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ARNOLD SCHWARZENEGGER
GOVERNOR

August 31, 2009

Larry Meredith, Director
Marin County Department of Health & Human Services
20 N. San Pedro Rd., Ste. 2027
San Rafael, CA 94903

Dear Mr. Meredith:

I want to take this opportunity to thank you and your staff for the cooperation and assistance provided the reviewer from our office during the course of the Civil Rights Compliance Review in December, 2008. We apologize for the delay in the report. Enclosed is the final report on the review.

There are some compliance issues (deficiencies) identified in the report, which will require the development of a corrective action plan (CAP). Please submit your CAP within sixty days of this letter. Please address each deficiency and include steps and time lines for the completion of all corrective actions and recommendations listed in the attached report.

We will provide a copy of our report to any individual who makes a Public Records Act (PRA) request. Our reports are considered public documents under the PRA. Once we approve your CAP, it too, becomes a public document. Per the Governor's Executive Order S-08-09, all compliance reviews (and corresponding CAPs) performed after January 2008 will be posted on the state's Reporting Government Transparency website.

If you need technical assistance in the development of your CAP, please feel free to contact the Civil Rights Bureau at (916) 654-2107 (voice) / (916) 654-2098 (TDD). You may also contact us by e-mail at crb@dss.ca.gov.

Sincerely,

RAMÓN S. LOPEZ, Chief
Civil Rights Bureau
Human Rights and Community Services Division

Enclosure

c: Chris Schuepbach, Civil Rights Coordinator

Chris Webb-Curtis, Branch Chief, CDSS Supplemental Nutrition Assistance Program
M.S. 8-9-32

Mike Papin, CDSS Supplemental Nutrition Assistance Program
Food Stamps Policy Bureau M.S. 8-9-32

Richard Trujillo, CDSS Supplemental Nutrition Assistance Program
Food Stamps Policy Bureau M.S. 8-9-32

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**CIVIL RIGHTS COMPLIANCE REVIEW REPORT
FOR
COUNTY OF MARIN DEPARTMENT OF HEALTH AND HUMAN
SERVICES
Conducted December 2008**

California Department of Social Services
Human Rights and Community Services Division
Civil Rights Bureau
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Reviewer
Jim Tashima

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CIVIL RIGHTS COMPLIANCE REVIEW REPORT

I. INTRODUCTION

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

An on-site compliance review was conducted on December 8-11, 2008 with an introductory meeting held with Travis Parsons, Civil Rights Coordinator, and other managers. An exit interview was held with Travis Parsons and other managers on December 11, 2008, to review the initial findings.

The review was conducted in the following Marin County locations:

Address	Programs	Non-English languages spoken by a substantial number of clients (5% or more)
10 North San Pedro Road	In-Home Support Services and Adult Protective Services	Spanish, Vietnamese
120 Redwood Drive	CALWorks, NAFS, Employment Services	Spanish,
3250 Kerner	Child Welfare Services	Spanish

II. SUMMARY OF METHODOLOGY

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

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

Headquarters and on-site review procedures included:

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

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

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

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

Interviews Conducted of Public Contact Staff

Classifications	Total	Bilingual
Eligibility Workers	3	1
Employment Services Workers	3	2
Children Social Workers	3	1
Adult Program Workers	6	2
Receptionist/Screeners	4	1
Total	19	7

Program Manager Surveys

Number of surveys distributed	3
Number of surveys received	3

Reviewed Case Files

English speakers' case files reviewed	12
Non-English or limited-English speakers' case files reviewed	48
Languages of clients' cases	Spanish, Vietnamese, Russian, Farsi, Arabic, Thai, Chinese, Cambodian, Hindi

Sections III through VIII of this report contain specific Division 21 civil rights requirements and present field review findings regarding the county's compliance with each requirement. The report format first summarizes each requirement, then the actual review team findings, including appropriate comparisons. This format is an effort to validate the application of policies and procedures contained in the annual plan. Required corrective actions are stated at the end of each section.

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

III. DISSEMINATION OF INFORMATION

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

A. Findings

Access to Services, Information and Outreach	Yes	No	Some-times	Comments
Does the county accommodate working clients by flexing their hours or allowing applications to be mailed in?	X			
Does the county have extended hours to accommodate clients?	X			
Can applicants access services when they cannot go to the office?	X			
Does the county ensure the awareness of available services for individuals in remote areas?	X			The county maintains a small office in Pt. Reyes that serves rural West Marin County.

Signage, posters, pamphlets	Yes	No	Some-times	Comments
Does the county use the CDSS pamphlet "Your Rights Under California Welfare Programs" (Pub 13)?	X			
Is the pamphlet distributed and explained to each client at intake and re-certification?		X		Two APS workers said they do give it to their clients, and one worker said they don't use it in APS. All three IHSS workers indicated that they use it at intake and re-verification.

Signage, posters, pamphlets	Yes	No	Some-times	Comments
				<p>Two CWS workers indicated they expect the Emergency Response unit to give out the Pub 13, and they don't deal with it. One CWS worker said that she did give it out and goes over it.</p> <p>The three eligibility workers indicated that they do give out the Pub 13 and go over it with the client.</p>
Was the current version of Pub 13 available in English, Spanish, Lao, Vietnamese, Chinese, Hmong, Russian, Korean, Farsi, Arabic, Laotian, Tagalog, Armenian and Cambodian?		<p>X</p> <p>X</p>		<p>At 10 North San Pedro, the English version of the Pub 13 was not available.</p> <p>At 120 Redwood, 3rd floor reception, the Pub 13 was not on display, but the following versions were available under the counter: English, Vietnamese, Russian, Chinese, Spanish, Braille, audiocassette/CD and large print.</p> <p>At 3250 Kerner, the Spanish and English version were on display in the lobby, and the others were available in a "kit" used by the receptionists if a client requested a copy in a different language or format.</p>

Signage, posters, pamphlets	Yes	No	Some-times	Comments
				Although some Pub 13 in different languages were on display, clients have no way of knowing in what other languages the pamphlet are available.
Was the Pub 13 available in large print, audiocassette/CD and Braille?		X		10 North San Pedro did not have the Pub 13 available in large print, audiocassette/CD or Braille. 120 Redwood and 3250 Kerner had the Pub 13 available in large print, audiocassette/CD and Braille.
Were the current versions of the required posters present in the lobbies?	X X X	X		10 North San Pedro displayed the required posters 120 Redwood, 1 st floor reception, was missing "And Justice For All" poster. 120 Redwood, 3 rd floor reception, had required posters 3250 Kerner had the required posters
Did the workers know the location of the required posters with the Civil Rights Coordinator's name and address?		X		Twelve interviewees did not know of the existence or of the location of the poster, and seven interviewees knew of the poster.

Signage, posters, pamphlets	Yes	No	Some-times	Comments
Were there instructional and directional signs posted in waiting areas and other places frequented by a substantial number of non-English-speaking clients translated into appropriate languages?		X		At 120 N. Redwood, several signs were not translated into Spanish. Examples in the third floor lobby include Not an Exit, Public Restrooms and Drinking Fountain on Second Floor , etc.
		X		At 120 N. Redwood, several signs were not translated into Spanish. Examples in the first floor lobby include Interview Counters, Interview Room, Restrooms closed after hours, Registration Desk, Please ask for assistance , etc.
		X		At 3250 Kerner, some English signs need to also be presented in Spanish.

B. Corrective Actions

Informational Element	Corrective Action Required
Translated Pub 13	County shall ensure that the current version of the Pub 13 is available in all languages translated by CDSS and that the available translated versions are given to the clients in their primary language. Div. 21-115.2
Posters	County shall ensure that the most current version of posters on nondiscrimination provided by CDSS and USDA are prominently displayed in all waiting areas and reception rooms. Div. 21-107.211

Informational Element	Corrective Action Required
Directional signage	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 and .24

C. Recommendation

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

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

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

2. With regard to the display of the Pub 13 pamphlet to ensure that LEP clients know in what languages the pamphlet is available, we have seen three workable solutions that meet the requirements. One is where the county displays all the Pub 13 pamphlets in all the languages available in plastic multiple pamphlet holders that can hold several dozen of each language. Another possibility is to display one copy of the Pub 13 in each language on a bulletin board, with instructions next to each pamphlet in each language on how and where to get their own copy. The third possibility is to display the pamphlet on a bulletin board with a poster in multiple languages that indicate what the pamphlet is about, and where and how to get their own copy, all written in the language of the pamphlet.

IV. FACILITY ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES

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

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

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

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

A. Findings and Corrective Actions

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

Facility Location: 10 North San Pedro

Facility Element	Findings	Corrective Action
Parking Signage	Disabled parking freestanding sign height on the east side of building is only 46 " high.	Sign height shall be 80" minimum from bottom of sign to top of finish grade. (CA T24 1129B.5, ADA 4.6.5) p. 133 Wall signage shall be centered 36" minimum above grade, ground, or sidewalk at the interior end of space. (CA T24 1129B.5) p. 133
Disabled Parking Spaces	The length of the disabled parking spaces is not adequate. One of the spaces measured 13' 5" in length, and another measured 14 '.	Length of parking space shall be at least 18' long, 9' wide. (CA T24 1129B.4.1) p. 135 Access aisle shall be 18' x 5' minimum for cars. (CA T24 1129B.4.1 & 2, ADA 4.6.3) p. 135 Van access aisle shall be 18' x 8' minimum on passenger side. (CA T24 1129 B.4.1, ADA 4.6.3) p. 135

Route to main door	Due to the reorganization and relocation of the reception area, the disabled parking slots are some distance from reception area. The Civil Rights Coordinator mentioned that the county is considering redesigning the entrance to make it more easily accessible. This would also require a different placement of the disabled parking slots, and the building of appropriate ramps.	Located on shortest accessible route. (CA T24 1129B.1.2, ADA 4.3.2(1)) p. 131
Ramps	The disabled access ramp is at the south end of the building. Part of the ramp is only 47" in width. The ramps are longer than 6' in length and are missing, in part, handrails.	<p>The width of ramps is as required for stairways and exits. Pedestrian ramps have a minimum width of 48" (CA T24 1133B.5.2.1)</p> <p>If a ramp run has a rise greater than 6" or a horizontal project greater than 6', then it shall have handrails on both sides. (CA T24 1133B.5.5.1, ADA 4.8.5)</p> <p>Handrail is mounted 34" to 38" above ramp. (CA T24 1133B.5.5.1, ADA 4.8.5(5)) Cross section of rails is 1 ¼" to 1 ½" or have a shape that provides an equivalent gripping surface. (CA T24 1133.B.5.5.1, ADA 4.26.2)</p> <p>Handrail surfaces shall be smooth with no sharp corners. (CA T24 1133B.5.5.1, ADA 4.26.4)</p>

Directional Signage	Particularly because of the distance and the "convoluted" route to the reception area, there is a critical need for directional signage to indicate how a disabled person must proceed to gain access to the reception area.	<p>A sign with the international symbol of accessibility shall be at every primary entrance and every major junction indicating the direction along or to accessible features. (CA T24 1127B.3, ADA 4.1.3(16B), CA T24 1117B.5.8.1.2) pp. 183, 353</p> <p>Characters, symbols and their backgrounds have a non-glare finish. Characters and symbols contrast with their background, either light characters on a dark background or dark characters on a light background. (CA T24 1117B.5.2, ADA 4.30.5) p. 355</p>
Men's Restroom: Signage	There was no accessible signage for the Men's Restroom. The sign was missing Braille.	<p>Door sign and wall sign shall be 60" above the floor. The sign must include the ISA symbol.</p> <p>For permanent identification, the sign shall be installed on the wall adjacent to latch outside of door. If there is no space, including at double leaf doors, the sign shall be placed on nearest adjacent wall, preferably on the right. (CA T24 1117B.5.7, ADA 4.30.6) p. 263</p> <p>Raised characters shall be raised 1/32" minimum and shall be Sans Serif upper case characters accompanied by Grade 2 Braille. (CA T24 1117B.5.5.1, ADA 4.30.4) p. 263</p>
Men's Restroom: Door Pressure	Pressure to open restroom door measured 10 lbs.	Force to open doors, exterior and interior is 5 pounds maximum (CA T24 1133B.2.5, ADA 4.13.11(2)(a) & (b)) p. 195

Men's Restroom: Sink	Pipes under the sink are not securely insulated.	Hot water and drain pipes are insulated or covered. No sharp or abrasive surfaces under lavatories. (CA T24 1115B.2.1.2.2, ADA 4.19.4) p. 267
Men's Restroom: Accessible Stall	Toilet tissue dispenser is 16" from front edge of toilet.	<p>Toilet tissues dispensers are located on the wall within 12" of front edge of toilet seat. (CA-ACRM 1115B.9.3) pp. 275, 269</p> <p>Toilet paper dispenser minimum height from floor is 19". (ADA 4.16.6) pp. 275, 269</p>
Women's Restroom: Signage	The Women's Restroom is missing both the door and wall ISA signs with Braille.	<p>Door sign and wall sign shall be 60" above the floor.</p> <p>For permanent identification, the sign shall be installed on the wall adjacent to latch outside of door. If there is no space, including at double leaf doors, the sign shall be placed on nearest adjacent wall, preferably on the right. (CA T24 1117B.5.7, ADA 4.30.6) p. 263</p> <p>Raised characters shall be raised 1/32" minimum and shall be Sans Serif upper case characters accompanied by Grade 2 Braille. (CA T24 1117B.5.5.1, ADA 4.30.4) p. 263</p>
Women's Restroom: Door Pressure	Pressure to open restroom door measured 7 lbs.	Interior Door will have 5 pounds maximum pressure. (CA T24 1133B.2.5, ADA 4.13.11(2)(b)) p. 195

Women's Restroom: Sink	Pipes under the sink are not securely insulated.	Hot water and drain pipes are insulated or covered. No sharp or abrasive surfaces under lavatories. (CA T24 1115B.2.1.2.2, ADA 4.19.4) p. 267
Women's Restroom: Accessible Stall	The toilet tissue dispenser measured 16" from the front edge of the toilet.	Toilet tissues dispensers are located on the wall within 12" of front edge of toilet seat. (CA-ACRM 1115B.9.3) pp. 275, 269

Facility Location: 120 Redwood

Facility Element	Findings	Corrective Action
First Floor Men's Restroom: Signage	The "red" door did not have ISA .	<p>Door sign and wall sign shall be 60" above the floor.</p> <p>For permanent identification, the sign shall be installed on the wall adjacent to latch outside of door. If there is no space, including at double leaf doors, the sign shall be placed on nearest adjacent wall, preferably on the right. (CA T24 1117B.5.7, ADA 4.30.6) p. 263</p> <p>Raised characters shall be raised 1/32" minimum and shall be Sans Serif upper case characters accompanied by Grade 2 Braille. (CA T24 1117B.5.5.1, ADA 4.30.4) p. 263</p>
First Floor Men's Restroom: Sink	Pipes under the sink are not securely insulated.	Hot water and drain pipes are insulated or covered. No sharp or abrasive surfaces under lavatories. (CA T24 1115B.2.1.2.2, ADA 4.19.4) p. 267

First Floor Men's Restroom: Accessible Stall	The toilet tissue dispenser measured 16" from the front edge of the toilet.	Toilet tissues dispensers are located on the wall within 12" of front edge of toilet seat. (CA-ACRM 1115B.9.3) pp. 275, 269
Second Floor Men's Restroom: Signage	Wall signage needs standard ISA symbol and Braille.	<p>Door sign and wall sign shall be 60" above the floor.</p> <p>For permanent identification, the sign shall be installed on the wall adjacent to latch outside of door. If there is no space, including at double leaf doors, the sign shall be placed on nearest adjacent wall, preferably on the right. (CA T24 1117B.5.7, ADA 4.30.6) p. 263</p> <p>Raised characters shall be raised 1/32" minimum and shall be Sans Serif upper case characters accompanied by Grade 2 Braille. (CA T24 1117B.5.5.1, ADA 4.30.4) p. 263</p>
Second Floor Men's Restroom: Accessible Stall	The toilet tissue dispenser measured 17" from the front edge of the toilet.	Toilet tissues dispensers are located on the wall within 12" of front edge of toilet seat. (CA-ACRM 1115B.9.3) pp. 275, 269
First Floor Women's Restroom: Signage	Wall sign near red door requires standard ISA signage.	<p>Door sign and wall sign shall be 60" above the floor.</p> <p>For permanent identification, the sign shall be installed on the wall adjacent to latch outside of door. If there is no space, including at double leaf doors, the sign shall be placed on nearest adjacent wall, preferably on the right. (CA T24 1117B.5.7, ADA 4.30.6) p. 263</p>

		Raised characters shall be raised 1/32" minimum and shall be Sans Serif upper case characters accompanied by Grade 2 Braille. (CA T24 1117B.5.5.1, ADA 4.30.4) p. 263
First Floor Women's Restroom: Door Pressure	Door pressure measured 7.5 lbs.	Interior Door will have 5 pounds maximum pressure. (CA T24 1133B.2.5, ADA 4.13.11(2)(b)) p. 195
First Floor Women's Restroom: Sink	Pipes under the sink are not securely insulated.	Hot water and drain pipes are insulated or covered. No sharp or abrasive surfaces under lavatories. (CA T24 1115B.2.1.2.2, ADA 4.19.4) p. 267
First Floor Women's Restroom: Accessible Stall	Toilet tissue dispenser was 16" from front of toilet.	Toilet tissues dispensers are located on the wall within 12" of front edge of toilet seat. (CA-ACRM 1115B.9.3) pp. 275, 269 Toilet paper dispenser minimum height from floor is 19". (ADA 4.16.6) pp. 275, 269
Second Floor, Women's Restroom: Signage	Wall sign requires standard ISA signage.	Door sign and wall sign shall be 60" above the floor. For permanent identification, the sign shall be installed on the wall adjacent to latch outside of door. If there is no space, including at double leaf doors, the sign shall be placed on nearest adjacent wall, preferably on the right. (CA T24 1117B.5.7, ADA 4.30.6) p. 263

		Raised characters shall be raised 1/32" minimum and shall be Sans Serif upper case characters accompanied by Grade 2 Braille. (CA T24 1117B.5.5.1, ADA 4.30.4) p. 263
Second Floor, Women's Restroom: Door Pressure	Door pressure measures 7 lbs.	Interior Door will have 5 pounds maximum pressure. (CA T24 1133B.2.5, ADA 4.13.11(2)(b)) p. 195
Second Floor, Women's Restroom: Accessible Stall	Toilet tissue dispenser was 17.5" from front of toilet.	Toilet tissues dispensers are located on the wall within 12" of front edge of toilet seat. (CA-ACRM 1115B.9.3) pp. 275, 269 Toilet paper dispenser minimum height from floor is 19". (ADA 4.16.6) pp. 275, 269

Facility Location: 3250 Kerner

Facility Element	Findings	Corrective Action
Parking Signage	There is no "unauthorized parking" signage at entrances of off street parking.	Additional sign shall be posted in conspicuous place at entrances to off-street parking facilities, or adjacent to and visible from each space. Sign shall be 17" by 22" min. in size with lettering 1" min. high, stating: "Unauthorized vehicles parked in designated accessible spaces not displaying distinguishing placards or license plates issued for persons with disabilities may be towed away at owner's expense. Towed vehicles may be reclaimed at _____ or by telephoning _____." (CA T24 1129B.5) p. 133

Main Entrance Signage	ISA Accessible signage on main entrance door is too small and not easily visible from parking area.	<p>A sign with the international symbol of accessibility shall be at every primary entrance and every major junction indicating the direction along or to accessible features. (CA T24 1127B.3, ADA 4.1.3(16B), CA T24 1117B.5.8.1.2) pp. 183, 353</p> <p>Characters, symbols and their backgrounds have a non-glare finish. Characters and symbols contrast with their background, either light characters on a dark background or dark characters on a light background. (CA T24 1117B.5.2, ADA 4.30.5) p. 355</p>
Client Accessible Rooms: Door Pressures	<p>The following door pressures exceeded acceptable standards:</p> <p>Room G: 12 lbs Room H: 9 lbs Visitation Room: 9 lbs Training Room 107: 9 lbs</p>	Interior Door will have 5 pounds maximum pressure. (CA T24 1133B.2.5, ADA 4.13.11(2)(b)) p. 195
Men's Restroom: Signage	Door sign does not have required Braille. Wall sign is ok.	<p>Door sign and wall sign shall be 60" above the floor.</p> <p>For permanent identification, the sign shall be installed on the wall adjacent to latch outside of door. If there is no space, including at double leaf doors, the sign shall be placed on nearest adjacent wall, preferably on the right. (CA T24 1117B.5.7, ADA 4.30.6) p. 263</p>

		<p>Raised characters shall be raised 1/32" minimum and shall be Sans Serif upper case characters accompanied by Grade 2 Braille. (CA T24 1117B.5.5.1, ADA 4.30.4) p. 263</p>
Men's Restroom: Door Pressure	Door requires 10 lbs of pressure to open.	<p>Interior Door will have 5 pounds maximum pressure. (CA T24 1133B.2.5, ADA 4.13.11(2)(b)) p. 195</p>
Men's Restroom: Accessible Stall	Toilet tissue dispenser was 18" away from the front edge of the toilet.	<p>Toilet tissues dispensers are located on the wall within 12" of front edge of toilet seat. (CA-ACRM 1115B.9.3) pp. 275, 269</p> <p>Toilet paper dispenser minimum height from floor is 19". (ADA 4.16.6) pp. 275, 269</p>
Women's Restroom: Signage	Door sign does not have required Braille. Wall sign is ok.	<p>Door sign and wall sign shall be 60" above the floor.</p> <p>For permanent identification, the sign shall be installed on the wall adjacent to latch outside of door. If there is no space, including at double leaf doors, the sign shall be placed on nearest adjacent wall, preferably on the right. (CA T24 1117B.5.7, ADA 4.30.6) p. 263</p> <p>Raised characters shall be raised 1/32" minimum and shall be Sans Serif upper case characters accompanied by Grade 2 Braille. (CA T24 1117B.5.5.1, ADA 4.30.4) p. 263</p>

Women's Restroom	Door requires 8 lbs of pressure to open.	Interior Door will have 5 pounds maximum pressure. (CA T24 1133B.2.5, ADA 4.13.11(2)(b)) p. 195
Women's Restroom: Accessible Stall	Toilet tissue dispenser was 18" away from the front edge of the toilet.	Toilet tissues dispensers are located on the wall within 12" of front edge of toilet seat. (CA-ACRM 1115B.9.3) pp. 275, 269 Toilet paper dispenser minimum height from floor is 19". (ADA 4.16.6) pp. 275, 269

V. PROVISION FOR SERVICES TO APPLICANTS AND RECIPIENTS WHO ARE NON-ENGLISH-SPEAKING OR WHO HAVE DISABILITIES

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

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

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

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

Question	Yes	No	Some-times	Comments
Does the county identify a client's language need upon first contact?	X			
Does the county use a primary language form?		X		
Does the client self-declare on this form?	N/A			
Are non-English- or limited- English-speaking clients provided bilingual services?	X			
After it has been determined that the client is limited-English or non-English speaking, is there a county process for procuring an interpreter?	X			
Is there a delay in providing services?		X		
Does the county have a language line provider, a county interpreter list, or any other interpreter process?	X			
Are county interpreters determined to be competent?	X			
Does the county have adequate interpreter services?	X			

Question	Yes	No	Some-times	Comments
Does the county allow minors to be interpreters? If so, under what circumstances?		X		
Does the county allow the client to provide his or her own interpreter?	X			
Does the county ensure that the client-provided interpreter understands what is being interpreted for the client?		X		None of the interviewees indicated any procedure to check the effectiveness of the client provided interpreter.
Does the county use the CDSS-translated forms in the clients' primary languages?	X			<p>In the CalWorks program, the following forms were used in English instead of the appropriate language (in parentheses) followed by number of occurrences:</p> <p>SAWS 1(Vietnamese)—2 SAWS 2A QR(Vietnamese)--2 QR7(Vietnamese)--2 CW2102(Vietnamese)—2 CW2.1(Vietnamese)--1 TEMP2131(Vietnamese)—2</p> <p>Of note in the above review is that in the Spanish cases, all documents sent out were in the appropriate language.</p> <p>In the Employment Services program, the following forms were used in English instead of the appropriate language (in parentheses) followed by number of occurrences:</p> <p>CW61B(Spanish)—1 QR7(Spanish)—1 WTW 1(Vietnamese)—1</p>

Question	Yes	No	Some- times	Comments
				<p>WTW 1(Spanish)—2 WTW 2(Vietnamese)—1 WTW 2(Spanish)—2 WTW 5(Vietnamese)—1 WTW 5(Spanish)—1 WTW 7(Vietnamese)—1 WTW 7(Spanish)—1 WTW 17(Vietnamese)--1</p> <p>In the NAFS program, only one form was found which should have been done in Spanish, but instead had been done in English: FS26</p> <p>In the IHSS program, the following forms were used in English instead of the appropriate language (in parentheses) followed by number of occurrences:</p> <p>SOC295 (Russian)—2 SOC295 (Chinese)--1 NA690 (Russian)—2 NA960 (Chinese)--1 SOC426 (Russian)—2 SOC426 (Spanish)—1 SOC426 (Chinese)--1</p>
Is the information that is to be inserted into NOA translated into the client's primary language?	X			<p>Several examples of this were seen. However, due to the limitations of CALWIN, we were unable to verify the extent to which inserts in NOA's were in the correct language.</p>

Question	Yes	No	Some-times	Comments
Does the county provide auxiliary aids and services, TDD's and other effective aids and services for persons with impaired hearing, speech, vision or manual skills, including Braille material, taped text, large print materials (besides the Pub 13)?	X			Some workers did not know of the existence of TDD devices or the California Relay system. Others did not know how to use them or never had used them.
Does the county identify and assist the client who has learning disabilities or a client who cannot read or write?	X			
Does the county offer screening for learning disabilities?	X			
Is there an established process for offering screening?	X			
Is the client identified as having a learning disability referred for evaluation?	X			

B. Corrective Actions

Area of Findings	Corrective Actions
Written Materials	<p>As required in Div. 21-115.2, Marin County must use and provide translated forms in the clients' primary languages when translated by CDSS.</p> <p>Forms and other written material required for the provision of aid or services shall be available and offered to the applicant/recipient in the individual's primary language when such forms and other written materials are provided by CDSS. Div. 21-115.2</p>

Area of Findings	Corrective Actions
Notices of Action	<p>When the county uses translated forms and materials, such as notices of actions that contain spaces in which the county must insert information for the client, such information must be in the primary language of the client.</p> <p>When such forms and other written material contain spaces (other than "for agency use only") in which the CWD is to insert information, this inserted information shall also be in the individual's primary language. Div. 21-115.2</p>
Auxiliary Aids	<p>Marin County shall ensure the availability of auxiliary aids and services to persons who are deaf or hearing impaired, or persons with impaired speech, vision or manual skills where necessary to afford such persons an equal opportunity to access program services. Div 21-115.41</p>

C. Recommendation

1. We recommend that all public contact workers be re-familiarized with the TDD devices and the California Relay System, and trained in their use.

VI. DOCUMENTATION OF APPLICANT/RECIPIENT CASE RECORDS

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

A. Findings from Case File Reviews and Staff Interviews

Documented Item	Children's Services	Adult Programs	CalWORKs/ Employment Services	Non-Assisted Food Stamps
Ethnic origin documentation	Ethnicities were documented in CWS/CMS for all reviewed cases. Additionally, we found ethnicity documented in various forms	Two APS cases did not indicate ethnic origin documentation. Of those that did, sources included an MC 3209, SOC 295, and the SOC 341.	Documentation of ethnicity was found in ISAWS, SAWS 1, and PP for all cases.	Documentation of ethnicity was found in ISAWS for all cases.

Documented Item	Children's Services	Adult Programs	CalWORKs/ Employment Services	Non-Assisted Food Stamps
		Four IHSS cases did not document ethnic origin. The other cases documented ethnic origin on the SOC 295, and MC2190.		
Primary language documentation	<p>Primary language was documented in CWS/CMS for all reviewed cases. Additionally, we found language documented on various forms</p> <p>The county does not use a client self-designated language preference form.</p>	<p>APS cases were documented on the SOC 295, and SOC 341. Five cases were not documented.</p> <p>All IHSS cases were documented on the SOC 295 or the MC 2190 Narrative.</p>	Documentation of language was found in ISAWS, SAWS 1, and PP for all cases.	Primary language was documented on the SAWS 1 and in ISAWS.
Method of providing bilingual services and documentation	Interpreters, telephone interpreters and bilingual staff were used.	Interpreters, telephone interpreters and bilingual staff were used.	Interpreters, telephone interpreters and bilingual staff were used.	Interpreters, telephone interpreters and bilingual staff were used.

Documented Item	Children's Services	Adult Programs	CalWORKs/ Employment Services	Non-Assisted Food Stamps
	<p>In one case, a grandfather was used as interpreter, but warning for ineffective communication and the consent for release of information was not documented.</p> <p>In six cases, acceptable documentation of bilingual services was found. In three other cases, the workers used the CWS/CMS pull down menu: "Provided bilingual services." Unfortunately, the menu does not indicate who and how the bilingual services were provided, and the case comments did not provide that information either.</p>	<p>Five APS cases did not have the required documentation. One case had good documentation.</p> <p>Five IHSS cases did not have required documentation, two cases were appropriately documented, and two cases were inconsistently documented.</p> <p>In three IHSS cases, the clients provided their own interpreter.</p>	<p>The required documentation for language services was inconsistent in two Employment Services cases, and could not be found in three cases.</p> <p>Seven reviewed CalWorks cases did not have the required documentation. One case did meet the requirements.</p>	<p>None of the cases had the required documentation for interpretive services. Two reviewed cases were assigned bilingual workers according to the staff roster, but the cases themselves had no information regarding how interpretive services were provided.</p>

Documented Item	Children's Services	Adult Programs	CalWORKs/ Employment Services	Non-Assisted Food Stamps
	<p>According to the workers, the county has established a requirement that case plans must be translated for the client. Two translated case plans were found.</p> <p>In one case, the court required an interpreter for the client, but the case shows as English.</p>			
Client provided own interpreter	One case was found where the grandfather was used.	In three IHSS cases, the clients provided their own interpreter.	One reviewed case a client used a relative to interpret.	No such cases reviewed.
Method to inform client of potential problem using own interpreter	No documentation of such in the case.	<p>Situation did not occur in reviewed APS cases.</p> <p>In the three IHSS cases, the warning for ineffective communication was not documented.</p>	No documentation of such in the case.	See above

Documented Item	Children's Services	Adult Programs	CalWORKs/ Employment Services	Non-Assisted Food Stamps
Release of information to Interpreter	In the case where the client provided an interpreter, the signed consent for release of information was not found.	In the three IHSS cases, no consent for release of information was found.	In the one case, no release was found.	See above.
Individual's acceptance or refusal of written material offered in primary language	No explicit documentation of this was found.	No explicit documentation of this was found.	<p>In one CalWorks case, the client's preferred language was Vietnamese, but a letter was sent out in English. Documentation did not give a full explanation of how the client would understand letter.</p> <p>In another case, the worker noted that the limited English client "understood the Rights and Responsibilities in despite the language barrier." No explanation of how this understanding occurred.</p>	No documentation of this found.

Documented Item	Children's Services	Adult Programs	CalWORKs/ Employment Services	Non-Assisted Food Stamps
Documentation of minor used as interpreter	No evidence of use of minor.	No evidence of use of minor.	No evidence of use of minor.	No evidence of use of minor.
Documentation of circumstances for using minor interpreter temporarily	None found.	None found	None found.	None found.
Translated notice of actions (NOA) contain translated inserts	No findings to the contrary.	No findings to contrary.	No findings to the contrary.	No findings to the contrary. Of the seven reviewed Spanish cases, the translated Spanish forms were used as required.
Method of identifying client's disability	Workers indicated that this would be in case comments, but no examples found in cases reviewed.	In APS, case notes were used. In IHSS, case notes/evaluation provided disability data.	Case comments would be used to document cases with disability	In one case, the worker noted that the client does not read or write. However, the case did not document how services were provided.
Method of documenting a client's request for auxiliary aids and services.	Case comments.	Case comments.	Case comments.	See above.

B. Corrective Actions

Areas of Action	Corrective Action
Documentation if client provided own interpreter	When applicants/recipients provide their own interpreter, the CWD shall ensure that the applicants/recipients are informed of the potential problems for ineffective communication. The CWD shall document in the case record that the applicants/recipients were so informed. Div. 21-116.23
Documentation of interpreter signed confidentiality statement	Consent for the release of information shall be obtained from applicants/recipients when individuals other than CWD employees are used as interpreters and the case record shall be so documented. Div. 21-116.24
Documentation of primary language	Each agency shall ensure that case record identification shows the applicant's/recipients' ethnic origin and primary language. Div. 21-201.21
Documentation that bilingual services were provided	Document the method used to provide bilingual services, e.g., assigned worker is bilingual, other bilingual employee acted as interpreter, volunteer interpreter was used, or client provided interpreter. Div. 21-116.22

VII. STAFF DEVELOPMENT AND TRAINING

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

A. Findings

Interview questions	Yes	No	Some-times	Comments
Do employees receive continued Division 21 Training?	X			

Do employees understand the county policy regarding a client's rights and procedure to file a discrimination complaint?	X			
Does the county provide employees Cultural Awareness Training?	X			
Do the CSW's have an understanding of MEPA (Multi-Ethnic Placement Act)?	X			Yes, although one worker said that she "take[s] into account the child's race and who they identify with and tries to keep them in community of origin. Look for relative placements first and if no race matching, then somewhere else...". She did not indicate how long she would delay placement if a matching family couldn't be found.
Do the employees seem knowledgeable about the predominant cultural groups receiving services in their area?	X			

B. Corrective Actions

Training Area	Corrective Action
MEPA Training for Children's Social Workers	Marin County shall ensure that CSW's receive MEPA training to ensure that public contact staff has knowledge of, and properly apply the placement prohibitions contained in MEPA. 42 U.S.C. 672, 674, and 1996(b)

VIII. DISCRIMINATION COMPLAINT PROCEDURES

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

A. Findings from Staff Interviews and Program Manager Surveys

Interview and review areas	Yes	No	Some-times	Findings
Can the employees easily identify the difference between a program, discrimination, and a personnel complaint?	X			All interviewees except one Employment Services Worker were able to differentiate between different types of complaints.
Did the employees know who the Civil Rights Coordinator is?	X			
Did the employees know the location of the Civil Rights poster showing where the clients can file a discrimination complaint?		X		12 interviewees did not know of the existence or of the location of the poster, and 7 interviewees knew of the poster.
When reviewing the complaint log with the Civil Rights Coordinator, was it complete and up to date?	X			

B. Corrective Action

Element	Corrective Action
Discrimination Process	Marin County shall ensure staff have knowledge of the discrimination complaint process and are able to differentiate it from other complaint processes. Div. 21-117 and 21-203

Civil Rights Coordinator	Marin County shall ensure that staff is knowledgeable regarding contact information of the civil rights coordinator, at minimum, where the information can be located. Div. 21-117 and 21-107.21
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IX. CONCLUSIONS

The CDSS reviewers found the Marin County Department of Health and Human Services staff warm, welcoming, informative and very supportive. Particular thanks to go Travis Parsons, Civil Rights Coordinator, for organizing the details of the review. In each District Office, staffs were very helpful with the facility reviews, case reviews, and computer assistance

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

The CDSS found the Marin County Department of Health and Human Services in substantial compliance with CDSS Manual of Policies and Procedures (MPP) Division 21 Regulations, and other applicable state and federal civil rights laws.

For those items found that are not in compliance with the regulations and laws, Marin County Department of Health and Human Services must remedy the deficiencies identified in this report by taking corrective actions. A corrective action plan must be received by CDSS within 60 days of the date of the cover letter to this report; and the plan must include a schedule by which all actions will be taken to correct the deficiencies.