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GAVIN NEWSOM  
GOVERNOR

May 19, 2025

Charity Douglas, Director  
Riverside County Department of Public Social Services  
4060 County Circle Drive  
Riverside, CA, 92503

Dear Director Charity Douglas:

Thank you and the Riverside County Department of Public Social Services (RCDPSS) staff for your cooperation and assistance during the September 2023 Civil Rights Compliance Review (Review). We appreciate your patience as you waited for this report, following initial interim guidance which was provided to your staff on 01/23/2024, Please find the final report (Report) attached to this correspondence.

At the time the Review was conducted, Helen Shearer was the Civil Rights Coordinator (CRC), in an interim capacity. According to our records, she is still CRC, but no longer in an interim capacity, however, a new CRC has been in training for RCDPSS for approximately the past year. The Report raises some concerns about whether sufficient time and resources are allotted to civil rights compliance at RCDPSS.

Compliance issues (deficiencies) identified in the Report require the development of a Corrective Action Plan (CAP) within 60 days of the date of this letter. Please address each deficiency, including proposed actions and timelines for completion of all corrective actions and recommendations listed in the Report.

Please submit your CAP electronically with any required accompanying materials to the Civil Rights Section email ([crb@dss.ca.gov](mailto:crb@dss.ca.gov)). Please use the enclosed CAP Template Form and the accompanying instructions in preparing your CAP. Please note that this form has been created to facilitate a streamlined CAP and CAP monitoring process and to help ensure that your submitted CAP complies with the Web Content Accessibility Guidelines (WCAG). See *California Government Code 7405*. The Report will be published on the California Department of Social Services [Civil Rights Section website](#). (The CAP publication process is currently under review.)

Cont'd.

If you need technical assistance developing a CAP, please contact Ajmal Ahrar at (916) 225-7041 or by email at [Ajmal.Ahrar@dss.ca.gov](mailto:Ajmal.Ahrar@dss.ca.gov). You may also contact our office by email using the Civil Rights Section email ([crb@dss.ca.gov](mailto:crb@dss.ca.gov)).

Sincerely,

*Anne Marx*

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Civil Rights Compliance Unit  
Civil Rights Section  
Office of Equity

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*Attachments and Links*

1. CAP Template Form
2. CAP Template Instructions

**Riverside County Department of Public Social Services  
CIVIL RIGHTS COMPLIANCE REVIEW REPORT**

**Conducted on  
September 25 to October 2, 2025**

**California Department of Social Services**

**Office of Equity**

**Civil Rights Unit**

**744 P Street, M.S. 9-7-041**

**Sacramento, CA 95814**

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**Reviewer: Ajmal Ahrar**

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## I. INTRODUCTION

The purpose of this review by the California Department of Social Services (CDSS) Civil Rights Section (CRS) staff is to assess Riverside County Department of Public Social Services (County or RCDPSS) compliance with [CDSS' Manual of Policies and Procedures \(MPP\) Division 21 Regulations \(Div. 21\)](#), and other applicable state and federal civil rights laws and regulations.

A compliance review was conducted between June 2023 and early October 2023, with a series of live meetings from **September 25<sup>th</sup>** to **October 2<sup>nd</sup>** and an exit conference was held on **October 2<sup>nd</sup>**.

Compliance concerns are the focus of this report. However, Auditors also noted effective aspects of the County's civil rights program, including several robust civil rights-related policies such as the Language Services Policy, Reasonable Accommodation (RA) Policy, Policy on Discrimination Complaints Handling Process, and Policy on Dissemination of Civil Rights-related brochures and posters. The County is also in the process of developing a Sexual Orientation and Gender Identity and Expression (SOGIE) policy.

Additionally, the County has a well-established written process for transferring cases from one worker to another worker and from one program to another program without losing any civil rights-related details or information.

Finally, the County certifies bilingual staff members in various languages and has established a process for certifying bilingual staff and county-approved vendors' interpreter and translation services.

### Key Findings of the Report

Overall, the CRS Auditors found substantial compliance concerns. The main concerns are summarized below. Specific findings and corrective action related to these concerns can be found in Sections III-IX and XI of this report.

- **Dissemination of Information:** [The brochure “Your Rights Under California Public Benefits Programs” \(PUB 13\)](#) is not available in all County offices in the most recent revision. Audited office locations distribute, outdated versions of the PUB 13.
- **Dissemination of Information:** The brochure “Your Rights Under California Public Benefits Programs” (PUB 13) is not consistently disseminated and explained to clients.
- **Documentation of Applicant/Recipient Case Records:** Programs reviewed had gaps, errors and/or inconsistencies in documentation of client case records, particularly related to reasonable accommodations for persons with disabilities and language services.

- **Language Access Services Policy:** The County's language access policy, DP 21-116, requires revisions to improve accuracy, clarity and specificity of documentation requirements and other information related to service provision for individuals who have Limited English Proficiency (LEP) as well as communication-related RA needs of individuals with disability.
- **Reasonable Accommodation Policy:** The County's Reasonable Accommodation Policy lacks operational details and requires revision in the areas of identification of disabilities, processing requests for RA, providing RA, and program-specific documentation of reasonable accommodations for persons with disabilities.
- **Reasonable Accommodation:** All programs reviewed failed to consistently offer accommodations when the County was aware of an applicant's/recipient's disability.
- **Discrimination Complaints Procedure:** The County's policies and procedures for discrimination complaint handling have deficiencies including a lack of clear, and complete guidance for staff on receiving and assisting applicants/recipients with complaints.
- **Civil Rights Staff Training:** Current civil rights training includes errors/omissions and lacks operational detail regarding topics such as identifying and responding to RA needs and requests.

## Threshold Language Overview

Spanish is the County's only identified non-English threshold language. The CRS notes that some other languages may be threshold language for the County, however there is not enough data available to confirm this information.

## Organization of this Report

Section II of this report summarizes the method used by the Auditors to inform their findings.

Sections III, V, VI, VII, VIII, and IX of this report contain specific regulatory requirements from Division 21, Section 504 of the Rehabilitation Act of 1973, and the American with Disabilities Act (ADA). Findings in these sections are based on information gathered from case review, facility walk-throughs, and staff surveys. Each section is formatted to first provide findings, then required corrective actions, and ends with any Auditor recommendations.

Section IV explains the status of the facilities review and references Division 21, the United States Department of Justice's ADA Standards, Title 24 of California Code and Regulations, and the California Accessibility Reference Manual.

Section X highlights issues identified by community and advocacy organizations.



Section XI reviews the County Welfare Department's (CWD) compliance plan, and provides either approval of the plan as submitted, or identifies information or modifications required prior to approval.

Section XII of the report provides a statement of overall compliance and concluding remarks.

Appendix 1 of this report contains a selection from the Staff Survey regarding identification of discrimination complaints.

## **II. SUMMARY OF METHODOLOGY**

### **Documents Reviewed**

To prepare for this review, Auditors reviewed the following documents:

- **2022** Civil Rights Compliance Plan (CRCP) and attachments, and supplemental materials including staff training modules.
- Civil Rights related policies and procedures, including:
  - DP 21-116, Language Identification and Communication Resources
  - Reasonable Accommodation and Equal Access for Individual with Disability
  - DP 21-203, Client Complaints of Discriminatory Treatment
  - ADA Complaint Resolution Procedure
  - Interactive Process Guidelines: Instruction for Disability Access Office (DAO) Staff
  - DP 21-107 (Instructions on the use and distribution of CDSS Publication 13)
  - DP 23-031, Department of Social Services (DPSS) Postings
  - Home Visits, Civil Rights, and Cultural Sensitivity
  - Code of Ethics and Employee Conduct
  - DP 24-006, Animals and DPSS Public Facilities
- The Riverside County civil rights discrimination complaint database for a complete listing of complaints filed 12 months prior to the review.
- Previous County Compliance Review Report(s) and Corresponding Corrective Action Plan(s) (CAP).

### **Locations Reviewed**

- Banning office, 901 E. Ramsey Street
- Blythe office, 1267 W. Hobson Way
- Cathedral City office, 68-625 Perez Road, Suites 4 & 5
- Coachella office, 1283 6th St
- Desert Hot Springs office, 65753 Pierson Blvd
- Hemet office, 561 N. San Jacinto Street
- Indio office, 44-199 Monroe Street, Suite D

- Jurupa Valley office, 5961 Mission Boulevard
- Lake Elsinore office, 1400 Mint horn Street.
- Moreno Valley office, 23119 Cottonwood Avenue, Building B1/B2
- Murrieta office, 30755 Auld Road
- Norco office, 517 W. Parkridge Ave.
- Perris office, 201 Redlands Ave
- Riverside office, 10281 Kidd Street
- Temecula office, 27464 Commerce Center Drive

## **Programs Reviewed**

- CalFresh
- Children Services Division (CSD) or Child Welfare Services (CWS)

## **Review Procedures**

- Electronic surveys of public contact staff, the civil rights coordinator, ADA Coordinator, and program managers
- Reviewing case files
- Reviewing CWD-reported information about facilities
- Receiving feedback from community groups. More than 50 organizations, including the following, were contacted for feedback:
  - [Center On Deafness Inland Empire](#), 1737 Atlanta Avenue, Suite H3A Riverside, CA 92507
  - [Public Interest Law Project](#), 449 15th St, Suite 30, Oakland, CA 94610
  - [Western Center on Law & Poverty](#), (3701 Wilshire Boulevard, Suite 208, Los Angeles, CA 90010-2826)
  - [IE Community Foundation](#), 3700 6th St, Suite 200, Riverside, CA 92501
  - [Beaumont Library District](#), 125 E 8th St, Beaumont, CA 92223
  - [Autism Society Inland Empire](#), 420 N McKinley St, suite 111-118, Corona, CA 92879
  - [CCWRO, 1111 Howe Avenue](#), Suite 635, Sacramento, CA 95825-8551
  - [Inland Counties Legal Services - Inc](#), 1040 Iowa Ave # 109, Riverside, CA 92507
  - [Disability Rights California](#), 1831 K St, Sacramento, CA 95618
  - [Moreno Valley Public Library](#), 25480 Alessandro Blvd, Moreno Valley, CA 92553
  - [Inland Counties Legal Services \(ICLS\)](#), 1040 Iowa Avenue, Suite 109, Riverside, CA 92507
  - [Starting Over, Inc -](#) 1390 W 6th St, Corona, CA 92882
  - [TODEC Legal Center](#), 234 S D St, Perris, CA 92570

## **Compliance Review Areas**

- Dissemination of information

- Bilingual staffing/services for individuals with Limited English Proficiency (LEP)
- Documentation of applicants'/recipients' case records
- Staff development and training
- Discrimination complaint procedures

### **Staff Survey Summary**

- Auditors distributed a total of fifty-five surveys to the County staff, including certified bilingual staff. Thirty-two surveys were completed. Twenty-three surveys were not completed by staff, despite reminders from Auditors.

### **III. DISSEMINATION OF INFORMATION**

Counties are required to disseminate information about programs, program changes, and Division 21 protections for applicants and recipients. This dissemination should occur through outreach and information to all applicants, recipients, community organizations, and other interested persons, including persons with LEP and persons with disabilities.

#### **Findings: Access to Services, Information and Outreach**

*How does the CWD ensure awareness about its civil rights procedures and protections among applicants, recipients and community partners, including individuals with LEP and individuals with disabilities?*

According to the CRCP, in each County office lobby, the CDSS's multilingual "[Everyone is Different, But Equal Under the Law](#)" (PUB 86) poster, which describes civil rights provisions and provides the Civil Rights Coordinator's contact information, is prominently displayed. The bilingual form "[And Justice For All](#)" (AD 475B) is also prominently displayed in district office lobbies that offer CalFresh services, providing the address and telephone number of the United States Department of Agriculture (USDA) Director's Office of Civil Rights.

According to the CRCP, and per review of case records, the CDSS Publication 13 (PUB 13), "[Your Rights Under California Public Benefits Programs](#)" is distributed and explained to clients at each contact. The publication is available in English and Spanish in every County's office, and translations can be provided in various other languages upon request. The pamphlet is also available in large print English and Spanish, as well as in English braille. Additionally, Spanish-language audiotapes are used to provide clients with civil rights information during the application, reinvestigation, and recertification.

The County also provides program information via the [Riverside County Department of Social Services Website](#) and the County 2-1-1 information system, which is accessible by phone and Internet. Additionally, the County staffs a 24-hour hotline for Child Abuse,

Adult Protection, and Fraud referrals. The contact numbers for County services are advertised in all telephone books within the Riverside County area.

However, the Auditor noted that the list of protected bases mentioned on the County website is incomplete/incorrect. Specifically,

- Two protected bases —sexual orientation and primary language—are missing.
- The website incorrectly combines "Gender Identity" and "Gender Expression" as a single protected class.
- The website inaccurately includes "gender" as a protected base.

*How does the CWD conduct outreach to ensure community members, including individuals with LEP and individuals with disabilities, are notified about its programs, benefits and services?*

According to the CRCP, the County Community Outreach Branch (COB) attends about five to ten events per month to increase customer access to benefits. COB's mobile unit attends community events and resource fairs to connect with and provide application assistance to new customers who have transportation difficulties or may be unaware of the County Programs. Additionally, COB collaborates with other departments, including Riverside University Health Systems (RUHS), Riverside County Sheriff's Department, and the Probation Department, and makes bi-weekly site visits all over the County to accept and assist customers' CalFresh applications. Finally, COB performs in-person or virtual presentations to community agencies who request information about the County Self-Sufficiency programs and services.

In addition to the Community Outreach Branch (COB), the Children's Services Division, Self-Sufficiency Division, and Adult Protective Services Division conduct program-specific community outreach.

The Children's Services Division is involved in community outreach initiatives to enhance children's welfare. These initiatives include but are not limited to organizing Child and Family Team (CFT) meetings, fostering collaborations with tribal partners through Indian Child Welfare Act (ICWA) Liaisons, and strengthening relationships with the community through the *Linkage* program. The CWS division also partners with various community-based organizations. These organizations include but are not limited to: "Voice for Children," "Faith in Motion," "Independent Living Program (ILP) Community Partners Consortium," and "Riverside University Health Systems (RUHS)." The department also deploys staff members to schools, hospitals, and law enforcement agencies in certain communities to provide support services and answer questions.

The County Self-Sufficiency Division staff participates in community fairs across the County, generally every one to three months. They offer information about Self-Sufficiency programs (CalFresh, CalWORKs, Medi-Cal, and General Assistance). Program brochures are available in English, Spanish, and large print. Bilingual presenters are available at each event. To increase awareness of CalFresh and Medi-Cal benefits, especially among individuals who live in remote areas of the County

as well as the aged population Self-Sufficiency has added two (2) Mobile Outreach Vehicles to the Community Outreach Branch (COB) team. These vehicles travel throughout Riverside County to bring application assistance and resources.

*How does the CWD address language and disability access with its incoming telephone system?*

According to the CRCP, the County has a 2-1-1 telephone service. County residents may call 2-1-1 and receive information about social services in their community, including contact information for providers and Riverside County agencies. Also, the contact numbers for the County services are advertised in all telephone books within the Riverside County area. These numbers include 24-hour hotlines. Both Children's Services (800-442-4918) and Adult Services (800-491-7123) toll-free hotlines are staffed 365 days per year. These numbers are primarily provided for community members to report potential child and adult abuse issues. However, callers may also obtain basic information about services, including follow-up contact information.

However, the Auditor noted that the County has a Call Center for eligibility programs with one number that answer calls for the entire County. The individuals can also apply to benefits using this phone number. That telephone number is posted on the County website. The Call Center has an Interactive Voice Response (IVR) system with language options in English, Spanish, and about 12 other languages not identified by the County as of the publication of this report.

### **Findings: Signage, Posters and Pamphlets**

*Are instructional and directional signs posted in waiting areas and other places frequented by a substantial number of clients with LEP translated into appropriate languages?*

Mostly. The County reported Spanish as the only non-English threshold language for the County. However, based on the County's Dissemination of Information Worksheets, no informational or directional signs are posted in Spanish in the Blythe office lobby.

However, deficiencies in the County's primary language data presented in its CRCP, addressed in Section XI, suggests there may be additional non-English threshold languages, and the initial reporting may be incorrect. Auditors are therefore unable to fully and accurately review the County's compliance with the obligation to ensure that translation of instructional and directional signs are posted in waiting areas and other places frequented by a substantial number of non-English speaking clients, based on the County's non-English threshold languages. The County must undertake Corrective Action identified in Section XI regarding threshold language determination before assessing their obligation to translate instructional and directional signs.

*Is the CDSS pamphlet “Your Rights under California Public Benefits Programs” (PUB 13) available in all waiting rooms and reception areas? Is the current version (rev. 05/22) of the PUB 13 available in Arabic, Armenian, Cambodian, Chinese, English, Farsi, Hindi, Hmong, Japanese, Korean, Lao, Mien, Portuguese, Punjabi, Russian, Spanish, Tagalog, Thai, Ukrainian, and Vietnamese?*

No. The PUB 13 is not available in all CDSS-translated languages in County waiting rooms and receptions areas. According to the County's Dissemination of Information Worksheets, the current version of PUB 13 is not available at Banning facility in any language.

The facilities reviewed indicate that the version of the PUB 13 that was current at the time of this Review (05/2022) is available in English and Spanish at most of the facilities under review, but no other CDSS-translated versions are printed or provided unless requested by an applicant/recipient. Auditors noted that speakers of other languages are unlikely to be aware of the significance of the PUB 13 or realize the option exists to obtain a copy in their primary language unless a translated version is displayed or translated signage is posted with instructions for how to request a copy.

*Is the current version (rev. 05/22) of the PUB 13 available in alternate formats (i.e., braille, audio, large font)?*

No. According to DP 21-107, the County managers and supervisors are responsible to ensure that each County office keeps at least a one-day supply of PUB 13 pamphlets in waiting rooms and reception areas, and to maintain and orders a sufficient supply of PUB pamphlets in multiple languages and auxiliary aid formats. However, the facilities reviews indicate that the current version of the PUB 13 at the time of this Review (05/2022) is not available in alternate formats at most reviewed County facilities.

According to the Dissemination of Information Worksheets:

- The PUB 13 in large print, braille, and audio recording are not available in the Blythe, Hemet, Jurupa, Moreno, Norco, Riverside, and Temecula offices
- The outdated versions of PUB 13 in large print, braille, and audio recording are available in the Banning, Desert Hot Spring, Indio, and Perris offices.
- The PUB 13 in braille, Audio- English and Spanish and Large Print - English and Spanish with no revision dates are available at the Lake Elsinore office.

*Is the PUB 13 distributed and explained to each client at intake and reinvestigation of eligibility?*

Sometimes. According to the CRCP, the County staff provides customers with an explanation of Publication 13, its purpose, and content, which includes the customer's right to file a complaint and the processes for doing so. The County's Civil Rights Pamphlet policy, (DP 21-107) instructs staff to provide the PUB 13 pamphlets to individuals during application for assistance or services, during reevaluation of eligibility, during a home visit, when it is observed or appears a customer needs civil rights information, and upon request. While the policy instructs staff to explain the PUB 13 to

individuals, there is no specific instruction on at what junctures the explanation of the pamphlets should occur.

Staff survey responses demonstrate a lack of familiarity and understanding of the PUB 13 distribution and explanation requirements to each client at intake and reinvestigation, which likely stems at least in part from unclear and inconsistent County guidance.

According to the staff survey,

- About 92% of the surveyed staff reported they distribute the PUB 13 to applicants/recipients. In contrast, four percent reported they do not do so, and another four percent reported they are unsure about it.
- 82.6% of the surveyed staff reported they explain the PUB 13 to clients, while 8.7% reported they do not do so, and another eight point seven reported being unsure.
- About 85.7% of surveyed supervisors and program managers reported that their staff distributes the PUB 13 to applicants/recipients. In contrast, 14.3% reported they are unsure about it.
- Only 66.7% of the surveyed supervisors and managers report their staff explains the PUB 13 to clients, while 16.7% report they do not do so, and the other 16.7% of surveyed supervisors and managers report they are not sure about this.

Case reviews revealed that the County does not consistently distribute and explain the PUB 13 to clients at intake and recertification of eligibility. Also, the PUB 13 documentation is inconsistent. For instance, some staff utilize a drop-down menu option in the case journal that includes the PUB 13 form by name among the recertification packet forms, while others do not. However, according to Case Navigator, the County is currently working on revising procedures to provide clearer guidelines for PUB 13 documentation.

- According to the CalFresh Case Review, out of 15 cases reviewed:
  - Eleven of the 15 cases contained documentation that the County provided PUB 13 to clients.
  - Five of the 15 cases contained documentation that County explained the PUB 13 to clients.
  - Six of the 15 cases contained documentation regarding the language in which the County provided the PUB 13 to clients.
- According to the CWS Case Review, out of six cases reviewed:
  - Five of the six cases contained documentation that the County provided the PUB 13 to program participants.
  - Two of the six cases contained documentation that the County explained the PUB 13 to program participants.
  - One of the six cases contained documentation regarding the language in which the County provided the PUB 13 to program participants.

*Are current versions of the required posters present in the lobbies?*

Mostly. The facilities review reveals that the current versions of the required posters are not posted at the lobbies of all County facilities. According to the Dissemination of Information Worksheets:

- The ["And Justice for All" \(#475B\)](#) poster is missing in the Moreno facility. The Dissemination of Information Worksheet also shows that the ["Everyone is Different, but Equal under the Law" \(PUB 86\)](#) poster in Spanish, which is the only non-English threshold language of the facility, is missing in this office.
- The ["And Justice for All" \(#475B\)](#) poster is not posted at the Blythe Valley facility. The Worksheet indicates that the ["Everyone is Different, but Equal under the Law" \(PUB 86\)](#) poster is present in all threshold languages of the facility. However, it doesn't specify what those languages are.
- The ["And Justice for All" \(#475B\)](#) poster is not posted at the Temecula facility. According to the Dissemination of Information Worksheet, the current contact information of the County Civil Rights Coordinator is not displayed in the ["Everyone is Different, but Equal under the Law" \(PUB 86\)](#) poster displayed in this facilities' lobby.

## Corrective Action

1. **County Website:** The County shall keep any civil rights information posted on the County website up to date. Div. 21-107.1. As part of the CAP, the County shall:
  - Ensure that its website reflects current, accurate, and clear information about its programs and services, including but not limited to discrimination complaint filing procedures and a complete list of protected bases. See the [CDSS CRC website](#) for applicable protected bases.
  - Revise the Discrimination Complaint Form available on the website to include the complete list of protected categories and the consent note mentioned at the end of [CDSS GEN 1179](#), as discussed in Section VIII (Discrimination Complaint Procedures) of this report.
2. **Directional and Informational Signage:** The 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. Div. 21-107.212. A "substantial number of non-English-speaking clients" is when five percent or more of persons visiting each location speaks a language. It is also when five percent or more of persons in any program that is administered at each location speaks a language. Div. 21-2014(s)(2). As part of the CAP, the County shall ensure that required Directional and Informational signage is posted in all threshold languages at all County facilities including the Blythe office.
3. **Translated PUB 13:** As part of the CAP, the County shall ensure the PUB 13 is available in all lobbies, in all languages translated by CDSS. Div. 21-115.2,



21107.22. The PUB 13 must be available in the most recent revision. The County may access the most recent translated versions of the PUB 13 on CDSS' website.

4. **PUB 13 in Alternate Formats:** The County shall ensure the availability of large print, braille, and auditory aids for participants in all programs for which CDSS has oversight responsibility. Div. 21-115.4. As part of the CAP, the County shall furnish all offices with braille, large print, and audio recordings of the PUB 13 based on the most recent revision of the PUB 13. The County should be aware that CDSS no longer provides updates to the braille version, so counties are responsible for ensuring the availability of the current PUB 13 in braille.
5. **Distribution, Explanation and Documentation of PUB 13:** The County shall ensure PUB 13 is both given and explained to program participants at intake and reinvestigation of eligibility in their primary language, including alternate formats. Div. 21-107.221. The County shall also document when the PUB 13 is distributed and explained to participants and in what language it was distributed and explained. Div. 21-116.1. As part of the CAP, the County must comply with these requirements.
6. **Civil Rights Posters:** Posters on nondiscrimination provided by CDSS shall be prominently displayed in all waiting rooms and reception areas. The County shall place on the posters the name, office telephone number, and office address of the person(s) in the County who is responsible for processing discrimination complaints. Posters dealing specifically with nondiscrimination in the Food Stamp Program shall be prominently posted in all certification and issuance offices. Div. 21-107.211. As part of the CAP, the County shall make sure that the current version of required posters is displayed in all County lobbies. As part of the CAP,
  - The County shall make sure that the current version of the ["And Justice for All" \(#475B\) poster](#) is available in the Blythe Valley, Moreno, and Temecula office.
  - The County shall make sure that the ["Everyone is Different, but Equal under the Law" \(PUB 86\)](#) poster is available in all threshold language/languages in all County lobbies.
  - The County shall make sure that the current contact information of the County Civil Rights Coordinator is displayed in the ["Everyone is Different, but Equal under the Law" \(PUB 86\)](#) poster displayed in Temecula facilities' lobby.

## Recommendations

**Dissemination of Information:** The County should consider developing a clear and dedicated civil rights webpage for the public and/or moving existing civil rights webpage information to an intuitive, easily identifiable location. Currently, the Civil Rights information on the [County website](#) is located under the "Additional resources" section in

the “How Do I...” to which is not easily identifiable by public. Language access information should be available on the County’s homepage.

**Documentation of PUB 13 Distribution:** The CDSS supports the thoughtful use of standardized workflow prompts and template language in electronic Case Management System (CMS) Journal notes, Assessment Narratives and Delivered Service Log (DSL) Contact notes, which can serve as important reminders of required procedural steps and help ensure consistent documentation of steps taken. CDSS encourages the County to build on its existing helpful practices in this regard by improving the level of detail in such standardized language to ensure it reflects all relevant documentation requirements. Relatedly, CDSS strongly recommends that the County require and train workers to create an Associated Service linked to each Contact note documenting provision of the PUB 13 to a youth or the parent(s) of a child client. For these notes, staff should select the Service Type “Provide Your Rights brochure” from the drop-down menu. Doing so will help elevate the visibility, consistency and searchability of the information, which supports civil rights protections for clients and their family members and supports the County’s ability to demonstrate compliance with Division 21 requirements.  
Div. 21-116.1.

**Assignment of Resources to County Civil Rights Programs:** According to the CRCP, the allocation of the Civil Rights Coordinator to the implementation of the County’s civil rights programs is only ten percent. Relatedly, Auditors observed that the County consistently missed deadlines for submitting documents or providing the necessary information required for conducting this Review. Auditors recommend that the County allocate adequate personnel and resources, including back up or interim coverage when needed for any reason, to ensure the effective implementation of the County civil rights 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 CDSS reminds the CWD that programs and activities should be readily accessible to individuals with disabilities, including building accessibility, the availability of accessible parking, and accessible public telephones and restrooms.

In February 2023, CDSS shared resources with CWD all Counties reviewed in 2023 and encouraged them to regularly conduct self-assessments of facilities used or visited by applicants/recipients of CDSS-funded services. CDSS provided resources and

suggested actions to support their ongoing compliance efforts in meeting existing federal and state obligations to maintain physically accessible facilities and prepare for future facilities reviews. These resources are provided again here:

- Applicable federal and states rules
  - o [United States Department of Justice's ADA Standards](#)
  - o [United States Access Board's Americans with Disabilities Act Accessibility Guidelines](#)
  - o [Title 24 of California Code and Regulations](#)
- Past Compliance Review reports
- Building code reference materials
  - o [The Department of General Services Division of the State Architect](#)
  - o [The California Accessibility Reference Manual](#)
- Procuring and using facility accessibility tools including but not limited to a tape measure, door pressure gauge, and digital leveling tool
- External technical assistance training and resources via organizations like the [Pacific ADA Center](#) or through informational websites like [ADA.gov](#)

As a reminder, the CWD is encouraged and expected to self-monitor facility accessibility. Self-monitoring is important so that the County is continuously alert to accessibility considerations. Counties cannot solely rely upon CDSS Compliance Reviews to identify facility compliance concerns.

## **V. PROVISION FOR SERVICES TO APPLICANTS AND RECIPIENTS WITH LIMITED ENGLISH PROFICIENCY (LEP)**

Division 21 requires that Counties ensure individuals with Limited English Proficiency (LEP) receive effective interpreter services without undue delays.

Counties must collect primary language from applicants and recipients (primary language must be self-identified). Counties should use this information to determine 1) the number of public contact staff necessary to provide effective bilingual services, 2) how to best provide interpreter services absent bilingual staff, and 3) the language needs of individual applicants and recipients.

Counties must employ an appropriate number of certified bilingual public contact employees in each program and/or location serving a substantial number of persons with LEP. Effective bilingual services must also be provided through an interpreter or other means in offices where bilingual staff are not required because persons with LEP do not represent a substantial number. Translated written materials must be made available in individuals' primary languages if the materials are provided by CDSS in that language, and counties must ensure that information inserted in Notices of Action (NOA) is in individuals' primary languages.

Counties must also collect ethnic origin data from applicants and recipients.

## Findings: Language Services

*Does the CWD have a policy and/or procedure for providing language services to individuals with LEP?*

Yes. The County has a departmental policy titled “Language Identification and Communication Resources” (DP 21-116). This policy provides the County staff with instructions for effectively communicating with Limited English Proficient individuals. The policy details the County procedures for identifying applicants/recipients’ language needs and providing and documenting interpreter/translator services.

However, Auditors noted that the DP21-116 contains inaccuracies, lacks specificity, and is insufficiently clear regarding service provisions for individuals who have Limited English Proficiency (LEP).

*How does the CWD first identify applicants’ language needs in person, on the phone or by online application? (E.g., I speak cards, language poster, application questions etc.)*

According to the CRCP, the County staff uses the CDSS's multilingual Notice of Language Services (GEN 1365), and a County form titled “Declaration of Language/Special Needs” (RVSD 3167), available in English and Spanish at initial contact and recertification to aid customers in self-identifying their language preferences. When customers fail to self-identify language or communication preferences, the staff completes the RVSD 3167 on behalf of the customer.

The CWS workers typically identify the primary language of the subjects at the referral stage based on referral and CMS information and/or through the client's contact

However, the CRCP and DP 21-116 lack information on how the County first identifies applicants'/receipts' language needs on the phone or when they apply online. Additionally, the Auditor noted that the CDSS GEN 1365, referenced in the CRCP and County policy, is outdated.

About 91% of County surveyed staff reported that the County identifies a client's primary language(s) and language needs upon first contact and Nine percent reported being unsure of this.

*Once identified, how and where are those language needs documented (I.e., electronic case management system (CMS), primary language form, or both)?*

According to CRCP, the County staff documents the primary language related to CalWORKs, Welfare-to-Work, and CalFresh programs in the County electronic CalSAWS system. Other systems, such as the Child Welfare Services/Case Management System (CWS/CMS), Case Management Information Payrolling System II (CMIPS II), and LEAPS Adult Protective Services Case Management System, each has

a field for documenting primary language. Additionally, the County utilizes a primary language form (DPSS 3167) for documenting the applicants/recipients' language needs at the time of initial contact, with any packet given or sent to the customer during any initial intake or screening process, and when requested by the clients. Once completed, the County staff images the completed DPSS 3167 into CalSAWS, CWS/CMS, LEAPS, or file it in a case file, as appropriate.

However, staff survey responses demonstrate a lack of familiarity and understanding of language access obligations, which likely stems at least in part from unclear and inconsistent County guidance. For example,

- When asked does your County have a written policy and/or procedure for documenting clients' primary languages and language needs, 16% of surveyed staff reported that they are not sure.
- When asked if clients' primary written and spoken languages should be documented in the electronic case record, 12% of surveyed staff also reported being unsure.
- When asked after it has been determined that a client has limited English proficiency, does the County have a process for arranging for interpreter services, 19% report being unsure.

Additionally, the Auditor noted that:

- The County practices for documenting applicants'/recipient's language needs lack clarity and may open the door to workers doing different things with information on the Declaration of Language/Special Needs form (DPSS 3167). To determine the client's language needs, the County staff fills out the DPSS 3167 form and **either images it into CMS or files it in a case file**. This practice may result in information not being readily available or apparent to staff, as it is not consistently stored in one place.
- Out of 15 CalFresh cases reviewed, eight required documentations of DPSS 3167 for LEP applicants/recipients. However, only one of the eight cases lacked the form.
- Two cases out of six CWS cases reviewed, required documentation of DPSS 3167 for LEP applicants/recipients, and provision of the form was not documented in either of the two cases.

Moreover, the Case Review revealed gaps, errors, discrepancies and inconsistencies in documentation of clients' language needs across the CalFresh and CWS programs.

Out of 15 CalFresh cases reviewed, five cases documented client language needs incorrectly. The specifics are as follows:

- In the first case, the "Benefits Cal Application Summary" page and "CalFresh Application" documented the client's written and spoken languages as English, however the "Declaration of Language/Special Needs Form," "CalSAWS Case

Summary screen,” and “CalSAWS Individual Demographics Detail screen” documented the client’s preferred written and spoken languages as Arabic.

- In the second case, the "Language Preference Form" and the CalSAWS "Individual Demographics Detail screen" documented the client's preferred spoken language as Mandarin (Chinese) and written language as English. However, the "Applicant Summary screen" documented the client's preferred spoken and written language as Mandarin (Chinese).
- In the third case, the “CalSAWS Individual Demographics Detail screen” documented the client’s spoken language as Lao and written language as English. However, the “CalFresh Application” documented the client’s spoken language as English and written as Lao. In the DPSS 3167 form, both spoken and written languages are documented as English.
- In the fourth case, the DPSS 3167 documented the client’s spoken and written language as English. However, the CalSAWS “Case Summary screen” documented the client’s spoken and written languages as American Sign Language (ASL).
- In the fifth case, the CalFresh Application documented the client's spoken language as ASL and written language as English. However, the CalSAWS "Individual Demographics screen" documented the client's spoken and written languages as ASL.

The applicant's/recipient's language needs were properly documented in all six CWS cases reviewed.

Finally, CDSS expresses concern about the County’s use of the term “special needs” and similar terms such as “special accommodations” in some of its policies and forms that pertain to services for applicants/recipients who are LEP and/or who have disabilities. CDSS recommends that the County revise policies and other written materials related to the provision of services to applicants/recipients who are LEP and those who have disabilities to eliminate that and similar terminology (e.g., “special accommodations”; “special services”) to the extent this and/or related terms appear in County-developed policies and other written materials. See Recommendations, below, for further discussion.

*What is the CWD’s process for providing an interpreter? For example, does the CWD have a contracted language line provider, a CWD interpreter list, and/or any other interpreter process?*

According to the CRCP, the County provides language services to LEP applicants/recipients through bilingual-approved staff, contractor services, and customer-provided translation/interpretation when necessary. A list of the county's Approved Vendors for Interpreter and Translation services is in the staff user guides on the shared RCDPSS staff intranet (Intranet).

The County designates positions as bilingual. When possible, LEP customers are randomly assigned to bilingual workers who speak their language. When a customer's bilingual worker is not available, there are usually other available bilingual workers at the District Office who are able to assist the customer. The County language policy (DP 21-116) instructs staff members to check the bilingual staff list on the Intranet if a bilingual worker is unavailable for the requested language. If the County staff interpreter cannot be located to provide services in a timely manner, the worker contacts the County's contracted interpreter/translator service provider.

Staff survey responses reflect that 81% of County staff are aware of the availability of interpreter services from certified bilingual employees and telephone interpreter services vendors. In contrast, 19% report being unsure about these resources.

According to Case Review, the CWS program consistently fails to provide language services for LEP applicants/recipients. The case journals cited several instances where language barriers led to miscommunication and misunderstandings. Out of the six CWS cases reviewed, two cases required interpreter services for LEP applicants/recipients. However, the County did not provide language services consistently over multiple contacts for any of these cases. The specifics are as follows:

- In the first case, the program participants spoke Hindi, while the County provided an Urdu interpreter for several contacts.
- In the second case, a program participant reported that she did not understand the investigative social worker and felt that she was unable to follow through with the social worker's requests due to the language barrier. Additionally, the detention report was sent to this program participant in English, making it impossible for her to fully understand the contents. Finally, the Gen 1365 was not provided to clients.

*Do staff experience delays in obtaining interpreter services for individuals with LEP? If so, do delays occur more frequently for certain languages and/or certain type(s) of interpreter services (i.e., in-person, telephonic, video, bilingual certified staff, or other)?*

Yes. The CRS surveyed the County's staff on how long the average wait time is to connect with a phone interpreter. About 32% reported that the wait time to connect with a phone interpreter is zero to three minutes, 20% reported it is three to five minutes, four percent report it is ten to 15 minutes, and eight percent reported that it is more than 15 minutes. However, thirty-six percent reported that they are unsure of what the average wait time is.

The County surveyed staff were also asked that how long the average wait time is for bilingual staff to provide language assistance. About 26% stated that it takes less than three minutes for bilingual staff to provide language assistance, 13% said it takes three to five minutes, 22% reported it takes five to ten minutes, nine percent stated it takes

one to 15 minutes, four percent said it takes more than 15 minutes, and 26% stated being unsure.

*Does the CWD have adequate bilingual staffing levels?*

Unclear. The County did not provide the requested information regarding the County's welfare caseload by primary language, by program and by each district office as of the writing of this report.

According to CRCP, 36.2% of all County employees are certified Spanish-speaking. The County's total Spanish-speaking recipient population is 20% across all programs offered. The County has an additional 3.1% of employees, or 129 out of 4,182, who are proficient in at least one of the following languages: Arabic, Hmong, Korean, Laotian, Pashto, Tae-Chew, Thai, and Vietnamese. These groups make up less than five percent of the customer population. The County is using the staffing formula found in the (CDSS), Manual of Policies and Procedures (MPP) 21-115.14 to calculate the required number of bilingual employees in a program and/or location. However, the information provided in the CRCP is not sufficient to determine whether the County has an adequate number of bilingual staff because all of the requested information was not provided.

*Are CWD interpreters certified?*

Yes. According to the CRCP, the County certifies bilingual staff members in Spanish, Arabic, Hmong, Korean, Laotian, Pashto, Tae-Chew, Thai, and Vietnamese. The County has established a process for certifying bilingual staff. Additionally, all County Approved Vendors for Interpreter and Translation services are certified at the appropriate level per the contracted agreement.

*Does the CWD allow applicants/recipients to provide their own interpreters?*

Yes. According to the CRCP, the County offers free language services for all LEP applicants/recipients and discourages the use of self-provided interpreters. When a customer chooses to utilize their own interpreter, the worker informs the customer of potential problems with ineffective communication and makes the customer and interpreter complete the Customer Confidentiality Advising Notice (RVSD 3810). The County is not using Form 6181 as required.

*Does the CWD allow minors to be interpreters? If so, under what circumstances?*

Yes, under limited circumstances. According to the County Language policy (DP 21-116), a minor can only be used temporarily under extenuating circumstances (such as determining the language preference of the adult at initial contact or translating when the adult is experiencing a medical emergency) or at the specific request of the customer, until a county interpreter is made available. If a minor interpreter is used, the



County staff explains confidentiality to the minor and the customer, then sign the DPSS 3810. The County is not using Form 6181 as required.

*How does the CWD document interpreter services provided using bilingual staff/interpreter services? How does the CWD document interpreter services provided using a client-provided interpreter?*

According to the CRCP, the County staff completes the RVSD 1764 to document the use of an interpreter and translated materials. In addition to using the RVSD 1764, staff members note the information in the CMS journal/case narrative. According to the County Language Identification and Communication Resource/Need policy, the RVSD 1764 documents who provided interpreter services, which method was used to provide bilingual services (such as a county employee, contracted provider, customer-provided interpreter), and whether the interpreter spoke to the customer in his or her preferred language.

As per the County Language Policy (DP 21-116), when a customer chooses to utilize their own interpreter, the County worker informs the customer of potential problems with ineffective communication and makes the customer and interpreter complete the Customer Confidentiality Advising Notice (RVSD 3810) and images it in the case record or file it in the case file, as appropriate.

According to DP 21-116, If there are extenuating circumstances and a minor interpreter is used, the County staff explains confidentiality to the minor and the customer, then sign the RVSD 3810 and image it in the case record or file it in the case file, as appropriate.

However, the Auditor noted that the County's policy and program practice regarding documentation of the use of an applicant/recipient-provided interpreter and using minors as interpreters are all out of compliance with [ACL 21-128](#) requirements. As per ACL 21-128, County staff must use Form CR 6181 (Interpreter Services Statement and Confidentiality Agreement) in the case of use of an applicant/recipient-provided interpreter and when a minor is used as an interpreter. Form 6181 must replace any County form previously used for informing LEP individuals of the risks of using their own interpreter instead of free interpretive services from the County. See the Corrective Action at the end of this section.

Case Reviews revealed gaps, errors, discrepancies and inconsistencies in documentation of interpreter services provided to LEP applicants and recipients across the CalFresh and CWS programs. Eight out of 15 CalFresh cases reviewed, required documentation of interpreter/translation services for LEP applicants/recipients. However, in five cases, the interpreter services were not properly documented. The details are as follows:

- In three cases, the client's Authorized Representative provided interpreter services. However, there is no documentation of the self-provided interpreter form, and that the required notification was provided.
- In the fourth case, interpreter services were provided by the client's relatives, but there is no documentation of the self-provided interpreter form, and that the required notification was provided.
- In the fifth case, according to the Case Summary screen, the client's spoken and written languages are ASL, but there is no documentation that language services or accommodations were provided. However, according to the RVSD 3167 form, the client's spoken and written languages are English.

Out of the six CWS cases reviewed, two cases required documentation of interpreter services for LEP applicants/recipients. In one of the cases, a minor was used as an interpreter, but there was no documentation of the Customer Confidentiality Advising Notice (RVSD 3810) or that the required notifications were provided to program participants.

*Does the CWD use CDSS-translated forms including NOAs in applicant's/recipient's primary language?*

Somewhat. According to the County Language Identification and Communication Resource/Needs policy (DP 21-116), the County is required to provide forms or other written materials to customers in their primary language when such forms are provided by CDSS. The County ensures effective communication with all customers who have difficulty communicating in spoken or written English.

Per the CRCP, the County Forms staff ensure that all pertinent State forms, including translated versions, are available on the County Intranet. This allows all staff to access the forms when needed to meet the needs of their non-English speaking and limited-English proficient customers.

According to the staff survey, 59.4% of the surveyed staff reported that the County uses CDSS-translated forms, including NOAs in the applicant's/recipient's primary language. Meanwhile, 40.6% reported being unsure. Relatedly, CalFresh Case Reviews reveals that 50% of case correspondences were distributed in English to LEP applicants/recipients. See below for the details.

According to Case Review, out of 15 CalFresh cases, in seven cases applicants/recipients requested that written communication be distributed to them in a language other than English. However, in all seven cases, most written correspondence was distributed in English to LEP applicants/recipients. The specifics of the seven cases are as follows:

- In the first case, from 01/27/2023 to 08/11/2023, a total of 17 documents were distributed to clients, with 12 being in English.

- In the second case, from 01/07/2023 to 06/26/2023 a total of 15 documents were distributed to clients with eight being in English.
- In the third case, from January 17th, 2023, to August 23rd, 2023, a total of 38 documents were distributed to clients, with 22 being in English.
- In the fourth case, from January 1<sup>ST</sup>, 2023 to July 10<sup>th</sup>, 2023, a total of 22 documents were distributed to clients, with 8 being in English.
- In the fifth case, from March 3<sup>rd</sup>, 2023, and May 22<sup>nd</sup>, 2023, a total of 12 documents were distributed to clients, with 3 being in English.
- In the sixth case, from 06/06/23, and 07/27/23, a total of 13 documents were distributed to clients, with 6 being in English.
- In the seventh case, from 01/25/23, 07/18/23, a total of 16 documents were distributed to clients, with 7 being in English.

*When using a CDSS-translated Notice of Action (NOA), does the CWD translate the information that is to be inserted into a recipient's primary language?*

Somewhat. According to the Civil Rights Coordinator, bilingual Spanish-speaking staff members translate and provide language support to enhance Spanish NOAs.

The Auditors noted a lack of an overarching, comprehensive County policy and/or clear programmatic differences. County policy does not provide a procedure to ensure inserted information is translated into the applicant's/recipient's primary language and that the recipients understand the information. Civil rights training is unclear regarding the County's obligation to translate inserted information for both threshold and non-threshold languages.

According to the staff survey, 74% of the surveyed staff reported that when clients with LEP receive CDSS-translated NOAs, the information that is to be inserted into the NOAs is translated into the client's primary languages, while 26% report being unsure.

*For forms including NOAs that CDSS does not translate, what procedures does the CWD use to ensure recipients understand the information (e.g., vendor translations, CMS-generated translations, Gen 1365)?*

According to the County Language Identification and Communication Resource/Needs policy (DP 21-116), when forms and materials are not available in the customer's language, the County staff provides verbal interpretation, either from a bilingual worker or the contracted service provider.

According to the CRCP, if a Notice of Action (NOA) is not available in the customer's preferred language, staff explains that the NOA will be issued in English and that an interpreter will be provided at no cost to the customer. Additionally, the staff sends a

GEN 1365 with all NOA's that are not available in the customer preferred language and noted in a journal entry.

Auditors observed a high degree of variation in staff survey responses regarding ensuring client understanding of the inserted information into the NOAs. For example, 46.9% of surveyed staff reported they sent English NOAs with GEN 1365 to clients, 34.4% reported they use Google translation and/or other web-based tools, 28.1% reported they provide verbal interpretation, and 15.6% report being unsure.

## **Findings: Ethnic Origin Information**

*Does the CWD document ethnic origin data from applicants and recipients?*

Mostly. According to the CRCP, the County documents the client's ethnic origin data either in a written case file or electronically in case management systems, such as the Child Welfare Services/Case Management System (CWS/CMS), LEAPS, Case Management, Information and Payrolling System II (CMIPS II), or in the California Statewide Automated Welfare System (CalSAWS) when provided by applicants/recipients. If a customer declines to provide the requested information, the County staff makes a visual determination and documents the information based on their personal observation. Staff is instructed to record the ethnic origin of the head of household.

Auditor observed that out of 15 CalFresh cases reviewed, the ethnic origin information was not properly documented in two cases. In the first case, the information was not recorded at all. In the second case, the applicants/recipients declined to provide the information.

In three out of the six CWS cases reviewed, ethnic origin information was documented for both the child and the parent. However, in two cases, the information was only recorded for the child because the parents declined to provide it. In the third case, the information was documented for the child and the parents were not involved, according to the program staff.

## **Corrective Action**

7. **Identification of Applicants/Recipients Primary Language:** The County must collect primary language information from applicants and recipients (primary language must be self-identified) to determine the language needs of individual applicants and recipients. Div. 21-115. As part of the CAP, the County shall:
  - Return to case files reviewed during the Review to identify and document the primary language of cases observed during the Review to contain errors.
  - Develop staff guidance for when staff are unable to identify an applicant's/recipient's language or when an applicant/recipient declines to disclose their language.

- Revise the County Language Identification and Communication Resource/Needs policy (DP 21-116) and take the necessary steps to first identify the language needs of applicants/ recipients including when they apply online or over the phone.

**8. Interpretive Services, Documentation that Bilingual Services were**

**Provided:** The County must offer and provide free interpreter services using qualified interpreters. Div. 21-104(q)(1), Div. 21-115. To ensure compliance with documentation requirements, the County must document the method used to provide bilingual services (i.e. assigned worker is certified bilingual, another certified bilingual employee acted as interpreter, volunteer certified interpreter was used, or recipient provided interpreter). Div. 21-116.22. As a part of the CAP, the County shall:

- Conduct analysis to identify the root causes of the observations related to the County's failure to consistently offer free interpretive services to LEP applicants/recipients.
- Provide a written statement to CDSS identifying and explaining the root causes.
- Using the above analysis, create a plan to ensure that problems of a similar nature do not reoccur, and provide the plan to CDSS. The Plan should be detailed and should include deadlines and individuals responsible for carrying out its different elements. The Plan should include a QC protocol that may be incorporated into an existing or a new process/structure, based on what the County determines is most effective. The proposed QC process should check for documentation of how bilingual services were provided and proper documentation of the use of self-provided interpreters. Ensuring that journal templates in CalSAWS and CWS/CMS include prompts that mention the CR 6181 is an additional tool to consider.
- Return to CalFresh and CWS case files reviewed to resolve identified inconsistencies in language services documentation, take immediate action if any such inconsistencies reveal an underlying failure to provide appropriate interpreter services, and provide an explanation of steps taken.
- Revise the Language Identification and Communication Resource/Needs policy (DP 21-116) regarding documentation of language services provided to applicants/recipients in electronic case records that is easily accessible for workers.

**9. CDSS-Translated Forms:** The County must use and provide translated forms in an applicant/recipient's primary language when translated by CDSS. When the County uses translated forms and materials, such as NOAs containing space in which the County must insert information for the applicant/recipient, such information must be in the primary language of the applicant/recipient. Div. 21-115.2. As part of the CAP, the County shall:

- Update the Language Identification and Communication Resource/Needs policy (DP 21-116) and Civil Rights Training to reinforce the requirement that information inserted into NOAs is translated into the primary language of the applicant/recipient. To the extent programs have different practices and considerations, the protocol shall contain program-specific guidance. The protocol shall explain the operational steps for staff to obtain translations of inserted information, including if the inserted information is not already available in the necessary language.
- Cease use of Google Translate as a translation tool.

**10. Timely Services:** The County must ensure that bilingual/interpreter services are prompt and without undue delays. Div. 21-115. As a part of the CAP, the County shall:

- Conduct analysis to identify the root causes of delays and disparities in wait times for telephonic interpreters.
- Provide a written statement to CDSS identifying and explaining the root causes.
- Using the above analysis, create a plan to ensure that problems of a similar nature do not reoccur, and provide the plan to CDSS. The Plan should be detailed and should include deadlines and individuals responsible for carrying out its different elements. The Plan should inform staff of any relevant changes.

**11. Bilingual Staff:** The County shall ensure that a sufficient number of qualified bilingual employees are assigned to positions and programs and/or locations serving a substantial number of non-English-speaking persons. Div. 21-115.1. A “qualified bilingual employee” is defined as an employee who, in addition to possessing the necessary qualifications for the particular classification, is certified through a process approved or administered by CDSS to be proficient in oral and/or written communication in the non-English language of the persons to be served. Div. 21-104(q)(1). As noted above, the information presented in the County’s Civil Rights Compliance Plan is incomplete and insufficient to demonstrate compliance with these requirements. See Section XI, below, for Corrective Action.

**12. Notice of Potential Ineffective Communication when Applicants/Recipients Provide their Own Interpreter:** The CWD shall ensure that the applicants/recipients are informed of the potential problems for ineffective communication when applicants/recipients provide their own interpreter. The CWD shall document in the case record that the applicants/recipients were so informed. Div. 21- 115.24. As part of the CAP, the County shall revise all applicable program policies and procedures regarding such documentation for alignment with ACL 21-128. In addition, the County must develop a protocol to ensure that all staff members are aware that when a client's authorized representative provides language services must comply with the client's-provided interpreter protocols described in ACL 21-128 including use of Form 6181.

**13. Temporary Use of a Minor as an Interpreter:** The County shall only allow the use of a minor under the age of 18 years to temporarily act as an interpreter under extenuating circumstances or at the specific request of the applicant/recipient. Div. 21-115.16. When a minor (under 18 years of age) is used as an interpreter, the County shall document the circumstances requiring the temporary use of a minor interpreter in the case record. Div. 21-116.22. As part of the CAP, the County shall revise all applicable existing policies and procedures addressing the temporary use of a minor as an interpreter for alignment with the requirement of ACL 21-128 including use of Form 6181.

**14. Policy Revision:** The County must develop and implement a policy that identifies the process to ensure effective services to applicants and recipients who are limited-English speaking or who have disabilities. Div. 21-115. As part of the CAP, the County shall revise the Language Identification and Communication Resource/Needs policy (DP 21-116) to address the concerns identified in this section and throughout this Report, and shall include sufficient operational details and program-specific instructions as are needed to ensure understanding and effective implementation of the following by staff in all CDSS-funded programs:

- DP 21-116 must include clear, explicit requirements for documentation of the applicant's/recipient's language needs, language access services, and ethnic origin by workers, including the application of relevant Associated Service categories/types to DSL notes to make that information easily identifiable and searchable. The policy is inconsistent in multiple ways with the documentation requirements specified in ACLs 08-65 and 21-128. The policy is also internally inconsistent regarding the documentation of language services in sections 3.3 and 4.2.
- DP 21-116 must clarify the process for identifying the client's language needs when applying online or over the phone.
- DP 21-116 must clarify the process for documenting the Customer Contact Communication Record (DPSS 1764) form in the electronic case records to make sure that the information on the form is readily available and visible to workers.
- DP 21-116 must direct staff to use CDSS Form 6181 when an applicant/recipient uses their own interpreter and/or when a minor is used as an interpreter, pursuant to ACL 21-128.
- DP 21-116 must direct staff to use CDSS Form 6181 when an applicant/recipient uses their own interpreter even if that interpreter is a designated AR, pursuant to ACL 21-128. ACL 21-128 does not provide exceptions to completion of Form 6181 for designated ARs.
- DP 21-116 must clarify the process by which information is translated for insertion into CDSS-translated NOAs.
- DP 21-116 must clarify the process for explaining the information to LEP clients when a Notice of Action (NOA) is not available in the customer's preferred language and is issued in English.
- Including:

- DP 21-116 must clarify the process for informing customers of their right to free interpreter/translator services.
- DP 21-116 must clarify the process for providing on-demand language services to LEP applicants/recipients.
- DP 21-116 must clarify the process for assigning applicants/recipients with LEP to bilingual staff and documenting such assignments.
- DP 21-116 must clarify the process for ensuring that applicants/recipients with LEP are served when their assigned bilingual workers are not available, or assignments to bilingual workers are not made.
- DP 21-116 must instruct the County staff to utilize the current version of the CDSS GEN 1365. Please refer to the CDSS webpage for the current version of the GEN 1365.
- DP 21-116 must clarify the process for identifying potential applicants for Refugee Cash Assistance (RCA), Cash Assistance Program for Immigrants (CAPI), and Trafficking and Crime Victims Assistance Program (TCVAP)
- DP 21-116 must clarify the County's process for informing customers of their rights to a County-provided interpreter or translator at no cost to the customer, the availability of translated materials, and the availability of auxiliary aids.

## Recommendations

**Ensuring Interpreter Understanding:** The CDSS recommends that the County consider revising its policies and procedures to include guidance and/or tips for staff to ensure that applicant/recipient-provided interpreters understand what is being interpreted.

**Appropriate and Inclusive Language:** The term “special needs” has become increasingly disfavored when used to characterize the needs of applicants/recipients who are LEP or who have disabilities. The ADA National Network notes that use of the term “special” is often considered condescending, and advocates and critics explain that the term “special” in these contexts tends to suggest needs that are abnormal, excessively burdensome or “extra.” Having “special” needs is also legally meaningless, whereas speaking a primary language other than English and/or having a disability triggers legally mandated rights and protections. CDSS recommends that the County revise policies and other written materials related to the provision of services to applicants/recipients who are LEP and those who have disabilities to eliminate that and similar terminology (e.g., “special accommodations”; “special services”) to the extent this and/or related terms appear in County-developed policies and other written materials. CDSS notes that this and/or related terms may appear in areas that cannot be modified by the County including in case management system fields and related technical and/or instructional materials.



**Community Input:** Auditors recommend the County engage with community groups, especially those providing language services or ASL services on how to work with applicants/recipients of CAPI, RCA, and TCVP programs to collect feedback and suggestions on providing effective interpreter services. Community groups may be helpful in problem-solving certain challenges related to language access.

**CalSAWS Features and Tools:** As part of revising of the DP 21-116, CDSS strongly recommends that the County use CalSAWS features and tools to support effective language services delivery and documentation, including but not limited to the following:

- Develop and implement a protocol for CalFresh and other CDSS funded program staff to consistently use the CalSAWS case flag and the Flag Detail page to identify applicants/recipients with LEP and document detailed, relevant, non-redundant information regarding each applicant's/recipient's language service needs.
- Develop and implement a protocol for CalFresh and CDSS funded program staff to use the CalSAWS "universal" template in the Journal section as a basis for documenting required details regarding applicants'/recipients' language service needs, including about changes or updates to those needs. This process must include any needed revision of and/or additions to preset template prompts to reflect all applicable requirements as well as County- and program-specific factors.

**CWS/CMS Features and Tools:** As part of its revising of the DP 21-116, CDSS strongly recommends that the County incorporate a requirement that County staff use all available CWS/CMS features and tools that support effective language services delivery and documentation. In particular, the County should consider requiring County workers to create an Associated Service linked to each Contact note involving interpreter services. For these notes, staff should select the Service Type "Arrange bilingual services" or "Provide bilingual services" from the drop-down menu. Doing so will help elevate the visibility, consistency and searchability of the information, which supports both the continuity of service provision and the County's ability to demonstrate compliance with Division 21 requirements. Div. 21-116.1.

## **VI. PROVISION OF SERVICES TO APPLICANTS AND RECIPIENTS WHO HAVE DISABILITIES**

Division 21 requires that Counties ensure individuals with disabilities receive effective communication and disability-related services without undue delays.

Counties must provide auxiliary aids and services, including braille material, taped text, qualified interpreters, large print materials, telecommunication devices for the deaf (TDD), and other effective aids and services for persons with hearing, speech, vision, manual skills and other disabilities.

Counties have a responsibility to ensure that people with disabilities are not excluded from participation in or denied the benefits of the CWD's programs, services or

activities, or otherwise subject to discrimination. This includes the obligation to provide reasonable accommodations to qualified individuals with disabilities.

### **Findings: Services for Persons with Disabilities**

*Does the CWD have a policy and/or procedure for providing reasonable accommodations (RAs) to people with disabilities?*

Yes. The County has a policy titled "Reasonable Accommodation and Equal Access for Individuals with Disabilities," which outlines the County process for providing reasonable accommodation to customers, employees, or job candidates. It also explains how individuals can report complaints or concerns about equal access for people with disabilities to County programs, services, or activities. Moreover, the policy describes the County process by which any individual may report discrimination towards qualified individuals with disabilities in the County's hiring and employment practices that are out of the jurisdiction of this Audit and were not reviewed by the Auditor.

The County also has another departmental policy titled "Language Identification and Communication Resources" (DP 21-116). This policy provides the County staff with instructions for effectively communicating with individuals with disabilities. The policy details County procedures for identifying applicants/recipients' disability and providing and documenting communication-related reasonable accommodations.

However, the Auditors noted that the County RA policy and DP 21-116 requires revisions to improve the accuracy, clarity, and specificity of documentation requirements and other information related to service for individuals with disabilities.

Relatedly, staff survey results demonstrate this lack of clear understanding. For example, 65.6% of County surveyed staff reported that the County has a policy and/or procedure on how to provide a reasonable accommodation to clients with disabilities, 6.3% reported that the County does not have such a policy, while 28.1% reported being unsure.

*Does the CWD identify an applicant/recipient's disability-related RA needs? If so, how?*

Sometimes. According to the CRCP, the County staff uses a form titled "Declaration of Language/Special Needs" (RVSD 3167) to identify applicants'/recipients' disability-related RA needs at the initial contact and recertification. Customers with disabilities can use RVSD 3167 to request alternate formats or auxiliary aids to communicate with County staff. Form 3167 details which communication aid was offered and whether it was accepted or refused. The staff documents the DPSS 3167 for the head of household or the primary recipient in the eligibility/social services cases or case records.

Additionally, the CalFresh applications request disability data on customers and their family members. Children's and Adult Services Divisions collect and utilize disability

data to determine the services to provide to customers. The information gathered is maintained in the electronic files.

However, the Auditor noted that:

- The CRCP and DP 21-116 lack information on how the County staff should first identify applicants'/recipients' disability-related RA needs on the phone or when they apply online.
- The CRCP and DP 21-116 lack information regarding the County process for requesting/providing immediate on-demand ASL interpreter services.
- Out of 15 CalFresh cases reviewed, seven required documentations of RVSD 3167 for applicants/recipients with disabilities. Only one case of the seven lacked the use of the RVSD 3167 Form.
- Two cases out of six CWS cases reviewed required documentation of RVSD 3167 for applicants/recipients with disabilities, but the form was not documented in either of the two cases.

During the case review, the Auditor reviewed some case records of applicants/recipients identified as having disabilities based on other program information (e.g., receipt of Supplemental Security Income (SSI)). However, the records lacked documentation to show that the County identified applicant s'/recipients' disability.

Failure to identify client's disabilities may foreseeably lead to disability discrimination if the County has knowledge of a disability but does not offer or provide accommodation or other assistance.

*Does the CWD assist applicants/recipients to self-identify their disability-related RA needs? If so, how?*

Sometimes. According to the CRCP, the County staff uses a county form titled "Declaration of Language/Special Needs" (RVSD 3167) to aid customers in self-identifying their disability-related RA needs.

However, only 59.4% of surveyed staff reported that the County has a policy and/or procedure on how to identify clients with disabilities or help clients to self-identify as having disabilities. About 6.3% percent reported that the County does not have such a policy and 34.4% reported being unsure.

Please refer to the recommendation in section V regarding the use of the term "special needs" when used to characterize the needs of applicants/recipients who are LEP or who have disabilities.

*Does the CWD offer RAs to applicants/recipients with a disability?*

Not consistently. According to Case Review, the Auditor reviewed eleven CalFresh) and CWS case records of applicants/recipients identified as having disabilities based on other program information (e.g., receipt of Supplemental Security Income (SSI)).

However, four out of 11 cases did not document that an RA was offered, discussed, or provided for clients who indicated they needed help with a disability.

- Staff are not sufficiently trained and/or aware of their obligation to offer accommodations when a disability is known or obvious. *Duvall v. County of Kitsap*, 260 F.3d 1124, 1139 (9th Cir. 2001).
- Staff are not consistently affording primary consideration to the requests of the individual with a disability in determining what type of auxiliary aid and service is necessary.

Some of these concerns may be attributable to the absence of a clear, detailed, and operationally effective Reasonable Accommodation (RA) Policy. Other concerns may be attributable to a gap between policy and practice, suggesting that more robust, regular, and effective training and greater accountability and oversight for staff conduct in the area of accommodating clients with disabilities (such as enhanced Quality Control efforts) may improve outcomes. Auditors construe recommendations for enhanced staff training and accountability systems in the broadest sense, to include line staff, Customer Service Center staff, supervisors, Civil Rights Liaisons, and Civil Rights Hotline Staff.

*Does the CWD provide auxiliary aids and services, TDD's, and/or other effective aids and services for persons with impaired hearing, speech, vision or manual skills, including braille material, taped text, and/or large print materials (excluding the PUB 13)?*

Sometimes. According to DP 21-116, the County provides auxiliary aids and services to individuals with hearing, speech, vision, or manual skill disabilities. They also allow people with disabilities to request auxiliary aids and services of their choice. However, the Auditors noted that the County's policy and program practices for providing Auxiliary Aids and services to applicants/recipients with disabilities do not comply with ACL 19-45 requirements.

Staff awareness of auxiliary aids and tools is mixed. When asked what auxiliary aids and services are available to assist clients with disabilities, 81.3% of the staff stated that they help clients with reading and/or completing forms. About 75% mentioned that Teletypewriters (TTY), Video Relay Service (VRS), California Relay, and/or other telecommunication aids and services are available for clients who are Deaf or hard of hearing, and 68.8% mentioned availability of ASL interpretation. Additionally, 62.5% of the staff said that large print forms are available for clients with disabilities, while 43.8% mentioned the availability of braille forms. Finally, 3.1% said that magnifying glasses are available for clients with disabilities.

When asked what auxiliary aids staff provided to applicants/recipients within the last 12 months, 53.1% of the staff stated that they assisted clients with reading and/or completing forms. About 28.1% of them mentioned they provided TTY, Video Relay Service (VRS), California Relay, and/or other telecommunication aids and services to

clients who are Deaf or hard of hearing. Additionally, 12.5% of the staff said they provided large print forms, and another 12.5% stated that they provided ASL interpretation services to clients. While 6% mentioned the provision of braille forms.

### *Does the CWD appropriately document disabilities and RAs?*

Not consistently. The DP 21-116 instructs the County staff to use a county form titled "Declaration of Language/Special Needs" (RVSD 3167) to document the applicant's/recipient's disability and RA needs and Image the completed form into CalSAWS, CWS/CMS, LEAPS, or file in a case file, as appropriate.

During the Case review, the Auditors reviewed cases in which clients had a disability, but in some of those cases, there was no documentation in the "Case Journal Notes" that an RA was discussed, offered, or provided to clients. Additionally, during the Case Navigator Prep Session, the Auditor noted that the Navigators frequently referred to the County's "Declaration of Language/Special Needs Form" as documentation for the provision of RA. This strongly indicates that the County relies on this form as the primary method for clients to communicate their RA requests, which inaccurately conflates "auxiliary aids/services" with RA. Additionally, the Navigators confirmed that they were unaware of Cal SAW'S "Special Circumstances" page/icon and its intended use.

Only 65.6% of County surveyed staff report that the County has a policy and/or procedure on how to document clients' disabilities and RA needs in the case folder/electronic case record. About 6.3% report that the County does not have such a policy, while 28.1% percent reported being unsure of this.

### **Corrective Action**

**15. Identification of disabilities:** When the County has actual knowledge of an individual's disability, or when an individual's need for an accommodation is obvious, CWD staff shall offer to assist the individual in self-identifying the disability and/or appropriate disability-specific accommodations. See *Duvall v. County of Kitsap*, 260 F.3d 1124, 1139 (9th Cir. 2001) cited in ACL 19-45. As part of the CAP, the County shall develop policy (or incorporate into existing policy) regarding the provision of services for individuals with disabilities to include the following:

- An expanded range of tools and/or guidelines for use by staff to identify an individual with a disability, such as establishing a practice whereby staff review the Application questions about disabilities with all program participants or whereby the explanation of the PUB 13 is used to identify disabilities and offer accommodation.
- Protocol for staff to assist an individual in self-identifying a disability and related needs when a disability is known or the need for accommodation is obvious. This might involve requiring staff to initiate inquiries about and/or

offers of RA when certain indicators are present such as specific aid type(s) in electronic case records.

- Inform staff of the new policy/protocol, including via revised staff training (discussed in Section VII).

**16. Documentation of a Disability:** The County shall ensure that an applicant's/recipient's case record identifies the applicant/recipient as disabled. Div. 21-116.3. The County shall document an applicant's/recipient's request for services in writing. Div. 21-116.3. The County must ensure that proper and consistent documentation identifying all the required elements to ensure compliance is present in an applicant's/recipient's case file. Div. 21-116. As part of the CAP, the County shall:

- First, develop protocol and/or revise the existing protocols for staff to document individuals' disabilities and related RA needs in electronic case management systems in a manner that is accurate, internally consistent, and easily identifiable. The protocol shall be consistent with any applicable requirements regarding documentation of Reasonable Accommodation requests. See ACL 19-45.
- Second, to the extent programs have different considerations related to documentation of disabilities, the revisions shall contain program-specific guidance while emphasizing the need to capture information about disabilities and RAs in a systematic and readily identifiable manner so that it can travel between the various County programs in which a person may participate.
- Third, the County shall inform staff of the new and/or revised protocol, including via staff training (discussed in Section VII).
- Fourth, return to case files reviewed during this Compliance Review to correct records containing errors in the documentation of disability and/or RA and address any deficiencies in the provision of needed accommodations and/or services to those applicants/recipients.

**17. Policy Revision:** The County must develop and implement a policy that identifies the process to ensure effective services to applicants and recipients who are non-English speaking or who have disabilities. Div. 21-115. As part of the CAP, the County shall revise the provisions regarding services for individuals with disability in the Language Identification and Communication Resource/Needs policy (DP 21-116) and the "Reasonable-Accommodation and Equal Access for Individuals with-Disabilities" policy to address the concerns identified in this section and throughout this Report and reflects the requirements set forth in ACL 19-45. The policy also shall include sufficient operational details and program-specific instructions as are needed to ensure understanding and effective implementation of the following by staff in all CDSS-funded programs:

- DP 21-116 must:

- Include clear and explicit requirements for documentation of the applicant's/recipient's disability and documentation that an RA was requested, discussed, and offered.
- Clarify the process for identifying the client's disability and disability-related RA needs when applying online or over the phone.
- Clarify the County process for providing Auxiliary Aids to applicants/recipients with disabilities as described in ACL 19-45.
- Clarify the County process for denial of RA requests in compliance with the requirements described in ACL 19-45.
- Clarify the County process for providing RA in alternate methods in compliance with the requirements described in ACL 19-45.
- Provide the correct list of Auxiliary Aids and Services available for applicants/recipients with disability.
- Clarify the County process regarding exceptions to Auxiliary Aids and Services in compliance with the requirements described in ACL 19-45.
- The "Reasonable-Accommodation and Equal Access for Individuals with Disabilities" Policy must:
  - Include the California definition of disability, which is broader than the Federal definition.
  - Clarify the definition of Reasonable Accommodation to include equal access to County facilities and services for individuals with a disability. The current definition applies only to individuals with a disability who are employed by or applying for a job within the county.
  - Provide the County process for requesting a reasonable accommodation by an individual with a disability when applying for or receiving County services.
  - Clearly provide the County process and practice for providing requested RAs.
  - Clearly provide the County's' practice and process for properly documenting the request and provisions of the RAs.
  - Provide the County process for resolving the dispute if a disagreement arises between an individual and County staff as to the appropriateness of a particular accommodation.
  - The County must develop and implement an RA request form for non-communication-related RA requests or modify their existing form to specifically address both communication and non-communication RA requests.

## Recommendations

**Cross-Program Information Sharing:** The County is encouraged to include a provision in its RA policy that when an RA is determined and provided in any CDSS-covered program, staff must ask the client if they are participating in any other County programs and if so, whether they would like to have their RA information shared with the other program(s). If they answer yes, staff must contact the other program(s) to share that information. This will help ensure that clients receive continuity of RA across

programs without having to repeat their RA request(s) for every program in which they participate.

**Reinforcing Understanding and Best Practices:** The County is encouraged to consider and implement ways to reinforce staff understanding of the County's obligations regarding the provision of services to clients with disabilities, such as by developing and disseminating job aids that focus on specific topics and/or procedures.

**Combining Coverage of Services for Applicants/Recipients who are LEP and Services for Applicants/Recipients with Disabilities:** The CDSS encourages the County to separate the services for applicants/recipients who are LEP and services for applicants/recipients with disabilities in these revised policies/procedures. Currently, the "Language Identification and Communication Resources" policy (DP 21-116) covers services for individuals with LEP and communication related RA needs of individuals with disabilities. The combined approach creates confusion for County staff regarding services for individuals with disability and individuals with limited English proficiency. It tends to obscure that these two groups have distinct needs as well as distinct legal rights and, therefore, fails to fully address the needs and rights of either group at a policy level. This combined approach may also contribute to the misleading impression that LEP status is a type of disability and increase the risk that staff will not correctly understand or implement the County's obligations with respect to either group.

Therefore, CDSS recommends that services for individuals with disabilities be removed from the "Language Identification and Communication Resources" and instead incorporated into the section on "Reasonable Accommodation and Equal Access for Individuals with Disabilities."

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

Counties are required to provide training on civil rights, cultural awareness, Section 504 of the Rehabilitation Act of 1973 (Section 504), and the ADA for all public contact employees, including familiarization with the CDSS discrimination complaint process and all other requirements of Division 21. The information should be conveyed at employee orientation, as well in continuing training programs.

### **Findings: Staff Training**

*Does the CWD provide staff training on the civil rights requirements of Division 21 during new employee orientation and on an ongoing basis? Does this training include information about the county's civil rights complaint process?*

Yes. The County provides training on the civil rights requirements of Division 21 to new employees during orientation and every two years. As per the CRCP, the County provides civil rights training to all new staff during induction or orientation. Additionally, all employees are required to take an online civil rights refresher course every two



years. The civil rights information is covered in the “Civil Rights Compliance” and “Professional Conduct” training modules. The County tracks all training in the County’s Learning Management System (LMS) to determine which employees have completed training and which still need to take a particular course. If it is determined that a staff member needs to “make up” training, they will be added to the next available date for that training. Additionally, the Contracts Administration provides a civil rights and cultural awareness segment in their annual vendor orientation.

Auditors reviewed the civil rights training module submitted by the county. This training provides information on the civil rights requirements of Division 21, including information about the county’s civil rights complaint process. Auditors noted the following concerns regarding the training submitted to our office:

- Overall, the training appears to lack the operation detail necessary for staff to execute many civil rights obligations.  
The training module lacks the necessary operationally detailed instructions for staff to effectively ensure that LEP applicants/recipients receive a clear explanation of PUB 13 in their primary language.
- The name of PUB 13 Pamphlet is misstated in training and must be revised to reflect the most up-to-date version (refer to the CDSS website for the most up-to-date version of PUB 13).
- The training misstates that the County provides translated materials and auxiliary aids when requested and when they are available from CDSS. It is not accurate that the County only needs to provide auxiliary aids “when available from CDSS.” Please See ACL 19-45.
- The information/instructions regarding language services for LEP applicants/recipients, such as identifying applicants’/recipients’ language needs, providing and documenting interpreter/translator services, customer provided interpreters, using minors as interpreters, documentation of the information on forms 1764, and 3167 in the electronic case records, and using of the form 3810 are all out of compliance with the highly specific requirements of ACL 06-20, 08-65, and 21-128. Please refer to Corrective Actions in section V of this Report.
- The training lacks information on how staff can request on-demand language services in different languages. The staff surveys suggest that the County training would be more helpful if it included information on how staff can request phone and in-person interpreter/translator services.
- The training section that provides information/instructions regarding services for customers with disabilities lacks a substantial amount of information that ACL 19-45 requires for staff training on reasonable accommodation.
- The training misstates that “using auxiliary aids can help enhance communication when interacting with a customer who has a disability” and must be revised. Auxiliary aids and services are not just tools that “can enhance” communication – County is legally obligated to provide auxiliary

aids and services to ensure effective communication with individuals with communication-related disabilities.

- The training provides a list of available auxiliary aids. However, it does not include updated info about available audio options.
- The training misstates that the County provides braille versions of PUB 13 and PUB 470 brochures. However, the obligation to provide braille versions extends beyond these publications. The PUB 470 is out of jurisdiction of this Audit.
- The training categorized customer complaints into three groups (program, personnel, and discrimination.) However, it is important to acknowledge that different types of complaints can have overlapping issues, and to draw bright-line distinctions between these categories can create the inaccurate impression that it is easy and quick to distinguish between them and lead to misidentification/failure to identify discrimination complaints. The “bright line” approach fails to capture the fact that some complaints are “hybrid” discrimination and non-discrimination claims, and the discrimination claims in hybrid complaints must be processed like any discrimination complaint.
- The training states that personnel complaints generally result from poor customer service. However, “poor service” by County employees can be discrimination/discriminatory. To assume or jump to the conclusion that complaints about poor service are “personnel” complaints risks missing/misidentifying discrimination (or hybrid) complaints.
- The list of protected classes stated in the discrimination complaint unit of the training is not complete. Additionally, this list included “income level” as a protected class which is incorrect. Please refer to CDSS webpage for complete list of protected classes.
- The training instructs the County staff that if a customer wants to submit their complaint in writing, provide them with a DPSS 2885 form. However, it is important to note that the County cannot require the use of a specific form but can offer it as an option. This part of training should be revised to reflect that. Additionally, this section should include specific operational details to help staff respond effectively and appropriately to various situations, such as:
  - The process when a complainant wants to file anonymously.
  - The process when the complainant struggles with writing.
  - The process when the complainant has limited English proficiency.
- The training states that when customers request a review of their discrimination concerns at the department level, they should be referred to the Civil Rights Coordinator. However, this section lacks operational details, and it seems that the information may describe an overly restrictive process for receiving complaints that is not supported by Division. 21. The Division 21 requires procedures that reduce barriers to filing discrimination complaints.

According to staff survey results, 62.5% of the staff members reported that they had received training on the County's civil rights obligations. However, 37.5% reported being unsure if they had received any civil rights training. Additionally, 90% reported receiving civil rights training on an annual basis, which auditors note is inconsistent with county practice of conducting civil rights training every two years. In contrast, 10% of surveyed staff are unsure of the frequency of civil rights training. Moreover, 78.1% of the surveyed staff members have reported that training about the County's civil rights obligations is mandatory for their position, while 21.9% are unsure.

*What training do employees receive about cultural groups receiving services in their area?*

Unknown. According to the CRCP, the County provides cultural awareness training called "Diversity in the Workplace" to all new staff during induction or orientation and on a bi-annual basis. This course is designed to create increased awareness of diversity in the workplace and the positive impact of respecting cultural differences. However, the CRCP lacks information on whether the County staff receive training about cultural groups receiving services in their area. The auditors did not review this training because it was not provided to our office by the County.

According to the staff survey, 34.4% of surveyed staff reported that they had received training on the prevalent cultural groups in their area. However, 25% reported not receiving such training, and 40.6% were unsure if they had or not.

*What training do employees receive about serving people with disabilities (e.g., disability awareness and etiquette; identifying, offering and providing RAs; etc.)?*

According to the County "Reasonable Accommodation and Equal Access for Individuals with Disability" policy, all County staff are required to attend Disability Awareness and Sensitivity Training. The purpose of the training is to inform the County workforce of the basic legal requirements under ADA and FEHA, discuss the causes of myths and stereotypes towards individuals with disabilities, and provide tips that may be useful to employees in easing their comfort level when assisting members of the public with disabilities. This training is currently offered in a self-paced, online format and is available through the Human Resources Department, COR Learning website.

In addition to the required Disability Awareness and Sensitivity training, all managers and supervisors are required to take training on the employment requirements of ADA and FEHA. The purpose of this training is to inform managers and supervisors of the County's obligations to employees and job candidates with disabilities under these laws. This training was not reviewed because it was not jurisdictional to this audit.

According to the staff survey:

- Only 66.6% of surveyed staff reported that they had received training on how to identify clients with disabilities or help clients to self-identify as having disabilities.

However, 12.5% reported they had not received such training, and 21.9% reported being unsure.

- Only 62.5% of surveyed staff reported that they had received training on how to document clients' disabilities and reasonable accommodation (RA) needs in the case folder/electronic case record. However, 21.9% reported that they had not received such training, while 15.6 % reported being unsure.
- Only 68.8% of surveyed staff reported that they had received training on how to provide reasonable accommodation to clients with disabilities. However, 9.4% reported that they had not received such training, while 21.9% reported being unsure.
- Only 62.5% of surveyed staff reported that they had received training on disability etiquette, disability awareness, or similar training on how to assist clients with disabilities. However, 18.8% reported that they had not received such training, and another 18.8% reported being unsure.

*Describe any additional County-provided civil rights-related training.*

The County provided examples of other civil rights-related staff training, including “Child Welfare Practice in a Multicultural Environment,” “Indian Child Welfare Act,” “Professional Conduct” training, “Cultural Humility in Child Welfare Interviews”, “Fairness and Equity” for CWS staffs, “CF Module 5: Interview, Expedited Services, EBT, IEVS Application, and EDBC Training”, “CW Application Process Module 2”, and CalFresh Rights and Responsibilities. The CRC has confirmed that civil rights topics are covered in these trainings. However, the Auditors did not review these trainings because it was not provided to our office as off writing of this Report.

## **Corrective Action**

- 18. Division 21, Civil Rights Training:** The County 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. As part of the CAP, the County shall revise its civil rights training to address the concerns and deficiencies identified in this section and during the Review. The County shall also revise these trainings as needed to reflect the requirements of ACL 21-128 and for consistency with any policy and procedure revisions required elsewhere in this Report. If the County has completed its above-referenced planned revision of these materials since the time this Review was conducted, the County shall review those materials in light of the foregoing and submit a written explanation briefly summarizing both the revisions made that address CDSS' concerns as well as a plan and timetable for completion of any further revisions deemed necessary (if any) based on this Report. The County may contact CDSS for feedback and technical assistance, however the updated materials do not need to be submitted as part of the CAP.

**19. Reasonable Accommodation Training:** The County shall train public contact staff, program managers, and supervisors upon hire and, at a minimum, annually thereafter, on the County's policies for ensuring compliance with disability nondiscrimination laws and on providing reasonable accommodations for people with disabilities. ACL 19-45, Section I. As part of the CAP, the County shall:

- Revise its training related to reasonable accommodation and services for individuals with disabilities as needed to reflect the requirements of ACL 19-45 and for consistency with any policy and procedure revisions required elsewhere in this Report.
- Revises its training and related policies and take the appropriate steps to provide Reasonable Accommodation Training to County staff on an annual basis as required by ACL 19-45.

**20. Cultural Awareness Training:** The County shall ensure that all public contact employees receive cultural awareness training to ensure that public contact staff understands, and is sensitive to, various cultural groups including individuals with disabilities, to ensure equal delivery of services in the County's population.

Div. 21-117.2. As part of the CAP, the County shall:

- Identify and address deficiencies in the current training to improve staff knowledge about the predominant cultural groups receiving services in the area.
- Identify and close all gaps in training delivery to ensure that it is provided to all public contact staff.

## **Recommendations**

**List of protected classes/bases:** At the end of the protected bases list provided in training a phrase stating that "this list does not reflect all protected classes or bases and does not guarantee that all these classes and bases are protected in every situation" to allow for changes/evolving laws should be added. Please refer to the CDSS Civil Rights Section's webpage or the GEN 1179 for a complete list of protected classes/bases.

**CDSS Resources and Training:** CDSS strongly recommends that the County utilize relevant CDSS resources and CRC training. In addition to the array of ACLs and ACINs on discrimination complaint-related issues and other pertinent topics available on the CDSS website, the [PowerPoint material from the CRS's December 2020 Civil Rights Coordinator Introductory Training](#) is a valuable information source.

## **VIII. DISCRIMINATION COMPLAINT PROCEDURES**

Counties are required to maintain a process for addressing all discrimination complaints. Counties must track discrimination complaints by using a control log in which all relevant information is kept, including when the complaint was received, the complainant's name, programs implicated, the basis of discrimination, and complaint resolution.

## Findings: Discrimination Complaint Process

*Does the CWD have a written policy explaining how it will process discrimination complaints?*

Yes, the County has a policy titled Customer Complaints of Discriminatory Treatment (DP 21-203). This policy describes the complaint processes for customers alleging discrimination or a violation of their civil rights and requires all County staff to make sure that no individual endures any discrimination. The policy also states that County staff must not retaliate against customers who complain or assist in investigations. However, Auditors noted that some information provided in the policy is incorrect or could benefit from clarification.

- Overall, the policy appears to lack operational details and does not provide clear, coherent and consistent information/instructions regarding the County discrimination complaints handling process.
- Section 2.2 of the policy outlines the differences between Discrimination Complaints and Service Complaints. However, the information is not clear and needs to be revised because there is not always a clear and bright line between these two types of complaints. All complaints must always be evaluated through a discrimination complaint process to avoid under-identifying legitimate discrimination complaints.
- In accordance with Section 3.2 of the policy, customers are required to either complete the DPSS 2885 form or provide a written statement to file a discrimination complaint with the County. This requirement violates Division 21-203.22, which states that complaints may be made verbally or in writing. It is also unclear what language translations of this form are available and what staff should do if a complainant with limited English proficiency wishes to file a complaint but there is no available complaint form in their language.
- The DPSS 2885 form incorrectly treats “Gender Identity” and “Gender Expression” as one protected category, which needs to be revised.
- In addition, the DPSS 2885 form does not include the consent note stated at the end of CDSS GEN 1179. Division 21-203.32 requires the County request Complainants sign a consent form which lets the complainant know that the information pertinent to complaint processing will be shared with the appropriate CWD/CDSS and federal civil rights personnel during the investigation of the complaint. The County has another form called DPSS 4427, which appears to include the missing consent language, but the Auditors did not review this form because the County did not provide it.
- The policy instructs staff to complete and submit a DPSS 2885 whenever a customer alleges discrimination but does not submit a complaint (Section 3.2.) However, it is ambiguous regarding the situations this is intended to cover. For example, does it include situations in which an individual with a disability is incapable of preparing a written complaint? And/or in which a customer reports a verbal complaint over the phone? The policy should explain this clearly.

Moreover, it should be clarified that staff must obtain consent from the complainant before submitting a complaint on their behalf.

- Section 4.1 of the policy misses many steps from the discrimination complaint process, such as logging the complaints and should be amended to include all steps.
- The policy states, "ARS reviews the discrimination complaint and makes a reasonable attempt to contact the complainant by mail and/or telephone and resolve the complaint." (Section 4.1). However, this instruction is ambiguous and needs clarification. For example, what does "resolve the complaint" mean? How does it operate within the Div. 21 regulatory timelines for evaluating and responding to a complaint? Operational detail is needed to clarify what this involves. When CDSS sees information that a County makes "early resolution attempts" with a complainant, this raises concerns that the County's process may treat the early resolution attempt as a prerequisite to complaint evaluation and/or investigation - or at least give the impression to complainants that that is the case - which is not permitted by Div. 21. When revising the policy please make sure that the procedure is operationally detailed and conveys that:
  - Complainants are given the option to attempt early resolution but are not required to do so.
  - Any early resolution attempts do not delay the complaint evaluation/investigation process.
  - The County acknowledges that a complainant may proceed with having a discrimination complaint investigated even if their specific concern is resolved.
- The policy states that "ARS determines whether the discrimination complaint requires an investigation (Section 4.1.) However, it lacks information regarding the process by which this determination is made. The complaint procedure should include operational details about that process, and the process itself should be legally compliant with the requirement of Div. 21. Please refer to Div. 21-203 and CDSS Complaint Evaluation training.
- The process for closure of the complaints stated in sections 4.1 and 4.2 of the policy is out of compliance with applicable rules. However, at the time of publishing this civil rights report, a new ACL will soon be released which will govern this area of operations. As such, there is no specific corrective action currently being required. However, Riverside regularly fails to respond to CDSS in a timely manner and regularly fails to meet Division 21 requirements. The county must monitor and comply with Division 21 and applicable ACLs.
- The policy provides information regarding the discrimination-complaint investigation interview with the employee alleged to have acted in a discriminatory manner (section 4.6.) However, the process/information provided is not in compliance with Div.21. requirements. It is important that the employee shall be advised of the right to have a representative or counsel present in the interview.
- The policy provides instruction/information regarding the complainant's rights to appeal a County decision resulting from a complaint (section 4.7.) However, this

section needs to be revised for accuracy and completeness. Please refer to Div.21. 26 and [ACL 23-98](#) for detailed information.

- Section 4.8 of the policy instructs staff to maintain a control log for all discrimination complaints filed. However, it is recommended revising/moving this part to reflect that it is started at the beginning (receipt of complaint), then updated as case progresses.
- The list of references stated in section 5.1 of the policy does not include Division 21. The County is reminded that the [CDSS Manual of Policies and Procedures \(MPP\) Division 21 Regulations \(Div.21\)](#) is their primary legal reference for the complaint process.

Additionally, the County has a separate policy/procedure for handling discrimination complaints on the base of disability, titled "ADA Complaint Resolution Procedure." Meanwhile, the DP 21-203 policy mentioned above describes the county's process for handling all types of discrimination complaints, including those based on disability. However, the Auditors noted that some information provided in the ADA Complaint Resolution Procedure is incorrect or could benefit from some clarification.

- The policy/procedure is not in compliance with the Div. 21 regulatory timelines for filling, evaluating, and responding to a complaint.
- The policy requires individuals file their complaints in writing. However, this is incorrect and needs to be revised. The County may offer individuals the ability to file a complaint in writing but may not require them to do so.

Moreover, the Auditors noted that having two policies for handling discrimination complaints by the County could lead to confusion among workers. Please refer to the recommendations at the end of this section.

#### *Can employees readily identify discrimination complaints?*

Somewhat. Surveyed staff were presented with four theoretical complaints and asked to indicate which were examples of civil rights complaints. Language of the four sample complaints can be found in Appendix II.

- Complaint 1: Example of a discrimination complaint. Recognized as a discrimination complaint by 84.4% of surveyed staff.
- Complaint 2: Not an example of a discrimination complaint; Misidentified as a discrimination complaint by 15.6% of surveyed staff.
- Complaint 3: Example of a discrimination complaint. Recognized as a discrimination complaint only by 59.4% of surveyed staff.
- Complaint 4: Example of a discrimination complaint. Recognized as a discrimination complaint by 59.4% of surveyed staff.

It is important that staff are able to identify discrimination complaints so that they know when to assist program participant with filing a discrimination complaint.

Only 84.4% of staff recognized Complaint 1 as a discrimination complaint, which may demonstrate that staff do not consistently understand that complaints that raise



customer service issues such as “rude” worker behavior may also be discrimination complaints.

Only 59.4% of staff recognized Complaints three as a discrimination complaint, which demonstrate that staff do not consistently understand that LEP is a protected classes which requires civil rights protection.

Only 59.4% of staff recognized Complaint four as a discrimination complaint, which demonstrates that staff do not consistently understand that a mental health condition such as bipolar disorder can constitute a disability that entitles an individual to civil rights protections. It may also demonstrate that staff do not consistently understand that parents in Child Welfare Services cases are entitled to applicable civil rights protections.

Additionally, 6.3% of surveyed staff reported that none of the four theoretical complaints were examples of a discrimination complaint. Reinforcing these concepts in policy and staff training can help improve staff ability to identify discrimination complaints.

*Can employees locate the civil rights poster, PUB 86, with information as to how and where a discrimination complaint may be filed?*

Sometimes. About 84.4% of surveyed staff could identify where the County displays the civil rights coordinator’s contact information.

Auditors noted that surveyed staff demonstrated confusion regarding the correct process for filing a discrimination complaint. About 64% of staff responded that they were “unsure” whether the County has a process for staff to follow if a client expresses a civil rights complaint to them.

Additionally, staff who answered that the County does have a process in place for discrimination complaints, provided a variety of different answers that indicate confusion amongst staff. When asked what steps staff take when receiving a discrimination complaint, staff provided a multitude of varying responses, including “Provide them Pub 13 and direct them to the contact information on it,” “Provide the client with the telephone number for the Customer Service Complaints Coordinator” and “Take down the information from the customer, have them complete the proper form (DPSS 2885) and forward to our Civil Rights Coordinator.”

*Is the CCWD’s complaint log complete and up to date?*

No. The complaint log submitted by the County contains all the minimum information required by Div.21, but it is not up to date. During the Review, Auditors raised general concerns about the lateness of investigation reports. As of the publication of this civil rights report, nearly two years later, eleven cases from the review period (between January 2022 and June 2023) are still overdue. In some cases, the investigations and draft reports may have been submitted however they reach a bottle neck while awaiting review from the CRC. This speaks to the CRC’s ongoing lack of sufficient time to complete civil rights activities, given the County’s size and complexity.

*Is the CWD handling discrimination complaints appropriately?*

No. As noted in this and other Report sections, CDSS has significant concerns about the County's complaint handling policy, procedures, and training. Most notably, we are concerned that the County is overdue on providing CDSS final documentation/resolution on over 40 discrimination complaints. As of the writing of this report, the County is severely out of compliance on many of these cases, some of which date back to 2022.

**Corrective Action**

21. **Complaint Processing Policy:** The County shall ensure policies addressing discrimination complaint handling are clear, consistent, and comport to the required complaint processing obligations. Div. 21-203. As part of the CAP, the County shall revise the Customer Complaints of Discriminatory Treatment (DP 21-203) policy to resolve the concerns raised in this section and other parts of this Report.
22. **Employee Awareness of Discrimination Complaint Process:** The County shall provide training to ensure staff can accurately identify a discrimination complaint. The County shall also ensure staff have knowledge of the discrimination complaint process and their role in assisting applicants/participants to file civil rights complaints. The County shall ensure staff are able to differentiate it from other complaint processes. Div. 21-117 and Div. 21-203.
23. **Complaint Log:** The County shall keep a control log in which all complaints of discrimination are entered by year and date the complaint was received. The County shall ensure that all required information is entered for each complaint. Div. 21-203. 21. As part of the CAP, the County shall ensure that its discrimination complaint log is updated and contains all complaints filed in 2023 with the accurate information.
24. **Complaint Evaluation Training:** The County 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. As part of the CAP, both the Civil Rights Coordinator and the supervisor responsible for reviewing the Civil Rights Coordinator's discrimination complaint investigation reports and for processing complaints in the event of a conflict shall review CDSS' Complaint Evaluation Training and download and read the accompanying training material, both of which are available on CDSS' website.
25. **Open Discrimination Complaints:** The County shall address all discrimination and retaliation complaints in accordance with applicable Division 21 procedures. Div. 21-203. As part of the CAP, the County shall provide CDSS with the status of all open discrimination complaints referenced in this section, which Auditors

discussed with the Civil Rights Coordinator and Civil Right Investigator during and after the Compliance Review.

26. **Discrimination Complaint Form:** As part of the CAP, the County shall revise its complaint form (DPSS 2885) to address the concern raised above in section VIII of this report. Div. 21-203.32.

## **Recommendations**

**Complaint Handling Process Policy:** Auditors recommend that the County combine the two policies outlining the County's process for handling discrimination into a single, comprehensive policy to prevent confusion among staff.

**Discrimination Complaint Form:** It is strongly recommended that the County utilize the CDSS GEN 1179 which is available in 19 languages instead of the DPSS 2885 which is available only in English and Spanish.

## **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 (referred to as "Vendors") provide a statement of assurance. Agreements must also state that the entity involved will compile data, maintain records, and submit reports as required to permit effective enforcement of nondiscrimination laws, regulations, policies, instructions, and guidelines.

### **Findings: Contract Review**

Auditors reviewed ten vendor contracts. Auditors found that all contracts contained the same nondiscrimination language within the agreements as well as an assurance (i.e., an agreement to administer services and benefits in a nondiscriminatory way). All contracts stated that the Vendor will compile data, maintain records, and submit reports to permit effective enforcement of all applicable nondiscrimination laws.

### **Corrective Action**

None.

## **Recommendations**

None.

## **X. COMMUNITY INPUT**

Feedback was sought from community and advocate groups regarding CWD services. The following summarizes their observations and identifies issues that the CWD may address to improve their civil rights program.

### **Community Organizations' Observations**

**Disproportionality in Counties Services:** One surveyed community organization reported that “there are concerns about the County's disproportionate investigation and detainment of Black children in poverty situations. Specifically, they reported that “families seeking homeless assistance and HSP are referred to child welfare after 30 days if they haven't found housing.”

**The County Communication with the Client's Authorized Representative.** One of the surveyed Community organizations noted that “the County seems to be unwilling to engage with the authorized representatives of clients with disabilities, which may be hindering applicants/recipients with disabilities from effectively managing their cases/applications.”

**Services for Individuals with Disability:** One surveyed community organization expressed concerns about the support provided to children with autism spectrum disorder (ASD) in the foster care system.

**Eligibility Requirements for Benefits:** The County practices regarding some eligibility requirements for benefits have raised concerns among some of the surveyed community organizations. According to these organizations:

- The County denies or discontinues the U-VISA/VAWA clients during reevaluation/recertification because the County requests an individual's Social Security Number. These organizations expressed concerns that “this has caused delays in benefits and led some applicants/recipients to believe they are not entitled to benefits.
- Individuals without Social Security Numbers have been informed that they are ineligible for benefits.
- The County has been requesting updates on immigration status, work permits, and social security cards from service applicants.”
- The County does not add individuals without a Social Security Number to the household via phone or in person due to their immigration status.
- The County is not accepting an Authorized Representative form and is not communicating with AR unless an appeal is filed.

**LEP Applicants/Recipients may Face Challenges when Communicating with County Staff:** According to surveyed community organizations, “applicants/recipients with Limited English Proficiency face challenges when communicating with County staff about denials or terminations of IHSS services.” The Community Based Organization (CBO) has concerns that “the staff has a limited understanding of County documents.” These organizations expressed concerns that, “prior to the Gen 1365A form, the County

did not have procedures in place to provide sight and/or written translations of County Statement of Positions to clients with LEP before scheduled state fair hearings.”

**Concerns Over Social Workers Conduct:** One community organization has raised concerns about social workers' conduct and the lack of oversight on the reports they prepare, which are often used as evidence in court. According to these organizations, “social workers may manipulate the truth, and there is too much hearsay allowed in the records, leading to unwarranted family separation.”

**Insufficient Outreach:** One surveyed community organization stated that “individuals do not know that CAPI is an available program in County.”

**Underserved Population:** One surveyed community organization stated that “the County underserves single parents of children with disabilities.”

### **Community Organizations’ Suggestions for Improvement**

**Services for Applicants/Recipients with LEP:** surveyed community organizations suggested that “the County should provide applicants/recipients with LEP full access to County communications and document translations.”

**Services for Unhoused Population:** one community organization suggested that “the County establish HUB offices so that unhoused individuals do not have to travel far.”

**Staff Training:** Some community organizations suggested that “the County offer more training and education to caseworkers on how to communicate effectively with clients.” They also suggested that “the County should remind eligibility technicians to review the SAWS application to ensure that they are aware if an individual has an authorized representative.”

**Transparency in Funds:** One community organization suggested more transparency of County funds.”

## **XI. CIVIL RIGHTS COMPLIANCE PLAN REVIEW AND APPROVAL**

The Riverside County Department of Public Social Services Civil Rights Compliance Plan for the period 2022 through 2023 was received on July 18<sup>th</sup>, 2023. Thank you for submitting your agency’s Civil Rights Compliance Plan. CDSS reminds the CWD that pursuant to ACL 09-79, counties have an obligation to maintain an updated Civil Rights Compliance Plan on an ongoing basis. Therefore, the revised Plan must reflect **all significant changes**, including those implemented based on required Corrective Action, to ensure that the information it contains is complete and current. Please also provide an **accompanying list or key** that identifies the changes made and the page number each change appears on. Before approving the Civil Rights Compliance Plan, we additionally require the revisions specified below:

- **Section VII – County Services Provided by Contractors, Subcontractors, Vendors**
  - Describe the County’s procedure for addressing complaints filed with or against a contractor.
- **Section VIII – Primary Language Data, Staffing and Hiring Goals**
  - Division 21 states broadly that threshold language should be considered by both location and program. Div. 21-104(s)(2). This means that an office’s threshold languages consist of threshold languages for that site and for programs administered at that site. Office locations that have not identified location-specific threshold languages, can meet this requirement by treating program-wide threshold languages as threshold for locations where those programs are administered. The County shall, as part of the CAP, incorporate the revised data into its CRCP to determine the County threshold languages for each facility. In addition, include a description of the County’s plan for and efforts to meet its identified bilingual staffing hiring goals.
- **XIV - Self-Monitoring**
  - Provide detailed information about the self-monitoring process and the instruments the County uses to conduct this monitoring.

Please submit an updated Civil Rights Compliance Plan incorporating these items with your CAP for this Review. The County may contact CDSS for feedback and technical assistance.

## **XII. CONCLUSION**

The CDSS Auditors found the Riverside County Department of Public Social Services staff welcoming, informative, supportive, and receptive to new information and feedback. Particular thanks go to Interim Civil Rights Coordinator, Helen Shearer for organizing the details of the Review. In each program area, staff were helpful with the facility reviews, case reviews, and computer assistance. CWD staff, including management, reflected a mission-driven commitment to ensuring access, assistance, and compliance.

The CDSS Auditors found substantial compliance concerns. The County must remedy deficiencies identified in this report by taking corrective actions. A 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 to 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 CWD and CDSS to identify and correct compliance violations and to provide the CWD with an opportunity to implement corrective action to achieve compliance with Division

21 regulations. Civil Rights Section staff is available to provide technical assistance as requested.

## **APPENDIX 1: SELECTION FROM STAFF SURVEY**

Section VIII addresses the discrimination complaint process. Surveyed staff were able to identify discrimination complaints some of the time. Surveyed staff were presented with four theoretical complaints and asked to indicate which were examples of civil rights complaints. The language of those complaints is presented here.

- Complaint 1: I received a letter saying my benefits were cut off, but I need that money for my kids. How can I get my benefits back? I bet this is because in this office they don't like people who have my skin color. I always see workers being rude to people who look like me.
  - Example of a discrimination complaint.
  - Recognized as a discrimination complaint by 84.4% of surveyed staff.
- Complaint 2: My benefits were reduced. This isn't right. I deserve that help. I followed all the rules. I'd like to make a complaint.
  - Not an example of a discrimination complaint.
  - Misidentified as a discrimination complaint by 15.6 of surveyed staff.
- Complaint 3: My aunt is confused about her eligibility. She had trouble understanding the customer service center representatives on the phone. She told me she spoke in English, but she actually prefers to speak Korean because she understands it better. I can help her with her paperwork if you just tell me what she needs to turn in.
  - Example of a discrimination complaint.
  - Recognized as a discrimination complaint by 59.4% of surveyed staff.
- Complaint 4: My kids were taken away by the CWD because I'm bipolar. It isn't fair to take my kids just because I have a disability. Disabled parents have rights too. I need help.
  - Example of a discrimination complaint.
  - Recognized as a discrimination complaint by 59.4% of surveyed staff.