



CDSS

WILL LIGHTBOURNE
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES

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EDMUND G. BROWN JR.
GOVERNOR

October 19, 2018

Trent Rhorer, Executive Director
City & County Department of Human Services Agency
P.O. Box 7988
San Francisco, CA 94120-7988

Dear Mr. Rhorer:

I want to take this opportunity to thank you and your staff for the cooperation and assistance provided to the reviewer from our office during the course of the Civil Rights Compliance Review of May 14-18, 2018. Enclosed is the final report on the review.

There are some compliance issues (deficiencies) identified in the report, which will require the development of a Corrective Action Plan (CAP). Please submit your CAP within 60 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 enclosed report. We apologize for the delay.

Please submit your CAP in both hardcopy and, in an effort to comply with the Americans with Disabilities Act website accessibility, we also require the CAP to be submitted electronically as a Word document via [Civil Rights Unit email](mailto:crb@dss.ca.gov) (crb@dss.ca.gov).

We will provide a copy of your report to any individual who makes a valid Public Records Act (PRA) request. Our reports are considered public documents under the PRA. Once we approve your CAP, it becomes a public document as well. In addition, these documents are published on our [Civil Rights Unit website](http://www.cdss.ca.gov/inforesources/Civil-Rights/Compliance-Reports-and-Corrective-Action-Plans) (<http://www.cdss.ca.gov/inforesources/Civil-Rights/Compliance-Reports-and-Corrective-Action-Plans>).

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

Sincerely,

Original signed by Christina Teixeira

CHRISTINA TEIXEIRA, Manager
Civil Rights Unit
Housing, Homelessness, and Civil Rights Branch

Enclosure

c: Luenna Kim, Civil Rights Coordinator

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Antoinette Dozier
Western Center on Law and Poverty

**CIVIL RIGHTS COMPLIANCE REVIEW REPORT
FOR
CITY AND COUNTY OF SAN FRANCISCO
HUMAN SERVICES AGENCY**

**Conducted on
May 14-18, 2018**

**California Department of Social Services
Housing, Homelessness, and Civil Rights Branch
Civil Rights Unit
744 P Street, M.S. 8-16-70
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(916) 654-2107**

Reviewer: Elsa Vazquez

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. VENDOR CONTRACTS**
- X. CALL CENTER EVALUATION**
- XI. COMMUNITY INPUT**
- XII. CIVIL RIGHTS COMPLIANCE PLAN REVIEW AND APPROVAL**
- XIII. CONCLUSION**

I. INTRODUCTION

The purpose of this review by the California Department of Social Services (CDSS) Civil Rights Unit (CRU) staff was to assess the City and County of San Francisco Human Services Agency (HSA) 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 from May 14, 2018 to May 18, 2018. An exit interview was held on May 18, 2018, 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)
1440 Harrison Service Center	1440 Harrison Street San Francisco	Call Center & CalFresh	Russian, Chinese, Spanish, Vietnamese and Tagalog
State Hearings Office	160 S Van Ness San Francisco	State Hearings (ADA)	Russian, Chinese, Spanish, Vietnamese and Tagalog
DAAS Benefits and Resources Hub	2 Gough Street San Francisco	IHSS & CalFresh	Russian, Chinese, Spanish, Vietnamese and Tagalog
Southeast Workforce Development Center	1800 Oakdale San Francisco	CalWORKS	Russian, Chinese, Spanish, Vietnamese and Tagalog
Family and Children's Community Services Hub	3801 3rd Street San Francisco	Children Welfare Services	Russian, Chinese, Spanish, Vietnamese and Tagalog

II. SUMMARY OF METHODOLOGY

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

- Reviewed the 2018-2019 Civil Rights Compliance 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.

- Reviewed the previous Compliance Reviews and Corrective Action Plans submitted by the County.

Headquarters and on-site review procedures included:

- Interviews of public contact staff
- Survey of civil rights coordinator
- Survey of program managers
- Case file reviews
- Facility inspections
- Discussion with community advocate groups. In this review the following organization(s) were contacted for feedback.

San Francisco County Regional Office
 Bay Area Legal Aid
 1800 Market Street, 3rd Floor
 San Francisco, CA 94102
 Phone (415) 354-6331

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

- Dissemination of Information
- Facility Accessibility for Individuals with Disabilities
- Program Accessibility for Clients with Disabilities (physical, mental, learning, visual or hearing impairment, etc.)
- Bilingual Staffing/Services for Non-English-Speaking Clients
- 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
Eligibility Workers	6	5
Children Social Workers	4	2
Adult Program Workers	2	1
Receptionist/Screeners	4	2
Total	16	10

Civil Rights Coordinator and Program Manager Surveys

Number of surveys distributed: 5

Number of surveys received: 5

Reviewed Case Files

English speakers' case files reviewed: 14

Non-English or limited-English speakers' case files reviewed: 47

Languages of clients' cases: Tagalog, Cantonese, Cambodian, Spanish, Russian, Mandarin, Japanese, Arabic, Armenian, Vietnamese

Reasonable Accommodation cases reviewed: 13

Sections III through IX 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 X evaluates the County's Call/Service Centers services provided to non-English speaking clients and clients with a disability.

Section XI 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.

Section XII highlights issues pointed out by Community Input and summarizes Reviewer Observations.

Section XIII 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: Access to Services, Information and Outreach

Question (Please answer yes/no and provide response with comments.)	Comments
Does the County accommodate clients by flexing/extending their hours or allowing applications to be mailed in?	Office hours for Family Resource Centers are 8:00 a.m. - 5:00 p.m. Applications can be mailed in and submitted online.
Can clients, including those with disabilities, access services when they are unable to go to the office?	Yes, clients can access services through the county website www.C4yourself.com or by calling the Call Center for assistance. A home visit can be arranged for disabled clients.
Does the County ensure the awareness of available services to individuals in remote areas?	HSA ensures awareness of available services by working with community-based organizations to provide outreach services at a variety of community events.

B. Findings: Signage, Posters and Pamphlets

Question (Please answer yes/no and provide response with comments.)	Comments
Does the County use the CDSS pamphlet "Your Rights under California Welfare Programs" (Pub 13)?	Yes.
Is the pamphlet distributed and explained to each client at intake and re-certification?	Yes, the pamphlet is distributed at initial intake and re-certification.
Is the current version of Pub 13 available in Arabic, Armenian Cambodian, Chinese, English, Farsi Hmong, Japanese, Korean, Lao Mien, Portuguese, Punjabi, Russian Spanish, Tagalog, Ukrainian, and Vietnamese?	Yes, the current version of Pub 13 was available in all languages.
Were the current versions of the required posters present in the lobbies?	Yes, the current versions of the required posters were present in the lobbies of office sites visited.
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?	Yes, instructional and directional signs were translated into appropriate threshold languages.

The County is required to use the latest version of each of the referenced documents. For your information, the most recent version for each of the above referenced documents is:

PUB 13 “Your Rights under California Welfare Programs” (08/16)
PUB 86 “Everyone is Different, but Equal Under the Law” (03/07)
Form AD 475B “And Justice for All” (12/15)

Contact the Civil Rights Unit to receive the most recent versions or download the PUB 13 from the Civil Rights Unit website (<http://www.cdss.ca.gov/inforesources/Civil-Rights/Your-Rights-Under-California-Welfare-Programs>).

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.

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

A. Findings and Corrective Actions

1. Facility Location: 160 S. Van Ness Avenue, San Francisco

Facility Element/Finding	Corrective Action
Interior entrance ramp does not meet measurement requirement. It currently measures at 47 inches wide.	The clear width of a ramp run shall be 48 inches minimum. (CA T24 11B-405.5) pg. 232 (ADA 405.5)

2. Facility Location: 2 Gough Street, San Francisco

Facility Element/Finding	Corrective Action
No findings.	None.

3. Facility Location: 3801 3rd Street, San Francisco

Facility Element/Finding	Corrective Action
There is no landing jamb signage on both sides indicating floor number at 60 inches on center.	<p>Floor designations complying with "Raised Characters" and "Height Above Finish Floor or Ground" headings in Section 57, Signs & Identification shall be provided on both jambs of elevator hoist way entrances. (CA T24 11B-407.2.3.1) pg. 243 (ADA 407.2.3.1)</p> <p>Tactile characters on signs shall be located 48 inches minimum above the finish floor or ground surface, measured from the baseline of the lowest Braille cells and 60 inches maximum above the finish floor or ground surface, measured from the baseline of the highest line of raised characters. (CA T24 11B-703.4.1, Figure 4) pg. 447 (ADA 703.4.1)</p>

4. Facility Location: 1440 Harrison Street, San Francisco

Facility Element/Finding	Corrective Action
No findings.	None.

5. Facility Location: 1800 Oakdale Avenue, San Francisco

Facility Element/Finding	Corrective Action
There is no landing jamb signage on both sides indicating floor number at 60 inches on center.	<p>Floor designations complying with “Raised Characters” and “Height Above Finish Floor or Ground” headings in Section 57, Signs & Identification shall be provided on both jambs of elevator hoist way entrances. (CA T24 11B-407.2.3.1) pg. 243 (ADA 407.2.3.1)</p> <p>Tactile characters on signs shall be located 48 inches minimum above the finish floor or ground surface, measured from the baseline of the lowest Braille cells and 60 inches maximum above the finish floor or ground surface, measured from the baseline of the highest line of raised characters. (CA T24 11B-703.4.1, Figure 4) pg. 447 ADA 703.4.1)</p>
<p>2nd floor Men’s Restroom: No signage on door.</p> <p>Soap dispenser is too high at 43 inches.</p>	<p>Men’s toilet and bathing facilities shall be identified by an equilateral triangle, ¼ inch thick with edges 12 inches long and a vertex pointing upward. (CA T24 11B-703.7.2.6.1) pg. 376</p> <p>The triangle symbol shall contrast with the door, either light on a dark background or dark on a light background. (CA T24 11B-703.7.2.6.1) pg. 376</p> <p>The symbol shall be mounted at 58 inches minimum and 60 inches maximum above the finish floor or ground surface measured from the centerline of the symbol. (CA T24 11B-703.7.2.6) pg. 376</p> <p>Where a door is provided the symbol shall be mounted within 1 inch of the vertical centerline of the door. (CA T24 11B-703.7.2.6) pg. 376</p> <p>Where towel or sanitary napkin dispensers, waste receptacles, or other accessories are provided in toilet facilities, at least one of each type shall be located on an accessible route. (CA T24 11B-603.5) pg. 382</p> <p>All operable parts, including coin slots, shall be 40 inches maximum above the finish floor. (CA T24 11B-603.5) pg. 382</p>
2 nd floor Women’s Restroom: No signage on door.	Women’s toilet and bathing facilities shall be identified by a circle, ¼ inch thick and 1 inch in diameter.

Facility Element/Finding	Corrective Action
<p>Soap dispenser is too high at 43 inches.</p>	<p>(CA T24 11B-703.7.2.6.2) pg. 376</p> <p>The circle symbol shall contrast with the door, either light on a dark background or dark on a light background. (CA T24 11B-703.7.2.6.2) pg. 376</p> <p>The symbol shall be mounted at 58 inches minimum and 60 inches maximum above the finish floor or ground surface measured from the centerline of the symbol. (CA T24 11B-703.7.2.6) pg. 376</p> <p>Where a door is provided the symbol shall be mounted within 1 inch of the vertical centerline of the door. (CA T24 11B-703.7.2.6) pg. 376</p> <p>Where towel or sanitary napkin dispensers, waste receptacles, or other accessories are provided in toilet facilities, at least one of each type shall be located on an accessible route. (CA T24 11B-603.5) pg. 382</p> <p>All operable parts, including coin slots, shall be 40 inches maximum above the finish floor. (CA T24 11B-603.5) pg. 382</p>

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 it 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 (TDDs), and other effective aids and services for persons with impaired hearing, speech, vision or manual skills. In addition, counties must ensure that written materials be available in individuals' primary languages if the forms and materials are provided by CDSS in that language, 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: (Please answer yes/no and provide response with comments)	Comments
Does the County identify a client's language need upon first contact? How?	Yes, HSA offices are equipped with client kiosks permitting clients to check-in and identify their threshold language for pre-scheduled appointments and to inquire about services upon first contact.
Does the County use a primary language form?	Yes, HSA utilizes Language Needs Form 8072. However, the Reviewer found the Language Service Form 8072 was not consistently found in cases reviewed.
Does the client self-declare on this form?	Yes, the client self-declares.
Are non-English- or limited- English-speaking clients provided bilingual services?	Yes, non-English or limited-English clients are provided bilingual services through a bilingual worker who speaks their language if available. The worker can also call for assistance through the Language Line.
After it has been determined that the client is limited-English or non-English speaking, is there a County process for procuring an interpreter?	Yes, based on the information provided by the client on the Language Needs Form 8072, the client will be assigned to a bilingual staff interpreter, or staff can access telephone or video interpretation services through a contracted Language Line.
Does the County have a contracted language line provider, a county interpreter list, or any other interpreter process?	Yes, the County contracts with three vendors for interpretation services: Language Line, International Effectiveness Center (IEC), and AvantPage. County bilingual staff also act as interpreters.
Is there a delay in providing interpretive services?	No.

Question: (Please answer yes/no and provide response with comments)	Comments
Are County interpreters certified?	Yes, HSA administers bilingual proficiency testing to its employees to determine and record competency in an identified foreign language. HSA certifies its bilingual staff in its various programs.
Does the County have adequate interpreter services?	Yes.
Does the County allow minors to be interpreters? If so, under what circumstances?	No, staff are aware County policy; a minor is only allowed to interpret in an emergency, in order to expedite immediate service to a client.
Does the County allow the client to provide his or her own interpreter?	Yes, clients are required to complete the Form OCR 3 "Client Consent Release of Information and Use of non-HSA Interpreters" (OCR 3) when they wish to use their own interpreter.
Does the County ensure that the client-provided interpreter understands what is being interpreted for the client?	Yes.
If there is not a Release of Confidentiality Information form, how and where is the client-provided interpreter documented?	The Form OCR 3 documents the client-provided interpreter.
Does the County use the CDSS-translated forms in the clients' primary languages?	Yes, translated forms and notices provided by CDSS are available to workers to use for non-English speaking clients.
Is the information that is to be inserted into NOA translated into the client's primary language?	Yes. This is performed by staff.
If language to be inserted into NOA is not available, is there a procedure to ensure information translated to client's primary language?	Yes, staff enters notes into a system which results in the NOA being issued with the staff notes in client's primary language.
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)?	Yes, auxiliary aids were present at each office site visited.

Question: (Please answer yes/no and provide response with comments)	Comments
Does the County identify a client with a disability (physical, mental, or learning)?	Yes, to better serve clients with disabilities Form OCR 1 “The Americans with Disabilities Act: Your Rights to HSA Programs and Services” (OCR 1) is included in all intake and renewal packets and is discussed with clients. Form OCR 2, “Invitation to Disclose” (OCR 2) is also included in the packets.
Does the County assist clients with self-identifying a disability?	Yes, OCR 2 is provided to clients and allows clients to self-disclose any disability.
Does the County have a policy and procedure in place for assisting clients with a disability (physical, mental, or learning)?	Yes, OCR 2 is placed in clients’ files to enable HSA to ensure that requested accommodations are tracked and provided, as appropriate.
Does the County offer reasonable accommodations to clients with a disability (physical, mental, or learning)?	Yes, OCR 2 invites clients to inform program staff of any disability that may interfere with their application(s) for public assistance and gives clients the opportunity to identify what accommodations would help them complete the application process and to continue to meet ongoing eligibility requirements.
Does the County identify and assist the client who has learning disabilities or a client who cannot read or write?	Yes, staff will assist the client who cannot read or write and/or has a learning disability.
Does the County offer a screening for learning disabilities?	Yes, the County offers a screening for learning disabilities during assessment and other programs offer screening in different stages of assistance.
Is there an established process for offering a screening?	Yes, the County offers a screening for learning disabilities during assessment and other programs offer screening in different stages of assistance.
Is the client identified as having a learning disability referred for an evaluation?	Yes.

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

Non-Assistance CalFresh

Item	How item is Documented
Ethnic Origin	Statewide Automated System Welfare System (SAWS) 1 or 2 and CalWIN Demographics.
Method of identifying client's primary language	SAWS 1 or 2 and Language Service Needs Form 8072.
Method of documenting client's primary language	CalWIN Demographics and case comments) and Language Service Needs Form 8072. * Language Service Form 8072 was not consistently found in cases reviewed.
Method of providing bilingual services and documentation	CalWIN case comments. *Documentation of bilingual services inconsistent in case samples.
Client provided own interpreter	CalWIN case comments, Form OC3.
Method to inform client of potential problem using own interpreter	OCR 3 must be reviewed and signed by the client. Staff verbally explain OCR 3 to the client. The Reviewer found in one case a client's son was used as the client's interpreter and the OCR 3 was not present in the case file.
Release of information to interpreter	OCR 3, which must be reviewed and signed by the client.
Individuals acceptance or refusal of written material offered in primary language	Language Service Needs Form 8072.
Documentation of minor used as interpreter	None necessary in cases reviewed. The County's policy is to document in CalWIN case comments.
Documentation of circumstance for using minor interpreter temporarily	None necessary in cases reviewed. The County's policy is to document the circumstance in CalWIN case comments.
Method of identifying client's disability	OCR 1 and OCR 2 are provided at initial contact. These forms are completed by the client, or the worker will assist the client in completing the form if requested.

Item	How item is Documented
Method of documenting client's disability (physical, mental, or learning)	OCR 2 and CalWIN case comments.
Method of offering a reasonable accommodation to the client with a disability	OCR 1, and OCR 2. These forms are completed by the client, or staff will assist the client to complete the form if requested. CalWIN case comments.
Method of documenting client's reasonable accommodation	CalWIN case comments.

Adult Programs (IHSS)

Item	How item is Documented
Ethnic Origin	Case Management, Information and Payroll System (CMIPS). IHSS Assessment.
Method of identifying client's primary language	Language Needs Form 8072, IHSS Assessment, CMIPS Demographics.
Method of documenting client's primary language	Language Service Needs Form 8072 and CMIPS case narrative.
Method of providing bilingual services and documentation	Language Service Needs Form 8072 and CMIPS case narrative.
Client provided own interpreter	None necessary in cases reviewed. County policy is to complete OC3, CMIPS case narrative.
Method to inform client of potential problem using own interpreter	None necessary in cases reviewed. OCR 3 which must be reviewed and signed by the client.
Release of information to interpreter	None necessary in cases reviewed. OCR 3 which must be reviewed and signed by the client.
Individuals acceptance or refusal of written material offered in primary language	None necessary in cases reviewed. The County's policy is to document this on the Language Service Needs Form 8072.
Documentation of minor used as interpreter	None necessary in cases reviewed. The County's policy is to document this in the case comments.
Documentation of circumstance for using minor interpreter temporarily	None necessary in cases reviewed. The County's policy is to document this in the case comments.

Item	How item is Documented
Method of identifying client's disability	IHSS Assessment, CMIPS case narrative.
Method of documenting client's disability (physical, mental, or learning)	IHSS Assessment, CMIPS case narrative.
Method of offering a reasonable accommodation to the client with a disability	IHSS Assessment, OCR 1, and OCR 2. These forms are completed by the client, or staff will assist the client to complete the form if requested. CMIPS case narrative.
Method of documenting client's reasonable accommodation	IHSS Assessment, OCR 1, and OCR 2, CMIPS case narrative.

CalWORKs & Employment Services

Item	How item is Documented
Ethnic Origin	SAWS1 application which is entered into the CalWIN system.
Method of identifying client's primary language	SAWS1 application and Language Service Needs Form 8072.
Method of documenting client's primary language	SAWS1 application and Language Service Needs Form 8072.
Method of providing bilingual services and documentation	Language Service Needs Form 8072, CalWIN case comments.
Client provided own interpreter	CalWIN case comments and OCR 3.
Method to inform client of potential problem using own interpreter	OCR 3 which must be reviewed and signed by the client. The Reviewer found the OCR 3 was not present in a case file in which the client's son was the interpreter.
Release of information to interpreter	OCR 3, which must be reviewed and signed by the client.
Individuals acceptance or refusal of written material offered in primary language	None necessary in cases reviewed. The County's policy is to document this on the Language Service Needs Form 8072.
Documentation of minor used as interpreter	None necessary in cases reviewed. The County's policy is to document this in the case comments.

Item	How item is Documented
Documentation of circumstance for using minor interpreter temporarily	None necessary in cases reviewed. The County's policy is to document this in the case comments.
Method of identifying client's disability	OCR 1 and OCR 2. CalWIN case comments.
Method of documenting client's disability (physical, mental, or learning)	OCR 1 and OCR 2, CalWIN case comments.
Method of offering a reasonable accommodation to the client with a disability	OCR 1, OCR 2, CalWIN case comments.
Method of documenting client's reasonable accommodation	OCR 1, OCR 2, CalWIN case comments.

Fraud

Item	How item is Documented
Ethnic Origin	This information is contained in the Case Referral sheet received by staff.
Method of identifying client's primary language	CalWIN, Case referral sheet.
Method of documenting client's primary language	CalWIN, Case referral sheet.
Method of providing bilingual services and documentation	Case referral sheet and fraud case narrative.
Client provided own interpreter	None found in cases reviewed. OCR 3 which must be reviewed and signed by the client.
Method to inform client of potential problem using own interpreter	None found in cases reviewed. OCR 3 which must be reviewed and signed by the client.
Release of information to interpreter	None found in cases reviewed. OCR 3 which must be reviewed and signed by the client.
Individuals acceptance or refusal of written material offered in primary language	None found in cases reviewed. The County's policy is to document this on the Language Service Needs Form 8072.
Documentation of minor used as interpreter	None found in cases reviewed. The County's policy is to document this in the case comments.
Documentation of circumstance for using minor interpreter temporarily	None found in cases reviewed. The County's policy is to document this in the case comments.

Item	How item is Documented
Method of identifying client's disability	Case referral, Fraud narrative. The County's policy is to document this in Fraud narrative.
Method of documenting client's disability (physical, mental, or learning)	None found in cases reviewed. The County's policy is to document this in the Fraud narrative.
Method of offering a reasonable accommodation to the client with a disability	None found in cases reviewed. The County's policy is to document this in the Fraud narrative.
Method of documenting client's reasonable accommodation	None found in cases reviewed. The County's policy is to document in the Fraud narrative.

Children's Services

Item	How item is Documented
Ethnic Origin	Child Welfare Services/Case Management System (CWS/CMS) demographics.
Method of identifying client's primary language	Emergency Response (ER) referral sheet.
Method of documenting client's primary language	ER referral, Language Service Needs Form 8072, CWS-CMS demographics.
Method of providing bilingual services and documentation	CWS-CMS case comments.
Client provided own interpreter	OCR3, CWS-CMS case comments.
Method to inform client of potential problem using own interpreter	None found in cases reviewed.
Release of information to interpreter	None found in cases reviewed.
Individuals acceptance or refusal of written material offered in primary language	Language Service Needs Form 8072.
Documentation of minor used as interpreter	None found in cases reviewed. CWS-CMS case comments.
Documentation of circumstance for using minor interpreter temporarily	None found in cases reviewed. The county's policy is to document in CWS-CMS case comments.
Method of identifying client's disability	OCR 1 and OCR 2, CWS-CMS case comments.
Method of documenting client's disability (physical, mental, or learning)	OCR 1 and OCR 2, CWS-CMS case comments.

Item	How item is Documented
Method of offering a reasonable accommodation to the client with a disability	None found in cases reviewed. The County's policy is to document this in the case comments.
Method of documenting client's reasonable accommodation	None found in cases reviewed. The County's policy is to document this in the case comments.

B. Corrective Action:

Areas of Action	Corrective Action
Documentation if client provided own interpreter	When applicants/recipients provide their own interpreter, the County Welfare Department (CWD) shall ensure that the applicants/recipients are informed of the potential problems for ineffective communication. The CWD shall document in the case record that the applicants/recipients were so informed. Division 21-116.23
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. Division 21-116.24
Documentation of primary language	Each agency shall ensure that case record identification shows the applicant's/recipient's ethnic origin and primary language. Division 21-201.21
Documentation that bilingual services were provided	Document the method used to provide bilingual services, for example, assigned worker is bilingual, other bilingual employee acted as interpreter, volunteer interpreter was used, or client provided interpreter. Division 21-116.22
General	City and County of San Francisco Human Services Agency must ensure that proper and consistent documentation is kept in the file that identifies all the required elements to ensure compliance. Division 21-116

C. Recommendation:

In reviewing cases in the CalWIN system, the Reviewer discovered an indicator field on the demographics screen "Translator Yes or No." The Reviewer was informed this indicator field is not mandatory and staff have not been directed to use it. It is recommended when interpretive services are required (ex. via bilingual workers, Language Line, etc.), the translator indicator box be marked "Yes." This would provide instruction for any worker looking at the case that an interpreter is needed and helps ensure there is no disruption of services.

VII. STAFF DEVELOPMENT AND TRAINING

Counties are required to provide civil rights, cultural awareness, Section 504 of the Rehabilitation Act of 1973 (Section 504), and ADA 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: (Please answer yes/no and provide response with comments)	Comments
Are employees trained in the requirement of Section 504 and ADA?	Yes.
Do employees receive continued Division 21 Training?	Yes.
Do employees understand the County policy regarding a client's rights and procedure to follow when receiving a discrimination complaint?	Yes.
Does the County provide employees Cultural Awareness Training?	Yes.
Do the CSW's have an understanding of Multi-Ethnic Placement Act (MEPA)?	Yes.
Do the employees seem knowledgeable about the predominant cultural groups receiving services in their area?	Yes.
Does the County provide training on how to identify clients with disabilities (physical, mental & learning)?	Yes.
Do employees receive training on reasonable accommodation for clients with disabilities?	Yes.
Do the employees understand the County policy regarding a client's right to a reasonable accommodation?	Yes.

B. Corrective Action: None.

C. Recommendation: 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's responsibility to maintain this log.

A. Findings from Staff Interviews, Civil Rights Coordinator, and Program Manager Surveys

Interview and Review Areas: (Please answer yes/no and provide response with comments)	Findings
Can the employees easily identify the difference between a program, discrimination, and a personnel complaint?	Yes.
Do the employees know who the Civil Rights Coordinator is?	Yes.
Do the employees know the location of the Civil Rights poster "Everyone is Equal... (PUB 86)" with information as to how and where the clients can file a discrimination complaint?	Yes.
When reviewing the complaint log with the Civil Rights Coordinator, was it complete and up to date?	Yes.

IX. VENDOR CONTRACTS

Counties are required to ensure contracted services with contractors, vendors, consultants, and other providers of service, who receive state or federal assistance, include the assurance of compliance agreement.

A. Contracts Review

Number of Contracts Reviewed	10
Number of Contracts with an Assurance of Compliance Agreement	10

X. CALL CENTER EVALUATION

County Call/Service Centers are evaluated to ensure services provided are nondiscriminatory toward non-English speaking clients and clients with a disability (physical, mental, or learning).

A. Findings from Call/Service Center site visit and interviews

Question: (Please answer yes/no and provide response with comments)	Comments
Does the County have a Call Center/Service Center?	Yes.
Is the Call Center/Service Center publicly accessible to clients?	Yes.
Does the Call Center/Service Center answer calls for the entire County, by district, or regional office?	Yes, the Call Center answers call for entire County.
Does the Call/Service Center have an Interactive Voice Response system?	Yes, the Call Center has an Interactive Voice Response System.
If so, does the Interactive Voice Response system have language options for all County threshold languages?	Yes.
Does the Interactive Voice Response system have an option to request free interpretive services?	Yes.
Is the Call/Service Center accessible to clients with a disability (hearing impaired, physical, mental, or learning)?	Yes.
Does the Call/Service Center accommodate clients with a disability (physical, mental, or learning)?	Yes.
Are the Call/Service Center calls monitored for quality assurance?	Yes.
Does the Call/Service Center staff provide services to client's individual case?	Yes.
Does the Call/Service Center staff identify and document the client's preferred language?	Yes.
Does the Call/Service Center staff document the method of providing bilingual interpretive services?	Yes, however, bilingual staff do not consistently document the method of providing interpretive services.

B. Corrective Action:

Area of Implementation	Corrective Action
Documentation that bilingual services were provided	Document the method used to provide bilingual services, for example, assigned worker is bilingual, other bilingual employee acted as interpreter, volunteer interpreter was used, or client provided interpreter. Div. 21-116.22

C. Recommendation:

In reviewing cases in the CalWIN system, the Reviewer discovered an indicator field on the demographics screen "Translator Yes or No." The Reviewer was informed this indicator field is not mandatory and staff have not been directed to use it. It is recommended when interpretive services are required (ex. via bilingual workers, Language Line, etc.), the translator indicator box be marked "Yes." This would provide instruction for any worker looking at the case that an interpreter is needed and helps ensure there is no disruption of services.

XI. COMMUNITY INPUT

As a part of this review, and as noted in Section II, feedback was sought from community and advocate groups. The following summarizes their observations and identifies issues that the County management team can address to improve their operations from a civil rights perspective:

A. Feedback:

The response received from Bay Area Legal Aid, is that HSA is generally compliant and has made continuing efforts to improve services.

XII. CIVIL RIGHTS COMPLIANCE PLAN REVIEW AND APPROVAL

The City and County of San Francisco Human Services Agency Civil Rights Compliance Plan for the period May 1, 2018 through April 30, 2019, was received on March 23, 2018. It is approved as submitted.

XIII. CONCLUSION

The CDSS Reviewer found the City and County of San Francisco Human Services Agency staff warm, welcoming, informative and very supportive. Particular thanks to Brenden Lim, Civil Rights Analyst, acting on behalf of Luenna Kim, Civil Rights Coordinator, for organizing the details of the review, and to Rob Gordon and Jose Campos, Facilities Manager's, who assisted in the facility reviews. In each District Office, staff were very helpful with the facility reviews, case reviews, and computer assistance.

The CDSS found the City and County of San Francisco 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.

The City and County of San Francisco Human Services Agency must remedy the deficiencies identified in this report by taking corrective actions. A Corrective Action Plan (CAP) 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 CDSS intent that this report be used to create a positive interaction between the County and CDSS to identify and correct compliance violations and to provide the County with an opportunity to implement corrective action to achieve compliance with Division 21 regulations. Civil Rights Unit staff is available to provide technical assistance as requested.