



JOHN A. WAGNER
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
744 P Street • Sacramento, CA 95814 • www.cdss.ca.gov



EDMUND G. BROWN JR.
GOVERNOR

April 11, 2011

Anne Edwards-Buckley, Director
Sacramento County Department of Health & Human Services
7001- A East parkway, Ste. 1000
Sacramento, CA 95823

Dear Ms. Edwards-Buckley:

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 August 17 - 19, 2010. Enclosed is the final report on the review. We apologize for the delay.

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.

Sincerely,

Jim Tashima, Acting Chief
Civil Rights Bureau
Human Rights and Community Services Division

Enclosure

c: Vicky Deane, Ombudsman/Civil Rights Coordinator

Linda Patterson, Branch Chief
CDSS CalFresh Program M.S. 8-9-32

Mike Papin, Chief
CalFresh Policy Bureau M.S. 8-9-32

Richard Trujillo, Chief
Field Operations Bureau M.S. 8-9-32

Brian Tam, Chief
CalFresh Management Operations Section M.S. 8-9-32

Paul Gardes
CalFresh Policy Bureau M.S. 8-9-32

Thuan Nguyen
Refugee Programs Bureau, M.S. 8-8-46

Joe Torres, Office of Civil Rights
USDA Food and Nutrition Services
CalFresh Program
Western Region

Dominic Pagano, Office of Civil Rights
USDA Food and Nutrition Services
CalFresh Program
Western Region

Hope Rios,
USDA Food and Nutrition Services
CalFresh Program
Western Region

Jodie Berger, Regional Counsel
Legal Services of Northern California

**CIVIL RIGHTS COMPLIANCE REVIEW REPORT
FOR
Sacramento County Department of Health & Human Services
Conducted August 17 - 20, 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**

TABLE OF CONTENTS

- I. INTRODUCTION
- II. SUMMARY OF METHODOLOGY
- III. DISSEMINATION OF INFORMATION
- IV. FACILITY ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES
- V. PROVISION FOR SERVICES TO APPLICANTS AND RECIPIENTS WHO ARE NON-ENGLISH-SPEAKING OR WHO HAVE DISABILITIES
- VI. DOCUMENTATION OF APPLICANT/RECIPIENT CASE RECORDS
- VII. STAFF DEVELOPMENT AND TRAINING
- VIII. DISCRIMINATION COMPLAINT PROCEDURES
- IX. CIVIL RIGHTS COMPLIANCE PLAN REVIEW AND APPROVAL
- X. CONCLUSION

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 Sacramento County Department of Health & Human Services 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 August 17 - 19, 2010. An exit interview was held on August 20, 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)
Sacramento County Department of Health & Human Services	3701 Branch Center Road Sacramento, CA 95827	CPS	Spanish
Sacramento County Department of Health & Human Services	9750 Business Park Drive Sacramento, CA 95827	IHSS	Spanish
Sacramento County Department of Health & Human Services	6015 Watt Avenue North Highlands, CA 95670	CPS	Spanish
Sacramento County Department of Health & Human Services	4875 Broadway Sacramento, CA 95820	APS (case files only)	N/A

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

Classifications	Total	Bilingual
Children Social Workers	8	5
Adult Program Workers	4	2
Receptionist/Screeners	2	0
Total	14	7

Program Manager Surveys

Number of surveys distributed	3
Number of surveys received	3

Reviewed Case Files

English speakers' case files reviewed	12
Non-English or limited-English speakers' case files reviewed	53
Languages of clients' cases	English, Russian, Spanish, Lao, Hmong, Korean.

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 reviews the county's compliance plan, and provides either approval of the plan as submitted, or lays out additional information to be submitted to gain approval.

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

Access to Services, Information and Outreach	Yes	No	Some-times	Comments
Does the county accommodate working clients by flexing their hours or allowing applications to be mailed in?	X			CPS is 24 hours, 7 days a week. IHSS applications can be faxed in. Follow up by telephone.
Does the county have extended hours to accommodate clients?	X			CPS is 24 hours, 7 days a week.
Can applicants access services when they cannot go to the office?	X			CPS is 24 hours, 7 days a week. Primary services request are made my telephone.

				IHSS applications can be faxed in. Follow up by telephone.
Does the county ensure the awareness of available services for individuals in remote areas?	X			

Signage, posters, pamphlets	Yes	No	Some-times	Comments
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		The Branch Center Road Office did not have the Pub 13 available in audio.
Were the current versions of the required posters present in the lobbies?		X		The Branch Center Road Office did not have the current version of the "Everyone is Equal but different" poster.
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	X			

Signage, posters, pamphlets	Yes	No	Some-times	Comments
by a substantial number of non-English-speaking clients translated into appropriate languages?				

B. Corrective Actions

Informational Element	Corrective Action Required
Auxiliary aids	Sacramento County Department of Health & Human Services shall ensure the availability of large print, Braille, and auditory aids for participants in all of the programs for which CDSS has oversight responsibility. Div. 21-115.4
Posters	Sacramento County Department of Health & Human Services shall ensure that the most current version of posters on nondiscrimination provided by CDSS and USDA are prominently displayed in all waiting areas and reception rooms. Div. 21-107.211

C. Recommendation

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.

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

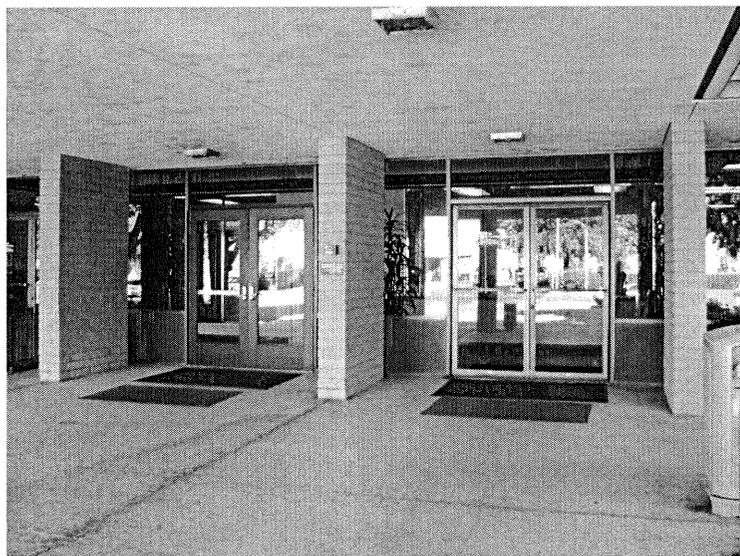
Regulations cited are from the Title 24, California Code of Regulations (T24 CCR) and ADAAG.

Facility Location: 3701 Branch Center Road
Sacramento, CA 95827

Facility Element	Findings	Corrective Action
Parking	There is no additional signage below the symbol sign stating "Minimum Fine \$250.00." Accessible parking sign too low at 50"	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 Sign height shall be 80" minimum from bottom of sign to

	<p>“No Parking” painted on pavement in access aisles needs to be repainted due to fading.</p> <p>Three of the accessible parking spaces, persons with disabilities are forced to go behind parked cars</p>	<p>top of finish grade. (CA T24 1129B.4.1, ADA 4.6.5) p 134</p> <p>Wall signage shall be centered 36” minimum above grade, ground, or sidewalk at the interior end of space. (CA T24 1129B.3.1) p. 134</p> <p>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</p> <p>Persons with disabilities shall not be forced to go behind parked cars except their own. (CA T24 1129B.3.3)</p>
Exterior entrance	<p>No accessible signage on main entrance doors.</p> <p>(See Picture (A-1) below)</p>	<p>A sign with the international symbol of accessibility shall be at every primary entrance and every major junction indicating the direction along or to accessible features. (CA T24 1127B.3, ADA 4.1.3(16B), CA T24 1117B.5.1) pp 186, 394</p>
Client lobby	<p>Poster not current, dated 10/01 “Everyone is Different, but Equal under the Law (PUB 86)</p> <p>No Audio of Pub 13 available.</p>	<p>Current: 03/07, with current CRC information (Div 21-107.211)</p> <p>(Div 21-107.221)</p>
Men’s Restroom	No Findings	N/A

Women's Restroom	No insulation on pipes under sink.	Hot water and drain pipes are insulated or covered. No sharp or abrasive surfaces under lavatories. (CA T24 1115B.4.7.1, ADA 4.24.6) p. 343
------------------	------------------------------------	---



Picture 1-A

Facility Location: 9750 Business Park Drive
Sacramento, CA 95827

Facility Element	Findings	Corrective Action
Women's Restroom	Door pressure too high at 10 lbs.	Interior Door will have 5 pounds maximum pressure. (CA T24 1133B.2.5, ADA 4.13.11(2)(b)) p. 201

Facility Location: 6015 Watt Avenue
N. Highlands, CA 95670

Facility Element	Findings	Corrective Action
Parking	There is no additional signage 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
Exterior entrance	No accessible signage on main entrance doors. Door pressure on Main Entrance front doors too high at 10 lbs.	A sign with the international symbol of accessibility shall be at every primary entrance and every major junction indicating the direction along or to accessible features. (CA T24 1127B.3, ADA 4.1.3(16B), CA T24 1117B.5.1) pp 186, 394 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

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 is

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			At intake.
Does the county use a primary language form?	X			The county uses the Form (CS106) and the Assessment Form (293A)
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	X			

Question	Yes	No	Some- times	Comments
process?				
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	Only in an emergency or temporary situation.
Does the county allow the client to provide his or her own interpreter?	X			
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	X			

Question	Yes	No	Some-times	Comments
material, taped text, large print materials (besides the Pub 13)?				
Does the county identify and assist the client who has learning disabilities or a client who cannot read or write?	X			

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

Documented Item	Children's Services	Adult Programs
Ethnic origin documentation	CS 106	SAS 333 SOC 293
Primary language documentation	Determined at ER. CWS/CMS.	SAS 333 SOC 293
Method of providing bilingual services and documentation	Special Skills Worker, AT&T Language Line or Eastern European Translator.	Special Skills Workers, AT&T Language Line or Eastern European Translator.
Client provided own interpreter	None found in case file sample.	Documentation of client using the neighbor as the interpreter. No others found in case file sample.

Documented Item	Children's Services	Adult Programs
Method to inform client of potential problem using own interpreter	None found in case file sample.	None found in case file sample.
Release of information to Interpreter	None found in case file sample.	None found in case file sample.
Individual's acceptance or refusal of written material offered in primary language	None found in case file sample.	None found in case file sample.
Documentation of minor used as interpreter	None found in case file sample.	None found in case file sample.
Documentation of circumstances for using minor interpreter temporarily	None found in case file sample.	None found in case file sample.
Translated notice of actions (NOA) contain translated inserts	N/A	Found in case file sample.
Method of identifying client's disability	Form CS 107 Requests for Accommodation of Disability Form.	Medical Records.
Method of documenting a client's request for auxiliary aids and services	Form CS 107 Requests for Accommodation of Disability Form.	None found in case file sample.

B. Corrective Actions

Areas of Action	Corrective Action
Documentation of interpreter signed confidentiality statement	Consent for the release of information shall be obtained from applicants/recipients when individuals other than CWD employees are used as interpreters and the case record shall be so documented. Div. 21-116.24
General	Sacramento County Department of Health & Human Services must ensure that proper documentation is kept in the file that identifies all the required elements to ensure compliance. Div. 21-116

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

Interview questions	Yes	No	Some-times	Comments
Do employees receive continued Division 21 Training?			X	Most workers stated they have had Civil Rights Training. However, one CPS worker and one IHSS worker stated they do not remember the last time they had Civil Rights and Cultural Awareness Training.
Do employees understand the county policy regarding a client's rights and procedure to file a discrimination complaint?			X	A few workers did not understand the county policy regarding a client's rights and procedure to file a discrimination complaint.
Does the county provide employees Cultural Awareness Training?			X	Most workers stated they have had Cultural Awareness Training. However, one CPS worker and one IHSS worker

				stated they do not remember the last time they had Civil Rights and Cultural Awareness Training.
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

Training Area	Corrective Action
Division 21, Civil Rights Training	Sacramento County Department of Health & Human Services shall ensure that employees receive Division 21 civil rights training at the time of orientation, as well as ongoing training to ensure that public contact staff has knowledge of Division 21, including familiarization with the discrimination complaint process. Div. 21-117.1
Cultural Awareness Training	Sacramento County Department of Health & Human Services shall ensure that all public contact employees receive cultural awareness training to ensure that public contact staff has an understanding of and sensitivity to the various cultural groups in the county's population. Div. 21-117.2

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			
Did the employees know who the Civil Rights Coordinator is?			X	Most workers knew who the Civil Rights Coordinator is, however one worker stated a different name as the Civil Rights Coordinator.
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

Element	Corrective Action
Civil Rights Coordinator	Sacramento County Department of Health & Human Services shall ensure that staff is knowledgeable regarding contact information of the civil rights coordinator, at minimum, where the information can be located. Div. 21-117 and 21-107.21

IX. CIVIL RIGHTS COMPLIANCE PLAN REVIEW AND APPROVAL

The Sacramento County Department of Health & Human Services Civil Rights Compliance Plan for the period October 1, 2009 – September 30, 2010, was received on September 15, 2009. It is approved as submitted.

X. CONCLUSION

The CDSS reviewer found the Sacramento County Department of Health & Human Services staff warm, welcoming, informative and very supportive. Particular thanks to Vicky Deane, 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 Sacramento County Department of Health & Human Services 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.

The Sacramento County Department of Health & Human Services 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.