipients, community organizations, and other interested persons, including non- and limited-English speakers and those with impaired hearing or vision or other disabling conditions.

#### A. Findings

<b>Access to Services, Information and Outreach</b>	<b>Yes</b>	<b>No</b>	<b>Some-times</b>	<b>Comments</b>
Does the county accommodate working clients by flexing their hours or allowing applications to be mailed in?	X			Clients can mail in their applications. Special arrangements can be made for extended hours.
Does the county have extended hours to accommodate clients?	X			Extended hours are available to accommodate working clients or clients involved in welfare-to-work activities.
Can applicants access services when they cannot go to the office?	X			Applicants can access services through telephone, Fax, and through e-mail.
Does the county ensure the awareness of available services for individuals in remote areas?	X			Through Family Resource Center, County Website, and School-Based Social Workers.

<b>Signage, posters, pamphlets</b>	<b>Yes</b>	<b>No</b>	<b>Some-times</b>	<b>Comments</b>
Does the county use the CDSS pamphlet "Your Rights Under California Welfare Programs" (Pub 13)?	X			
Is the pamphlet distributed and explained to each client at intake and re-certification?	X			
Was the current version of Pub 13 available in English, Spanish, Lao, Vietnamese, Chinese, Hmong, Russian, Korean, Farsi, Arabic, Laotian, Tagalog, Armenian and Cambodian?	X			
Was the Pub 13 available in large print, audiocassette and Braille?	X			
Were the current versions of the required posters present in the lobbies?	X			
Did the workers know the location of the required posters with the Civil Rights Coordinator's name and address?	X			
Were there instructional and directional signs posted in waiting areas and other places frequented by a substantial number of non-English-speaking clients translated into appropriate languages?			X	Directional signs at Quarry Road not translated into appropriate languages. (The metal signs above front lobby counter and in hallway).

## B. Corrective Actions

Informational Element	Corrective Action Required
Directional signage	San Mateo County shall ensure that instructional and directional signs are posted in waiting areas and other places that are frequented by clients and that where such areas are frequented by a substantial number of non-English-speaking clients, such signage shall be translated into appropriate languages. <u>Div. 21-107.212 and .24</u>

The most recent version for each of the above referenced documents is:

Pub 13	"Your Rights under California Welfare Programs"	03/07
Pub 86	"Everyone is Different, but Equal Under the Law"	03/07
Form AD 475B	"And Justice for All"	12/99

Contact your program consultant to receive the most recent versions, or download the Pub 13 from the CRB website [http://www.dss.cahwnet.gov/civilrights/YourRights\\_498.htm](http://www.dss.cahwnet.gov/civilrights/YourRights_498.htm).

## IV. FACILITY ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES

The Americans with Disabilities Act (ADA) requires public accommodations to provide goods and services to people with disabilities on an equal basis with the rest of the general public. The goal is to afford every individual the opportunity to benefit from the services available. The federal regulations require that architectural and communication barriers that are structural must be removed in public areas of existing facilities when their removal is readily achievable; in other words, easily accomplished and able to be carried out without much difficulty or expense.

The facility review is based on four priorities supported by the ADA regulations for planning achievable barrier removal projects. The priorities include ensuring accessible approach and entrance to the facility, access to goods and services, access to restrooms, and any other measures necessary.

Note that the references to the Americans with Disabilities Act Accessibility Guidelines (ADAAG) in the Corrective Action column refer to the federal Standards for Design. Title 24 of California Code and Regulations (T24 CCR) is also cited because there are instances when California state law is stricter than ADAAG specifications.

The county must ensure that programs and activities are readily accessible to individuals with disabilities. This includes building accessibility and availability of accessible parking as well as accessibility of public telephones and restrooms.

### A. Findings and Corrective Actions

Regulations cited are from the Title 24, California Code of Regulations (T24 CCR) and ADAAG.

**Facility Location:** 550 Quarry Road, San Carlos, CA

Facility Element	Findings	Corrective Action
Parking	No unauthorized parking signage at entrance to off-street accessible parking.	Additional sign shall be posted in conspicuous place at entrances to off-street parking facilities, or adjacent to and visible from each space. Sign shall be 17" by 22" min. in size with lettering 1" min. high, stating: "Unauthorized vehicles parked in designated accessible spaces not displaying distinguishing placards or license plates issued for persons with disabilities may be towed away at owner's expense. Towed vehicles may be reclaimed at _____ or by telephoning _____." (CA T24 1129B.5) p. 133
Men's Restroom	Toilet tissue dispenser located too far away at 36" of the front edge of toilet in the accessible stall.	Toilet tissue dispensers are located on the wall within 12" of front edge of toilet seat. (CA T24 1115B.9.3) pp. 275, 269
Women's Restroom	Door Pressure too high at 6 lbs.	Force to open doors, exterior and interior Force to open doors, exterior and interior is 5

		pounds maximum (CA T24 1133B.2.5, ADA 4.13.11(2)(a) & (b)) p. 195
Directional Signage	Informational signage on wall above front lobby counter and in hallway is not in threshold languages. See sample picture: (Fig 1)	Div 21.107-212



(Fig 1)

**Facility Location:** 2500 Middlefield Road, Redwood City, CA

Facility Element	Findings	Corrective Action
Parking	The Van Accessible Space is missing an additional sign below the symbol sign stating "Minimum Fine \$250.00."	For both posted and wall-mounted signage, additional language on symbol sign and an additional sign below the symbol sign shall state "Minimum Fine \$250.00." (CA

		T24 1129B.4.1) p 133
Emergency egress	Emergency Alarm (Audio Only) not Visual.	<p>If emergency warning systems are provided, they should include both audible alarms and visual alarms.</p> <p>If emergency warning systems are required, they shall activate a means of warning the hearing impaired. (CA T24 1114B.2.2, ADA 4.28.1) p 243</p>
Men's Restroom	<p>Door Pressure too high at 8 lbs.</p> <p>Toilet tissue dispenser located too far away at 16" of the front edge of toilet.</p>	<p>Force to open doors, exterior and interior Force to open doors, exterior and interior is 5 pounds maximum (CA T24 1133B.2.5, ADA 4.13.11(2)(a) &amp; (b)) p. 195.</p> <p>Toilet tissue dispensers are located on the wall within 12" of front edge of toilet seat. (CA T24 1115B.9.3) pp 275, 269</p>
Women's Restroom	<p>Door Pressure too high at 6 lbs.</p> <p>Toilet tissue dispenser located too far away at 14" of the front edge of toilet.</p>	<p>Force to open doors, exterior and interior Force to open doors, exterior and interior is 5 pounds maximum (CA T24 1133B.2.5, ADA 4.13.11(2)(a) &amp; (b)) p. 195.</p> <p>Toilet tissue dispensers are located on the wall within 12" of front edge of toilet seat. (CA T24 1115B.9.3) pp 275, 269</p>

**Facility Location:** 400 Harbor Blvd., Bldg. B

Facility Element	Findings	Corrective Action
Parking	<p>Inadequate number of accessible spaces in parking lot. The lot currently has one accessible space near the building entrance (parking lot has a total of 56 parking spaces.)</p> <p>Inadequate van-accessible spaces. None were located or designated.</p> <p>No additional sign below the symbol sign stating "Minimum Fine \$250.00.</p> <p>There is no freestanding or wall-mounted signage designating accessible parking space located.</p>	<p>Accessible parking spaces shall be located as near as practical to a primary entrance and shall have required spaces according to table.</p> <p>1-25 =1 26-50 =2 51-75 =3 76-100=4 or more (CA T24 1129B.1, ADA 4.1.2(5)(a)) p. 134.</p> <p>One in every 8 accessible spaces (no fewer than 1) shall be designated van accessible. (CA T24 1129B.3.2, ADA 4.1.2(5)(b)) p. 136.</p> <p>For both posted and wall-mounted signage, additional language on symbol sign and an additional sign below the symbol sign shall state "Minimum Fine \$250.00." (CA T24 1129B.4.1) p. 133.</p> <p>Each parking space for persons with disabilities shall be identified by a reflectorized sign permanently posted adjacent to and visible from each stall or space, consisting of the International Symbol of Accessibility in white on dark blue background.</p>

		The sign shall be 70 sq. in. min. and, when in a path of travel, shall be posted at a height of 80" min. from the bottom of the sign to the finished grade. (CA T24 1129B.) (ADA4.6.4) p133
	Need to paint the words "NO PARKING" on the pavement in access aisles.	The words "NO PARKING" shall be painted on the ground in each 5' or 8' loading and unloading access aisle in white letters no smaller than 12". (CA T24 1129B.3.2) p. 135.
Exterior entrance	Existing ramp from accessible parking space up to sidewalk (in front of entrance) is too steep at mid-point at 11.2% grade.	Slope of curb ramp does not exceed 1:12 (8.3% slope). (CA T24 1127B.5.3, ADA 4.8.2) p. 155.
Main Entrance	Door Pressure too heavy at 11 pounds.	Force to open doors, exterior and interior is 5 pounds maximum. (CA T24 1133B.2.5, ADA 4.13.11(2)(a) & (b)) p. 201.  Force to open fire door, minimum allowable not to exceed 15 pounds maximum. (CA T24 1133B.2.5, ADA 4.13.11(1)) p. 201.
Men's Restroom	Door Pressure too heavy at 10 pounds.	Force to open doors, exterior and interior is 5 pounds maximum. (CA T24 1133B.2.5, ADA 4.13.11(2)(a) & (b)) p. 201.
Women's Restroom	Toilet tissue dispenser is too far away at 14" from front edge of toilet.	Toilet tissues dispensers are located on the wall within 12" of front edge of toilet seat. (CA

		T24 1115B.8.4) pp 295, 301  Toilet paper dispenser minimum height from floor is 19". (CA T24 1115B.8.4, ADA 4.16.6) pp 295, 301
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## V. PROVISION FOR SERVICES TO APPLICANTS AND RECIPIENTS WHO ARE NON-ENGLISH-SPEAKING OR WHO HAVE DISABILITIES

Counties are required by Division 21 to ensure that effective bilingual/interpretive services are provided to serve the needs of the non-English-speaking population and individuals with disabilities without undue delays. Counties are required to collect data on primary language and ethnic origin of applicants/recipients (identification of primary language must be done by the applicant/recipient).

Using this information, a county may determine 1) the number of public contact staff necessary to provide bilingual services, 2) the manner in which they can best provide interpreter services without bilingual staff and 3) the language needs of individual applicants/recipients. Counties must employ an appropriate number of certified bilingual public contact employees in each program and/or location that serves a substantial number of non-English-speaking persons. In offices where bilingual staff are not required because non-English-speaking persons do not represent a substantial number, counties must provide effective bilingual services through interpreter or other means.

Counties must also provide auxiliary aids and services, including Braille material, taped text, qualified interpreters, large print materials, telecommunication devices for the deaf (TDD's), and other effective aids and services for persons with impaired hearing, speech, vision or manual skills. In addition, they must ensure that written materials be available in individuals' primary languages when the forms and materials are provided by CDSS, and that information inserted in notices of action (NOA) be in the individuals' primary language.

### A. Findings from Program Manager Surveys, Staff Interviews and Case File Reviews

Question	Yes	No	Some-times	Comments
Does the county identify a client's language need upon first contact? How?	X			The county uses a Language Identification card.

Question	Yes	No	Some- times	Comments
Does the county use a primary language form?	X			The county uses the primary language form DFA 285 and the C-261.
Does the client self-declare on this form?	X			
Are non-English- or limited- English-speaking clients provided bilingual services?	X			
After it has been determined that the client is limited-English or non-English speaking, is there a county process for procuring an interpreter?	X			
Is there a delay in providing services?		X		
Does the county have a language line provider, a county interpreter list, or any other interpreter process?	X			
Are county interpreters determined to be competent?	X			
Does the county have adequate interpreter services?	X			
Does the county allow minors to be interpreters? If so, under what circumstances?		X		
Does the county allow the client to provide his or her own interpreter?	X			

Question	Yes	No	Some-times	Comments
Does the county ensure that the client-provided interpreter understands what is being interpreted for the client?	X			
Does the county use the CDSS-translated forms in the clients' primary languages?	X			
Is the information that is to be inserted into NOA translated into the client's primary language?	X			
Does the county provide auxiliary aids and services, TDD's and other effective aids and services for persons with impaired hearing, speech, vision or manual skills, including Braille material, taped text, large print materials (besides the Pub 13)?	X			<p>The county uses the telecommunication device (TDD/TYY), California Relay Service. The county has access to an American Sign Language Interpreter, Justine Gonzalez.</p> <p>County uses large print material when needed.</p>

## B. Corrective Actions

None.

## VI. DOCUMENTATION OF APPLICANT/RECIPIENT CASE RECORDS

Counties are required to ensure that case records document applicant's/recipient's ethnic origin and primary language, the method used to provide bilingual services, information that identifies an applicant/recipient as disabled, and an applicant's/recipient's request for auxiliary aids and services.

### A. Findings from Case File Reviews and Staff Interviews

<b>Documented Item</b>	<b>Children's Services</b>	<b>CalWORKs</b>	<b>CalFresh</b>
Ethnic origin documentation	CS-279, Emergency Response Form.	DFA 285	DFA 285
Primary language documentation	CS-279, Emergency Response Form.	Documentation of Language Preference Form C-261	Documentation of Language Preference Form C-261
Method of providing bilingual services and documentation	Emergency Response, CS-238, Relative Assessment. Court Report, Jurisdiction/Disposition Report.	Documented in Case Comments Summary.	Documented in Case Comments Summary.
Client provided own interpreter	Court Report, Jurisdiction/Disposition Report.	Documented in Case Comments Summary. C-556 Statement of Own Interpreter.	Documented in Case Comments Summary.
Method to inform client of potential problem using own interpreter	No documentation located in reviewed case sample.	C-556 Statement of Own Interpreter.	C-556 Statement of Own Interpreter.
Release of information to Interpreter	No documentation located in reviewed case sample.	C-556 Statement of Own Interpreter.	C-556 Statement of Own Interpreter.
Individual's acceptance or refusal of written material offered in primary language	No documentation located in reviewed case sample.	C-261	C-261
Documentation of minor used as interpreter	No documentation located in	No documentation located in reviewed case sample.	No documentation located in

<b>Documented Item</b>	<b>Children's Services</b>	<b>CalWORKs</b>	<b>CalFresh</b>
	reviewed case sample.		reviewed case sample.
Documentation of circumstances for using minor interpreter temporarily	No documentation located in reviewed case sample	No documentation located in reviewed case sample.	No documentation located in reviewed case sample.
Translated notice of actions (NOA) contain translated inserts	N/A (court notices had no translated inserts in sample cases reviewed)	NOA's auto generated in CALWIN system. Appropriate inserts found on all correspondence to client.	NOA's auto generated in CALWIN system. Appropriate inserts found on all correspondence to client.
Method of identifying client's disability	Would be in case plan/court report.	Statement of Facts	DFA 285, Statement of Facts
Method of documenting a client's request for auxiliary aids and services	Would be in narrative/court report.	Would be in narrative and flagged.	Would be in narrative and flagged.

## **B. Corrective Actions**

None.

## **VII. STAFF DEVELOPMENT AND TRAINING**

Counties are required to provide civil rights and cultural awareness training for all public contact employees, including familiarization with the discrimination complaint process and all other requirements of Division 21. The training should be included in orientation, as well as the continuing training programs.

### **A. Findings**

<b>Interview questions</b>	<b>Yes</b>	<b>No</b>	<b>Some- times</b>	<b>Comments</b>
Do employees receive continued Division 21 Training?	X			
Do employees understand the county policy regarding a client's rights and procedure to file a discrimination complaint?	X			
Does the county provide employees Cultural Awareness Training?	X			
Do the CSW's have an understanding of MEPA (Multi-Ethnic Placement Act)?	X			
Do the employees seem knowledgeable about the predominant cultural groups receiving services in their area?	X			

## **B. Corrective Actions**

None.

## **VIII. DISCRIMINATION COMPLAINT PROCEDURES**

Counties are required to maintain a process for addressing all complaints of discrimination. They must track complaints of discrimination through the use of a control log in which all relevant information is kept, including when the complaint was received, the name of the complainant, identifying numbers and programs, basis of discrimination, and resolution. It is usually the Civil Rights Coordinator responsibility to maintain this log.

### A. Findings from Staff Interviews and Program Manager Surveys

Interview and review areas	Yes	No	Some-times	Findings
Can the employees easily identify the difference between a program, discrimination, and a personnel complaint?	X			All workers interviewed could easily identify the difference between a program, discrimination, and a personnel complaint.
Did the employees know who the Civil Rights Coordinator is?	X			
Did the employees know the location of the Civil Rights poster showing where the clients can file a discrimination complaint?	X			
When reviewing the complaint log with the Civil Rights Coordinator, was it complete and up to date?	X			

### B. Corrective Action

None.

## IX. CIVIL RIGHTS COMPLIANCE PLAN REVIEW AND APPROVAL

The San Mateo County Department of Social Services Civil Rights Compliance Plan for the period January 1, 2010 through January 1, 2011, is approved as submitted.

## X. CONCLUSION

The CDSS reviewer found the San Mateo County Human Services Agency staff warm, welcoming, informative and very supportive. Particular thanks to Cecilia Dekovic, Civil Rights Coordinator, for organizing the details of the review. In each District Office, staff was very helpful with the facility reviews, case reviews, and computer assistance.

The CDSS found the San Mateo County Human Services Agency in substantial compliance with CDSS Division 21 Regulations, and other applicable state and federal laws. County staff continues to reflect a commitment similar to that expressed by management with respect to ensuring access, assistance, and compliance.

Significant improvement has been made to documentation in the case files indicating bilingual services were provided (e.g., assigned worker is bilingual, other bilingual employee acted as interpreter, volunteer interpreter used, etc.) Additionally, San Mateo County Human Services Agency is documenting if the client provides their own interpreter. There has been improvement in overall training in all programs regarding the Division 21 requirements demonstrated by the case file reviews and confirmed by the staff interviews.

The San Mateo County Human Services Agency must remedy the deficiencies identified in this report by taking corrective actions. A corrective action plan must be received by CDSS within 60 days of the date of the cover letter to this report; and the plan must include a schedule of all actions that will be taken to correct the deficiencies, and an indication of who will be responsible for implementing the corrective action.

It is our intent that this report be used to create a positive interaction between the county and CDSS in identifying and correcting compliance violations and to provide the county with an opportunity to implement corrective action to achieve compliance with Division 21 regulations. Civil Rights staff is available to provide technical assistance as requested.