



CDSS

ILL LIGHTBOURNE
DIRECTOR

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



EDMUND G. BROWN JR.
GOVERNOR

May 16, 2011

Ms. Kelly L. Woodard, Director
Madera County Department of Human Services
700 E. Yosemite Avenue
Madera, CA 93638

Dear Ms. Woodard:

I want to take this opportunity to thank you and your staff for the cooperation and assistance provided the reviewer from our office during the course of the Civil Rights Compliance Review of January 19-20, 2011. Enclosed is the final report on the review.

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

We will provide a copy of our report to any individual who makes a Public Records Act (PRA) request. Our reports are considered public documents under the PRA. Once we approve your CAP, it too, becomes a public document. Per the Governor's Executive Order S-09-09, all compliance reviews (and corresponding CAPs) performed after January 2008 will be 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. You may also contact us by e-mail at crb@dss.ca.gov.

Sincerely,

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

Enclosure

c: Terry Hurt, Civil Rights Coordinator

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

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

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

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

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

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

Joe Torres, Office of Civil Rights
USDA Food and Nutrition Services
Supplemental Nutrition Assistance Program (SNAP)
Western Region

Dominic Pagano, Office of Civil Rights
USDA Food and Nutrition Services
Supplemental Nutrition Assistance Program (SNAP)
Western Region

Hope Rios
USDA Food and Nutrition Services
Supplemental Nutrition Assistance Program (SNAP)
Western Region

Jodie Berger, Regional Counsel
Legal Services of Northern California

**CIVIL RIGHTS COMPLIANCE REVIEW REPORT
FOR
Madera County Department of Social Services
Conducted on March 19-20, 2011**

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

Reviewer

Claudia Cabrera

TABLE OF CONTENTS

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

CIVIL RIGHTS COMPLIANCE REVIEW REPORT

I. INTRODUCTION

The purpose of this review by the California Department of Social Services (CDSS) Civil Rights Bureau (CRB) staff was to assess the Madera County Department of Social 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 January 19-20, 2011. An exit interview was held on January 21, 2011 to review the preliminary findings.

The review was conducted in the following locations:

| Name of Facility | Address | Programs | Non-English languages spoken by a substantial number of clients (5% or more) |
|---|--|---------------------|---|
| Chowchilla Main Office | 125 S. Second Street Chowchilla, CA | CalWORKs/CalFresh | Spanish |
| Madera County Children Welfare Services | 629 E. Yosemite Madera, CA | Children's Services | Spanish |
| Madera County Dept. of Social Services | 720 E. Yosemite Madera, CA | CalFresh/IHSS | Spanish |

II. SUMMARY OF METHODOLOGY

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

- Reviewed the 2011 Civil Rights Compliance Plan submitted by the County.
- Reviewed the civil rights discrimination complaint database for a complete listing of complaints filed against the County for the last year.
- Reviewed the previous Compliance Reviews and Corrective Action Plans submitted by the county.

Headquarters and on-site review procedures included:

- Interviews of public contact staff
- Survey of 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/Intake Workers | 6 | 4 |
| Children Social Workers | 2 | 1 |
| Adult Program Workers | 2 | 1 |
| Receptionist/Screeners | 3 | 3 |
| Total | 13 | 9 |

Program Manager Surveys

| | |
|-------------------------------|---|
| Number of surveys distributed | 4 |
| Number of surveys received | 4 |

Reviewed Case Files

| | |
|--|--|
| English speakers' case files reviewed | 7 |
| Non-English or limited-English speakers' case files reviewed | 20 |
| Languages of clients' cases | English, Spanish, ASL, Hmong, Portuguese |

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

Section IX reviews the county's compliance plan, and provides either approval of the plan as submitted, or lays out additional information to be submitted to gain approval. Section X of the report is reserved for a declaration of overall compliance.

III. DISSEMINATION OF INFORMATION

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

A. Findings

| Access to Services, Information and Outreach | Yes | No | Comments |
|--|------------|-----------|---|
| Does the county accommodate working clients by flexing their hours or allowing applications to be mailed in? | X | | Normal office hours are Mon-Fri, 8am-5pm. Applications can be mailed in as well as submitted via e-apps. There were a few staff that said they will also accommodate clients by scheduling appointments during their lunch hours. |
| Does the county have extended hours to accommodate clients? | | X | |
| Can applicants access services when they cannot go to the office? | X | | Clients can access services via the county's website, applications can be mailed to clients upon request and interviews can be scheduled to be conducted over-the-phone. |
| Does the county ensure the awareness of available services for individuals in remote areas? | X | | There is an out-stationed office in Oakhurst and county staff stationed at the Madera Community Hospital. County will also set up a booth at the local farmers market, and at times staff will attend church groups and pass out information of available services in the county. |

| Signage, posters, pamphlets | Yes | No | Comments |
|--|------------|-----------|--|
| Does the county use the CDSS pamphlet "Your Rights Under California Welfare Programs" (Pub 13)? | X | | Pamphlets are given to clients during their initial application. For IHSS clients, pamphlets provided during the initial home assessment. |
| Is the pamphlet distributed and explained to each client at intake and re-certification? | X | | Pamphlets explained during the R&R class and at every re-certification and re-evaluation. |
| Is the current version of Pub 13 available in Arabic, Armenian, Cambodian, Chinese, English, Farsi, Hmong, Japanese, Korean, Lao, Mien, Portuguese, Punjabi, Russian, Spanish, Tagalog, Ukrainian, and Vietnamese? | | X | Printed copies of all available languages were not displayed in the lobby. Only English and Spanish printed versions of the PUB 13 are kept at the front desk in all offices reviewed. |
| If the PUB 13 is not displayed in all the languages available, is there a poster that indicates that the Pub 13 is available in all 18 languages? | | X | All receptionist staff stated that if requested in other languages, the PUB 13 can easily be accessed online and printed out for clients. |
| Was the Pub 13 available in large print (English and Spanish), audiocassette and Braille? | X | | |
| Were the current versions of the required posters present in the lobbies? | X | | |
| Did the workers know the location of the required posters with the Civil Rights Coordinator's name and address? | X | | All staff interviewed correctly identified Terry Hurt as the Civil Rights Coordinator. |
| 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 | | |

B. Corrective Actions

| Informational Element | Corrective Action Required |
|-----------------------|--|
| Translated Pub 13 | Madera 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 |

C. Recommendation

None.

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

| | | |
|--------------|--|----------------|
| Pub 13 | "Your Rights under California Welfare Programs" | 03/07 or 03/10 |
| Pub 86 | "Everyone is Different, but Equal Under the Law" | 03/07 |
| Form AD 475B | "And Justice for All" | 12/99 |

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

IV. FACILITY ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES

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

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

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

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

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

A. Findings and Corrective Actions

Facility Location: 125 S. Second Street, Chowchilla

| Facility Element | Findings | Corrective Action |
|-------------------|--|--|
| Parking | Office has no assigned accessible parking as parking is shared with the Chowchilla Police Department. The closest accessible parking is located on the street and is shared with neighboring businesses. | None. |
| Exterior entrance | There is no accessible signage at the entrance to the building (see photo A below). Repeat Finding from the 2009 and 2007 review. | A sign with the international symbol of accessibility shall be at every primary entrance and every major junction indicating the direction along or to accessible features. (CA T24 1127B.3, ADA 4.1.3(16B), CA T24 1117B.5.1) pp 186, 394 |
| Unisex Restroom | Soap dispenser is too high at 46". | If towel, sanitary napkins, waste receptacles, and other similar dispensing and disposal fixtures are provided, at least one of each type is located with all operable parts, including coin slots, at a maximum height of 40". (CA T24 1115B.8.3, ADA 4.23.7) p 294 |

B. Recommendation

Photo A



C. Facility Location: 629 E. Yosemite, Madera

| Facility Element | Findings | Corrective Action |
|------------------|--|---|
| Parking | There are three accessible parking stalls available, all are completely faded and not clearly visible (see photo B below). | <p>The surface of each accessible parking stall or space must have a surface identification duplicating either of the following schemes:</p> <ul style="list-style-type: none"> • By outlining or painting the stall or space in blue and outlining on the ground in the stall or space in white or suitable contrasting color a profile view depicting a wheelchair with occupant; OR • By outlining a profile view or a wheelchair with occupant in white on blue background. The profile view shall be located so that it is |

| | | |
|--|--|--|
| | | <p>visible to a traffic enforcement officer when a vehicle is properly parked in the space and shall be 36" by 36".</p> <p>Pavement signage shall be 36" x 36" minimum, white on blue in color, visible and centered. (CA T24 1129B.4.1 & 2) p 133</p> <p>For both posted and wall-mounted signage, additional language on symbol sign and an additional sign below the symbol sign shall state "Minimum Fine \$250.00." (CA T24 1129B.4.1) p 133</p> <p>Access aisles should be located on the passenger side of a space, and should be a min. of 18' long by 5" wide for aisles, serving car accessible spaces, and a min. 18' by 8' wide for aisles serving van accessible spaces. (CA T24 1129B.3.1) (ADA 4.6.3)</p> <p>The surface of each accessible parking stall or space must have a surface identification duplicating either of the following schemes:</p> <ul style="list-style-type: none"> • By outlining or painting the stall or space in blue and outlining on the ground in the stall or space in white or suitable contrasting color a profile view depicting a wheelchair with occupant; OR |
| | <p>There is no additional signage below the symbol sign.</p> <p>The van-accessible access aisle is short at 7'7".</p> <p>The signage on the pavement clearly depicting a wheelchair with occupant is faded and needs to be re-painted (see photo C below).</p> | |

| | | |
|-------------------|---|---|
| | | <ul style="list-style-type: none"> By outlining a profile view or a wheelchair with occupant in white on blue background. The profile view shall be located so that it is visible to a traffic enforcement officer when a vehicle is properly parked in the space and shall be 36" by 36". <p>Pavement signage shall be 36" x 36" minimum, white on blue in color, visible and centered. (CA T24 1129B.4.1 & 2) p 133</p> <p>The words "No Parking" need to be painted on pavement in access aisles (see photo D below).</p> <p>Note: it is recommended that the accessible path of travel have the words "No Parking" painted inside (see photo E below).</p> <p>The words "NO PARKING" shall be painted on the ground in each 5' or 8' loading and unloading access aisle in white letters no smaller than 12". (CA T24 1129B.3.2) p 135</p> |
| Exterior entrance | <p>First set of doors leading to the main entrance:</p> <p>Left door is excessive at 6 lbs.</p> <p>Right door is excessive at 9 lbs.</p> <p>Second set of doors leading to the office:</p> <p>Left door is excessive at 10 lbs.</p> | <p>Force to open doors, exterior and interior is 5 pounds maximum. (CA T24 1133B.2.5, ADA 4.13.11(2)(a) & (b)) p 201</p> <p>Force to open doors, exterior and interior is 5 pounds</p> |

| | | |
|-----------------------|---|--|
| | Right door is excessive at 8 lbs. | maximum. (CA T24 1133B.2.5, ADA 4.13.11(2)(a) & (b)) p 201 |
| Client Interview Room | Client interview room located in the lobby is not accessible. There is no wheelchair turning space. | Wheelchair Turning Space is a minimum space for a wheelchair to turn 180 degrees in a 60" diameter or T-shaped space. (CA T24 1118B.3, ADA 4.2.3) p 236 |
| Restroom | <p>Men's Restroom:</p> <p>The signage on the door is not the correct sign.</p> <p>Toilet protector is high at 43".</p> | <p>Door sign and wall sign shall be 60" above the floor to the center line of sign.</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 281</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 282</p> <p>If towel, sanitary napkins, waste receptacles, and other similar dispensing and disposal fixtures are provided, at least one of each type is located with all operable parts, including coin slots, at a maximum height of 40". (CA T24 1115B.8.3, ADA 4.23.7) p 294</p> |

| | | |
|--|--|--|
| | <p>Accessible toilet is low at 16".</p> <p>Toilet tissue dispenser is located far from the front edge of toilet seat at 16".</p> <p>Urinal had a sign that read "Do Not Use" and was not accessible as it was out of order (see photo F below).</p> <p>Women's Restroom:</p> <p>The signage on the door is not the correct signage.</p> | <p>Height of water closet is 17" to 19" measured from the floor to the top of a maximum 2" high toilet seat. (CA T24 1115B.4.1.4, ADA 4.16.3) p 325</p> <p>Toilet tissues dispensers are located on the wall within 12" of front edge of toilet seat. (CA T24 1115B.8.4) pp 295, 301</p> <p>It was also noted that the accessible urinal in the men's restroom was not working, therefore this men's restroom is currently not accessible to clients/applicants. In order for this men's room to be accessible, the accessible urinal shall be in working condition.</p> <p>Door sign and wall sign shall be 60" above the floor to the center line of sign.</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 281</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</p> |
|--|--|--|

| | | |
|--|---|---|
| | <p>Soap dispenser is high at 42 ½".</p> <p>Toilet protector sheets are high at 42 ½".</p> <p>Accessible toilet is low at 16".</p> | <p>1117B.5.5.1, ADA 4.30.4) p 282</p> <p>If towel, sanitary napkins, waste receptacles, and other similar dispensing and disposal fixtures are provided, at least one of each type is located with all operable parts, including coin slots, at a maximum height of 40". (CA T24 1115B.8.3, ADA 4.23.7) p 294</p> <p>Rim height shall be a maximum of 17" in height above the floor. (CA T24 1115B.4.2.1) p 285</p> |
|--|---|---|

D. Recommendation

Photo B



Photo C



Photo D



Photo E



It is recommended that the accessible path of travel (photo E) have the words "No Parking" painted inside the aisle just next to the left column supporting the roof.

Photo F



E. Facility Location: 720 E. Yosemite, Madera

| Facility Element | Findings | Corrective Action |
|------------------|---|---|
| Parking | 1 st entrance on Yosemite has the "unauthorized" sign posted but not clearly visible as it is covered in graffiti (see photo F). | Sign must be replaced or graffiti removed and made clearly visible. |
| | 2 nd entrance on Yosemite needs to have the appropriate sign. | 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 |
| | There is no additional signage below the accessible spaces. | For both posted and wall-mounted signage, additional language on symbol sign and an additional sign below the symbol sign shall state "Minimum Fine \$250.00." (CA T24 1129B.4.1) p 133 |
| | Van-accessible space needs signage on pavement depicting a wheelchair with occupant re-painted, currently faded. | <p>The surface of each accessible parking stall or space must have a surface identification duplicating either of the following schemes:</p> <ul style="list-style-type: none"> • By outlining or painting |

| | | |
|-------------------|--|---|
| | | <p>the stall or space in blue and outlining on the ground in the stall or space in white or suitable contrasting color a profile view depicting a wheelchair with occupant; OR</p> <ul style="list-style-type: none"> • By outlining a profile view or a wheelchair with occupant in white on blue background. The profile view shall be located so that it is visible to a traffic enforcement officer when a vehicle is properly parked in the space and shall be 36" by 36". <p>Pavement signage shall be 36" x 36" minimum, white on blue in color, visible and centered. (CA T24 1129B.4.1 & 2) p 133</p> |
| Exterior entrance | All doors to entrance were excessive, between 8-14 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 201 |
| Water fountain | <p>Fountain in lobby has knee space of 22" (see photo G).</p> <p>The fountain in lobby has a spout that is 31" from the floor.</p> | <p>The clear knee space between the bottom of the apron and the floor or ground not less than 27" in height, 30" in width, and 8" in depth. (CA T24 1117B.1.2, ADA 4.15.5(1)) p 231</p> <p>The spout is located within 6" of the front edge and 36" of the floor. The water stream is parallel to the front edge of the fountain. (CA T24 1117B.1.4, ADA 4.15.3) p 233</p> |

| | | |
|----------|--|--|
| | Fountain in alcove by restrooms has a spout at 41 ½" from the floor (see photo H). | The spout is located within 6" of the front edge and 36" of the floor. The water stream is parallel to the front edge of the fountain. (CA T24 1117B.1.4, ADA 4.15.3) p 233 |
| Restroom | <p>Men's Restroom:</p> <p>Signage on door is too low at 55" and on the wall too low at 56".</p> <p>Door pressure is excessive at 10 lbs.</p> <p>Accessible urinal is too high at 19".</p> <p>Clear space for urinal is short at 29" wide.</p> | <p>Door sign and wall sign shall be 60" above the floor to the center line of sign.</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 281</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 282</p> <p>Interior Door will have 5 pounds maximum pressure. (CA T24 1133B.2.5, ADA 4.13.11(2)(b)) p 201</p> <p>Rim height shall be a maximum of 17" in height above the floor. (CA T24 1115B.4.2.1) p 285</p> <p>Urinals: Where there are urinals provided, at least one (1) shall provide a clear floor space of 30" wide x 48" deep in front of the urinal to allow for a</p> |

| | | |
|--|---|---|
| | | forward approach. This clear space may extend 6" maximum under the urinal if the urinal has a 9" minimum toe clearance from the floor to the urinal's bottom. (CA T24 1115B.4.2.3, ADA 4.18.3 & 4.22.5) p 285 |
| | Pipes under sink need to be re-wrapped. | Hot water and drain pipes are insulated or covered. No sharp or abrasive surfaces under lavatories. (CA T24 1115B.4.7.1, ADA 4.24.6) p 343 |
| | Toilet tissue dispenser is located too far at 15" from front edge of toilet seat. | Toilet tissues dispensers are located on the wall within 12" of front edge of toilet seat. (CA T24 1115B.8.4) pp 295, 301 |
| | Women's Restroom: | |
| | Signage on door is low at 54" and on the wall too low at 57". | Door sign and wall sign shall be 60" above the floor to the center line of sign. 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 281 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 282 |
| | Door pressure is | Interior Door will have 5 pounds |

| | | |
|--|---|--|
| | excessive at 10 lbs. | maximum pressure. (CA T24 1133B.2.5, ADA 4.13.11(2)(b)) p 201 |
| | Pipes under sink need to be re-wrapped. | Hot water and drain pipes are insulated or covered. No sharp or abrasive surfaces under lavatories. (CA T24 1115B.4.7.1, ADA 4.24.6) p 343 |
| | Toilet tissue dispenser is located too far at 15" from front edge of toilet seat. | Toilet tissues dispensers are located on the wall within 12" of front edge of toilet seat. (CA T24 1115B.8.4) pp 295, 301 |

F. Recommendation

Photo F



Photo G

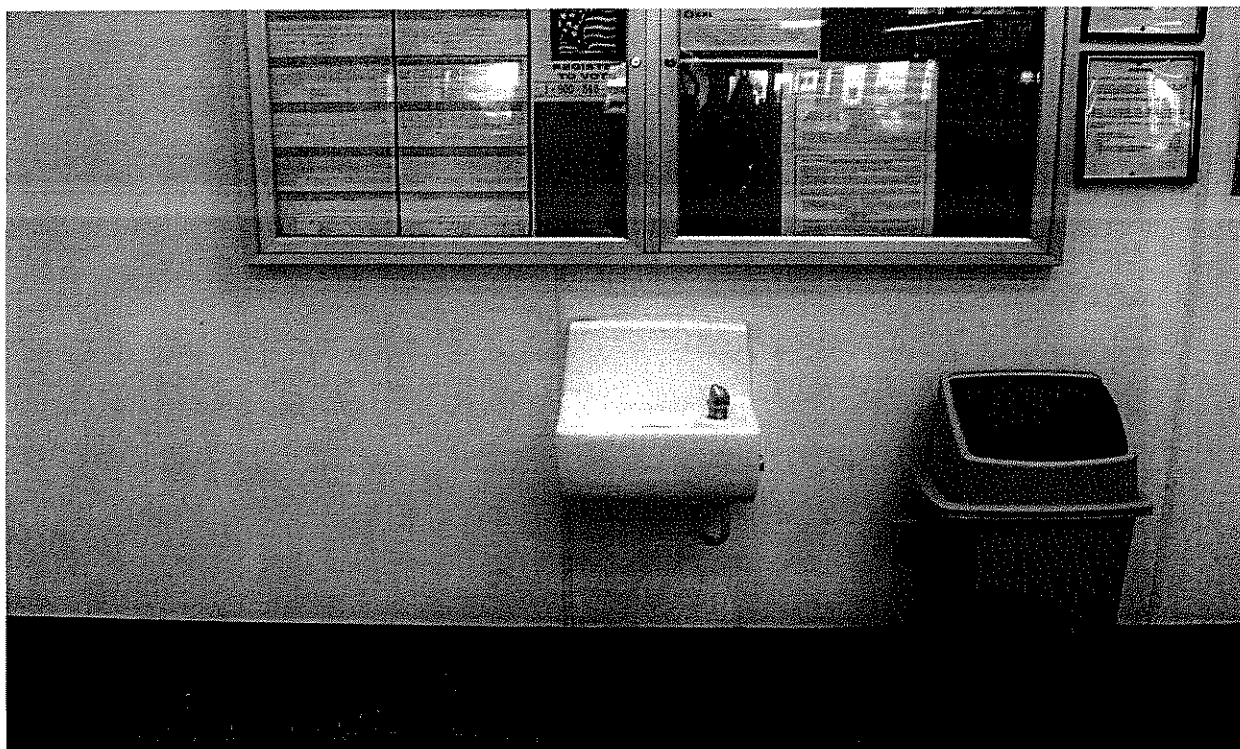
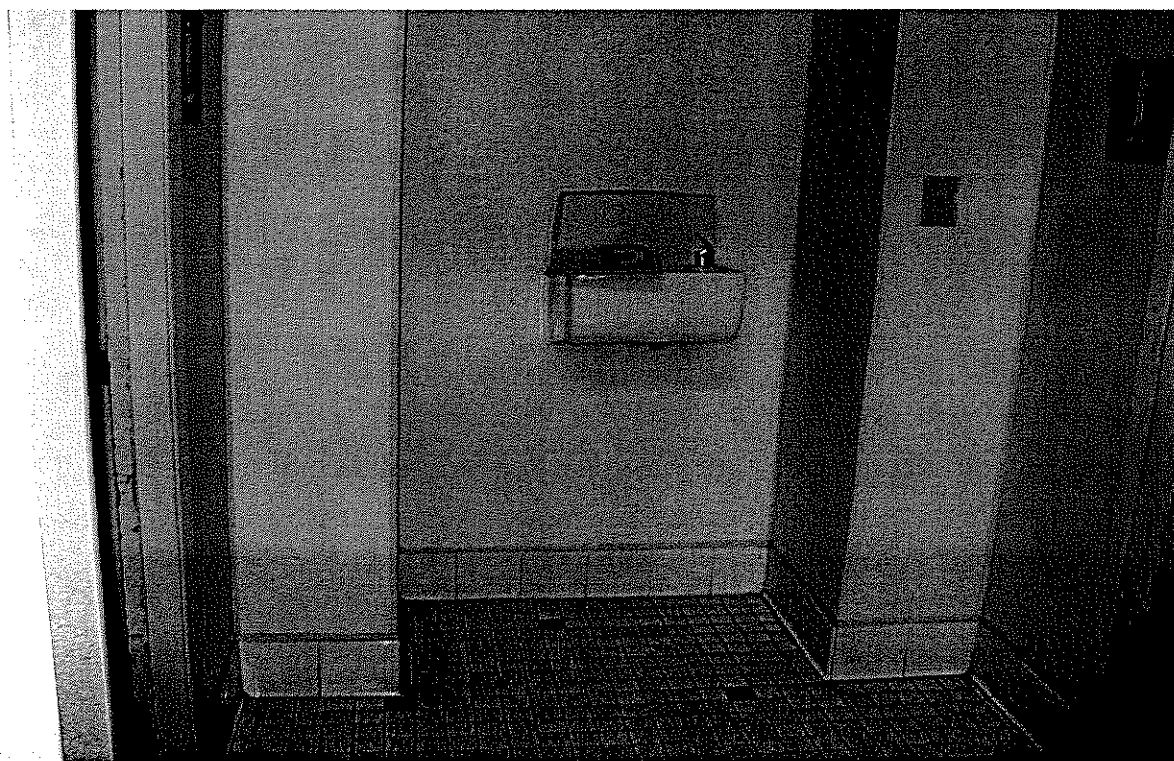


Photo H



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 | Comments |
|--|------------|-----------|---|
| Does the county identify a client's language need upon first contact? How? | X | | Workers will ask clients what their preferred language is and have clients fill out the Primary Language Designation form, MAD 519. Application packets for CalWorks and CalFresh also contain this form. |
| Does the county use a primary language form? | X | | County uses the Primary Language Designation form, MAD 519. |
| Does the client self-declare on this form? | X | | Clients fill out the form. |
| Are non-English- or limited- English-speaking clients provided bilingual services? | X | | Spanish-speaking clients are assigned to Spanish-speaking bilingual workers. If other than Spanish or English-speaking, workers will contact Candy Pearson to schedule an appointment for an interpreter |

| Question | Yes | No | Comments |
|--|-----|----|--|
| | | | in the requested language. |
| 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 | | All staff stated that they contact Ms. Pearson directly to request an interpreter in the clients preferred language. |
| Is there a delay in providing services? | | X | Staff stated that it usually takes about 1-2 days to schedule an appointment with an interpreter. If needed, such as in an emergency, an interpreter will be provided immediately. |
| Does the county have a language line provider, a county interpreter list, or any other interpreter process? | X | | Staff did not know who the contracted language line provider is as they request all interpreters through Ms. Pearson. |
| Are county interpreters determined to be competent? | X | | Interpreters are all certified. |
| Does the county have adequate interpreter services? | X | | If no staff is available to interpret, Ms. Pearson schedules an appointment with an interpreter in the clients requested language. |
| Does the county allow minors to be interpreters? If so, under what circumstances? | | X | Workers only allow minors to interpret for the purpose of relaying information to the client, such as to identify language preference or inform client of scheduled appointment when an interpreter will be present. |
| Does the county allow the client to provide his or her own interpreter? | X | | Workers recommend clients use a county provided interpreter, but if clients insist on providing their own interpreter, it is allowed as long as they are 18 yrs of age. |
| Does the county ensure that the client-provided interpreter understands what is being interpreted for the client? | X | | How do they do this? |
| Does the county use the CDSS-translated forms in the clients' primary languages? | X | | Staff is aware of the location of all CDSS translated forms. |

| Question | Yes | No | Comments |
|--|-----|----|--|
| Is the information that is to be inserted into NOA translated into the client's primary language? | X | | Spanish-speaking cases reviewed had Spanish translations inserted in the NOA's. |
| 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 | | If the client is visually impaired workers stated they will verbally go over the forms. One worker stated that he had a client who requested that the worker guide him with his hands to sign the forms. It is also common for clients to bring in a family member to assist as well. If hearing impaired, workers will request an ASL interpreter. |
| Does the county identify and assist the client who has learning disabilities or a client who cannot read or write? | X | | Staff stated they assist clients who cannot read by reading out loud to them and for clients who cannot write, they will help them fill out forms and document this in their journal entries. |

B. Corrective Actions

| Area of Findings | Corrective Actions |
|------------------|---|
| Timely Services | Madera County must ensure that bilingual/interpretive services are prompt and without undue delay. Div. 21-115 |
| Use of Minors | Madera 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 |

C. Recommendation

The county currently does not have a form for the client's release of information when using their own interpreter. It is recommended that the county develop a form to help inform the client of the possibility of ineffective communication using their own interpreter. For sample forms that other counties have used, please access the civil rights website; <http://www.cdss.ca.gov/civilrights/PG592.htm>.

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 | IHSS | CalWORKs | CalFresh |
|--|---|--|-------------------------------|--|
| Ethnic origin documentation | Mad 436, SOC 158 | SOC 295 | SAWS I, C-IV Demographics | SAWS I, C-IV Demographics |
| Primary language documentation | Primary Language Form Mad 519, Mad 436, Emergency Response Referral | SOC 295, Primary Language Form Mad 519 | Primary Language Form Mad 519 | Primary Language Form Mad 519, C-IV Case Summary |
| Method of providing bilingual services and documentation | None found in cases reviewed | Case Narrative | C-IV Journal | C-IV Journal |
| Client provided own interpreter | Primary Language Form Mad 519 | Primary Language Form Mad 519 | Primary Language Form Mad 519 | Primary Language Form Mad 519 |
| Method to inform client of potential problem using own interpreter | None found in cases reviewed | None found in cases reviewed | None found in cases reviewed | None found in cases reviewed |
| Release of information to Interpreter | None found in cases reviewed | None found in cases reviewed | None found in cases reviewed | None found in cases reviewed |
| Individual's acceptance or refusal of written material offered in primary language | Primary Language Form Mad 519 | Primary Language Form Mad 519 | Primary Language Form Mad 519 | Primary Language Form Mad 519 |
| Documentation of minor used as interpreter | None found in cases reviewed | None found in cases reviewed | None found in cases reviewed | None found in cases reviewed |
| Documentation of circumstances for | None found in cases | None found in cases reviewed | None found in cases | None found in cases |

| Documented Item | Children's Services | IHSS | CalWORKs | CalFresh |
|--|------------------------------|-----------------------------|----------------------------|----------------------------|
| using minor interpreter temporarily | reviewed | | reviewed | reviewed |
| Translated notice of actions (NOA) contain translated inserts | Case file | Case file | C-IV distributed Documents | C-IV distributed Documents |
| Method of identifying client's disability | SOC 158 | Needs Assessment Face Sheet | C-IV Medical Condition | C-IV Medical Condition |
| Method of documenting a client's request for auxiliary aids and services | None found in cases reviewed | Case narrative | C-IV Journal | C-IV Journal |

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 |
| Temporary use of a minor (under 18 years of age) as an interpreter | When a minor (under 18 years of age) is used as an interpreter, the CWD shall so document the circumstances requiring <u>temporary</u> use of minors in the case record. Div. 21-116.22 Only under extenuating circumstances or at the specific request of the applicant/recipient shall a CWD allow a minor (under the age of 18 years) to temporarily act as an interpreter. |
| 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 |

| Areas of Action | Corrective Action |
|---|--|
| 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 |

C. Recommendation

Some cases reviewed showed an attempt by workers to document interpretive services being provided to clients during their interview, re-certification, re-evaluation or home visits. The only office that was consistent in documenting was the CalFresh and IHSS office in Madera. All bilingual cases reviewed had documentation of bilingual services noted in the C-IV case journals. The language preference form, MAD 519, was also consistently found in all cases reviewed. There were also a few bilingual cases where the clients spoke another language, not Spanish, and requested to use their own provided interpreter. These cases did not have any documentation regarding the consent from the client to release information to the client-provided interpreter and no documentation stating that the client was informed of the potential for ineffective communication using their own interpreter.

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 | Comments |
|---|-----|----|---|
| Do employees receive continued Division 21 Training? | X | | Staff receives DIV 21 training annually. |
| Do employees understand the county policy regarding a client's rights and procedure to file a discrimination complaint? | X | | All staff interviewed are aware of what the procedure is for filing a discrimination complaint. |
| Does the county provide employees Cultural Awareness Training? | X | | |
| Do the CSW's have an understanding of MEPA | X | | Staff for children's services stated that they receive a separate training covering MEPA |

| | | | |
|---|---|--|--|
| (Multi-Ethnic Placement Act)? | | | and ICWA. All staff interviewed had a good understanding. |
| Do the employees seem knowledgeable about the predominant cultural groups receiving services in their area? | X | | There is a predominant Oaxacan culture in Madera county and staff have had trainings specific to this culture covering cultural sensitivity. |

B. Corrective Actions

None.

VIII. DISCRIMINATION COMPLAINT PROCEDURES

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

A. Findings from Staff Interviews and Program Manager Surveys

| Interview and review areas | Yes | No | Findings |
|---|-----|----|---|
| Can the employees easily identify the difference between a program, discrimination, and a personnel complaint? | X | | Twelve out of 13 staff interviewed was able to distinguish the difference between a program, discrimination, and personnel complaint. |
| Did the employees know who the Civil Rights Coordinator is? | X | | All but one staff interviewed knew who the civil rights coordinator is. |
| Did the employees know the location of the Civil Rights poster showing where the clients can file a discrimination complaint? | X | | All staff stated that the civil rights poster is posted in the lobby. |
| When reviewing the complaint log with the Civil Rights Coordinator, was it complete and up to date? | X | | |

B. Corrective Action

| Element | Corrective Action |
|--------------------------|--|
| Civil Rights Coordinator | Madera 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 |

C. Recommendation

None.

IX. CIVIL RIGHTS COMPLIANCE PLAN REVIEW AND APPROVAL

The Madera County Department of Social Services Civil Rights Compliance Plan for 2011 was received on November 15, 2010. It is approved as submitted.

X. CONCLUSION

The CDSS reviewer found the Madera County Department of Social Services staff warm, welcoming, informative and very supportive. Particular thanks to Terry Hurt, Civil Rights Coordinator, for organizing the details of the review. In each office, staff was very helpful with the facility reviews, case reviews, and computer assistance.

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

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

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