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EDMUND G. BROWN JR.
GOVERNOR

February 4, 2011

Barry L. Zimmernan, Director
Ventura County Human Services Agency
855 Partridge Drive
Ventura, CA 93003

Dear Mr. Zimmerman:

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 November 1-3, 2010. 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 valid 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. 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: Don Aguirre, Civil Rights Coordinator

Linda Patterson, Branch Chief
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Mike Papin, Chief
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**CIVIL RIGHTS COMPLIANCE REVIEW REPORT
FOR
Ventura County Human Services Agency
Conducted on November 1-3, 2010**

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

Reviewer

Mary Rockwood

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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 Ventura County Human Services Agency 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 November 1-3, 2010. An exit interview was held on November 3, 2010 to review the preliminary findings.

The review was conducted in the following locations:

| Name of Facility | Address | Programs | Non-English languages spoken by a substantial number of clients (5% or more) |
|---|-----------------------------------|---|---|
| East County Intake & Eligibility Center (IEC) | 2003 Royal Ave, Simi Valley | CalWORKs Cash; Food Stamps | Spanish |
| East County Children & Family Services | 970 Enchanted Way, Simi Valley | Child Protective Services (ER, FM/FR); IHSS | Spanish |
| Oxnard Intake & Eligibility Center (IEC) | 1400 Vanguard, Oxnard | CalWORKs Cash; Food Stamps | Spanish |
| West Oxnard Job & Career Center | 855 Partridge Drive, Ventura | CalWORKs Cash | Spanish |

II. SUMMARY OF METHODOLOGY

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

- Reviewed the 2010-11 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 |
|---------------------------------|--------------|------------------|
| Client Benefit Specialist | 6 | 6 |
| Children Social Workers | 1 | 1 |
| Adult Program Workers | 2 | 2 |
| Receptionist/Screeners/Case Aid | 3 | 3 |
| Total | 12 | 12 |

Program Manager Surveys: 7 Completed Surveys submitted

Case File Reviews (Total 85 Cases)

| | |
|--|--|
| English speakers' case files reviewed | 2 |
| Non-English or limited-English speakers' case files reviewed | 83 |
| Languages of clients' cases | Spanish, Mixteco, Farsi, Arabic, Armenian, Chinese |

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 | 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 | | | The office hours are not actually extended, but on a case-by-case basis, arrangements will be made. |
| Can applicants access services when they cannot go to the office? | X | | | Telephone interviews when permitted or home visits will be provided. |
| Does the county ensure the awareness of available services for individuals in remote areas? | X | | | Work with Community Bases Organizations and internet posting is frequent. There is also a 211-interface for outreach. |

| Signage, Posters, Pamphlets | Yes | No | Some-times | Comments |
|---|-----|----|------------|--|
| Does the county use the CDSS pamphlet "Your Rights Under California Welfare Programs" (Pub 13)? | X | | | There may be instances in CPS during initial contact that the pamphlet is not routinely given. Unless a child (children are detained) workers are not always providing this required document. |
| Is the pamphlet distributed and explained to each client at intake and re-certification? | X | | | |
| 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, Ukranian, Vietnamese? | X | | | If not physically present, staff state they would download any needed version from the internet. |
| 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 | | |
| 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 | | | |

| 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 | | | Currently the only threshold language requiring translated signage is Spanish. |

B. Corrective Actions

| Informational Element | Corrective Action Required |
|------------------------------|---|
| Distribution of CDSS' Pub 13 | Ventura County shall ensure that the Pub 13 pamphlet, "Your Rights Under California Welfare Programs" is both given and explained to program participants in all of the programs for which CDSS has oversight responsibility. Corrective action appears necessary only in the CPS/ER program, since compliance was found in the remaining program areas. Div. 21-107.221 |

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 |
| 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: East County IEC, 2003 Royal Ave., Simi Valley

| Facility Element | Findings | Corrective Action |
|-------------------------|--|---|
| Parking | <ol style="list-style-type: none"> 1. The signage designating accessible parking spaces was not complete. 2. There was no van accessible space provided which met specifications for access aisle width. | <ol style="list-style-type: none"> 1. An additional sign below the international symbol of accessibility sign shall state "Minimum Fine \$250.00". (CA T24 1129B.4.1) 2. One in every 8 accessible spaces shall be designated van accessible, which requires: access (loading/unloading) aisles to be 8' in width and provided on the passenger side of the vehicle and additional signage designating it as "Van-accessible" (CA T24 1129B,3.2, ADA 4.1.2(5)(b); CA T24 1129B.3.1. |

| Facility Element | Findings | Corrective Action |
|-------------------|---|--|
| | <p>3. There was no free standing sign on 3 of the 4 designated spaces identifying them as reserved for persons with disabilities.</p> <p>4. Painted signage in pavement was faded to a degree that the requirement for being clearly visible was not met.</p> | <p>3. Each parking space for persons with disabilities shall be identified by a reflectorized sign permanently posted adjacent to and visible from each stall or space, consisting of the International Symbol of Accessibility in white on dark blue background.</p> <p>4. Pavement signage shall be 36" x 36" minimum, white on blue in color, visible and centered. (CA T24 1129B4.2)</p> |
| Building/Entrance | <p>1. There was no signage (usually a door decal) designating the building as accessible.</p> <p>2. The door pressure measured approximately 13 pounds for entry into the building.</p> | <p>1. A sign with the international symbol of accessibility shall be at every primary entrance indicating accessibility. (CA T24 1127B.3, ADA 4.1.3)</p> <p>2. Force to open doors, exterior and interior, shall be 5 pounds maximum [CA T24 1133B.2.5, ADA 4.13.11(2)(a) & (b)]</p> |
| Lobby | There was a work table designated for persons with disabilities, with the international symbol. | <p>No corrective action called for.</p> <p>This is noted as an example of positive actions to provide accessibility and assistance.</p> |
| Restrooms | 1. Door pressure measured approximately 11 pounds for entrance in both the men's and women's restroom. | 1. Force to open doors, exterior and interior, shall be 5 pounds maximum [CA T24 1133B.2.5, ADA 4.13.11(2)(a) & (b)] |

| Facility Element | Findings | Corrective Action |
|------------------|---|---|
| | <p>2. There was no signage on the wall adjacent to either of the accessible restrooms.</p> <p>3. In the men's accessible restroom, there was no insulation on the pipe under the sink to protect a wheelchair client from hot water running through the pipe.</p> | <p>2. In addition to the international symbol centered on doors at a height of 60" above the floor (CA T24 1115B.5), signage for gender identification shall be installed on the wall adjacent to the latch outside of the door. If there is no space, the sign shall be placed on the nearest adjacent wall, preferably on the right. (CA T24 1117B.5.7, ADA 4.30.6)</p> <p>3. Hot water and drain pipes are to be insulated or covered, with sharp or abrasive surfaces. (CA T24 1115B.4.7.1, ADA 4.24.6)</p> |

Facility Location: East County Children & Family Services, 970 Enchanted Way,
Simi Valley

| Facility Element | Findings | Corrective Action |
|------------------|--|---|
| Parking | 1. There was only one space and it was not van accessible. | <p>1. One in every 8 accessible spaces shall be designated van accessible, which requires: access (loading/unloading) aisles to be 8' in width and provided on the passenger side of the vehicle and additional signage designating it as "Van-accessible"</p> <p>(CA T24 1129B.3.2, ADA 4.1.2(5)(b); CA T24 1129B.3.1.</p> |

| Facility Element | Findings | Corrective Action |
|-------------------|--|---|
| | <p>2. There was no free standing signage at the one designated accessible space.</p> <p>3. The words "No Parking" were not painted on the pavement in the access aisle for the designated accessible space.</p> | <p>2. Each parking space for persons with disabilities shall be identified by a reflectorized sign permanently posted adjacent to and visible from each stall or space, consisting of the International Symbol of Accessibility in white on dark blue background.</p> <p>3. The words "NO PARKING" shall be painted on the ground in each 5 feet or 8 feet loading and unloading access aisle in white letters no smaller than 12 inches. (CA T24 1129B.4.1 & 2).</p> |
| Building/Entrance | <p>1. There was no signage (usually a door decal) designating the building as accessible.</p> <p>2. The door pressure measured approximately 12 pounds for entry into the building.</p> | <p>1. A sign with the international symbol of accessibility shall be at every primary entrance indicating accessibility. (CA T24 1127B.3, ADA 4.1.3)</p> <p>2. Force to open doors, exterior and interior, shall be 5 pounds maximum [CA T24 1133B.2.5, ADA 4.13.11(2)(a) & (b)]</p> |
| Restroom | <p>The accessible facility was a unisex restroom, which is acceptable; however, the signage was not compliant:</p> <p>1). No International Symbol of Accessibility on the door; and</p> <p>2). No wall signage</p> | <p>In addition to the international symbol centered on doors at a height of 60" above the floor (CA T24 1115B.5), signage for gender identification shall be installed on the wall adjacent to the latch outside of the door. If there is no space, the sign shall be placed on the nearest adjacent wall, preferably on the right. (CA T24 1117B.5.7, ADA 4.30.6)</p> |

Facility Location: Oxnard IEC, 1400 Vanguard Ave., Oxnard

Note: This location is noted as an exceptional example of the positive impact of Corrective Action Plans implemented from prior reviews. The lobby was remodeled to provide lowered counter/workstations at each of the windows, making it totally accessible and inviting to anyone – disabled or not. The agency is commended for the steps taken to provide this accessibility.

| Facility Element | Findings | Corrective Action |
|-------------------|---|---|
| Parking | The signage designating accessible parking spaces was not complete. | An additional sign below the international symbol of accessibility sign shall state "Minimum Fine \$250.00". (CA T24 1129B.4.1) |
| Building/Entrance | <p>1.) There was no signage (usually a door decal) designating the building as accessible.</p> <p>2.) The door pressure measured approximately 11 pounds for entry into the building.</p> | <p>1.) A sign (or decal) with the international symbol of accessibility shall be at every primary entrance indicating accessibility. (CA T24 1127B.3, ADA 4.1.3)</p> <p>2.) Force to open doors, exterior and interior, shall be 5 pounds maximum [CA T24 1133B.2.5, ADA 4.13.11(2)(a) & (b)]</p> |
| Lobby | As noted above, this lobby was exceptional and met accessibility requirements. | None needed |
| Restrooms | Door pressure to open both the men's and women's accessible restroom measured approximately 10 pounds. | Force to open doors, exterior and interior, shall be 5 pounds maximum [CA T24 1133B.2.5, ADA 4.13.11(2)(a) & (b)] |

Facility Location: West Oxnard Job & Career Center, 635 Ventura Road, Oxnard

| Facility Element | Findings | Corrective Action |
|------------------|---|---|
| Parking | <p>1.) The signage designating accessible parking spaces was not complete.</p> <p>2.) The pavement within the access aisle (loading/unloading) was uneven with a rain drain running through it – making it difficult for wheelchair movement.</p> | <p>1.) An additional sign below the international symbol of accessibility sign shall state “Minimum Fine \$250.00”. (CA T24 1129B.4.1)</p> <p>2.) It may be necessary to relocate the van accessible parking space.</p> <p>Walks and sidewalks subject to these regulations shall have a continuous surface, not interrupted by steps or abrupt changes in level exceeding ½ inch . (CA T24 1133B.7.1, ADA 4.3.8)</p> |
| Restrooms | <p>1.) Door pressure to open both the men’s and women’s accessible restrooms measured in excess of minimum requirements (14/15 pounds).</p> <p>2.) There was no wall signage and no International Symbol of accessibility on the doors.</p> | <p>1.) Force to open doors, exterior and interior, shall be 5 pounds maximum [CA T24 1133B.2.5, ADA 4.13.11(2)(a) & (b)]</p> <p>2.) In addition to the international symbol centered on doors at a height of 60” above the floor (CA T24 1115B.5), signage for gender identification shall be installed on the wall adjacent to the latch outside of the door. If there is no space, the sign shall be placed on the nearest adjacent wall, preferably on the right. (CA T24 1117B.5.7, ADA 4.30.6)</p> |

| Facility Element | Findings | Corrective Action |
|------------------|--|---|
| | 3.) The soap dispenser in the women's restroom was mounted too high (measured 50 inches from the floor). | 3.) When dispensing or disposal fixtures are provided, at least one of each type must be located with all operable parts at a maximum height of 40 inches. (CA T24 1115B.8.3, ADA 4.23.7) |

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? How? | X | | | At initial face-to-face contact or telephone contact. The "I speak cards" are available in reception to assist if needed. |

| Question | Yes | No | Some-times | Comments |
|--|-----|----|------------|--|
| Does the county use a primary language form? | | | X | Prior use of "the buffy" (a buff colored form 56-0-134) is used by some workers; however, conversion to CalWIN automated case information system accommodates direct data entry of client choices. |
| Does the client self-declare on this form? | X | | | If the form is used |
| Are non-English- or limited- English-speaking clients provided bilingual services? | X | | | Bilingual staffing, Cyramcom language line, translated forms and coordination with community assistance (e.g., Mixteco Community) all contribute to the provision of bilingual services. |
| 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 | | | Cases are generally assigned to bilingual workers. |
| 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 | | | Cyramcom is the provided of telephone translation. |
| Are county interpreters determined to be competent? | X | | | Bilingual staff are tested and certified by the agency. |
| Does the county have adequate interpreter services? | X | | | Locating Mixteco translation has been greatly assisted in West County through assistance from the Mixteco Community. |

| 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 | | | When possible, the agency has a bilingual staff person present in addition to the client's interpreter. |
| Does the county use the CDSS-translated forms in the clients' primary languages? | X | | | The clients are offered English or translated forms and their choice is accommodated. |
| Is the information that is to be inserted into NOA translated into the client's primary language? | X | | | |
| Does the county provide auxiliary aids and services, TDD's and other effective aids and services for persons with impaired hearing, speech, vision or manual skills, including Braille material, taped text, large print materials (besides the Pub 13)? | X | | | The auxiliary aids are available but rarely called for according to staff. |
| Does the county identify and assist the client who has learning disabilities or a client who cannot read or write? | X | | | It is common practice for a third party (staff) to assist as necessary for this population. |

| Question | Yes | No | Some-times | Comments |
|---|-----|----|------------|--|
| Does the county offer screening for learning disabilities? | X | | | This offer and screening is available through Welfare To Work Employment Services. |
| Is there an established process for offering screening? | X | | | It is a part of initial screening and assessment in WTW. |
| Is the client identified as having a learning disability referred for evaluation? | X | | | According to staff this would occur...again in the work programs. |

B. Corrective Actions: None Required

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. Location of this information in the case records is noted below.

A. Findings from Case File Reviews and Staff Interviews

| Documented Item | Children's Services | Adult Programs (IHSS) | CalWORKs & Employment Services | Non-Assistance CalFresh |
|--|---------------------------|---------------------------------------|--|--|
| Ethnic origin documentation | Initial ER Referral | Application (Soc 295) | Cal-Win | Cal-Win |
| Primary language documentation | Initial ER Referral | Application (Soc 295) & Case Comments | Cal-Win and sometimes the "buffy form" | Cal-Win and sometimes the "buffy form". |
| Method of providing bilingual services and documentation | Case narrative in CWS/CMS | Case Contact Log/Narrative | Cal-Win Journal (See comment at end of section) | Cal-Win Journal (See comment at end of section) |

| Documented Item | Children's Services | Adult Programs (IHSS) | CalWORKs & Employment Services | Non-Assistance CalFresh |
|--|--|--------------------------------------|---|---|
| Client provided own interpreter | N/A (Agency provides interpreters) | Case Contact Log/Narrative | Cal-Win Journal | Cal-Win Journal |
| Method to inform client of potential problem using own interpreter | N/A | Is not a practice in IHSS | Verbal discussion only | Verbal discussion only |
| Release of information to Interpreter | N/A | Release of Confidentiality Form | Release of Confidentiality Form | Release of Confidentiality Form |
| Individual's acceptance or refusal of written material offered in primary language | No written documentation of actual offer | Verbal discussion only | Cal-Win data fields reflect client choice | Cal-Win data fields reflect client choice |
| Documentation of minor used as interpreter | N/A | Would be in case narrative | Would be in case narrative | Would be in case narrative |
| Documentation of circumstances for using minor interpreter temporarily | N/A | Not documented | Not documented | Not documented |
| Translated notice of actions (NOA) contain translated inserts | N/A | Worker inserts information as needed | Only if not preprinted on automated notices | Only if not preprinted on automated notices |
| Method of identifying client's disability | Various - MS/CWS | Soc 295 and narrative | Cal-Win Journal | Cal-Win Journal |
| Method of documenting a client's request for auxiliary aids and services | Would be in worker narrative | Would be in case narrative | Would be in Cal-Win Journal | Would be in Cal-Win Journal |

Additional Comments (Documenting by Bilingual Workers):

There was information gathered during interviews that indicated some bilingual workers are not aware of the need to document in the case record that they have provided the interpreter service to their clients. Because they are bilingual, they do not see that they are the interpreter as well and have not been trained to document in the case record that they have conducted the interviews/meeting in the primary language of the client.

This was a finding of inconsistent practice, as some bilingual workers were aware and others were not.

Review of Welfare Fraud Investigation Cases

The 2010 Civil Rights Compliance Review included a review of a sample of fraud investigation cases to determine the level of compliance with Division 21 documentation requirements related to the delivery of language services to non-English speaking or limited-English speaking clients during the investigation process. The cases reviewed were those of Spanish-speaking clients.

The reviewer found no documentation related to the use of either bilingual investigative staff or other interpreters in the majority of the cases. In one case, documentation was provided naming another individual who accompanied the investigator, but no reason was stated for the presence of this individual (it was assumed the purpose was for interpretation). The number of cases was small due to logistics delaying the delivery of the cases for review; however, the degree of consistency in the absence of documentation in those cases that were reviewed, indicates that documentation requirements are not being met with respect to language services provided.

The Welfare Fraud Investigation Unit should be advised of the need for corrective action related to this finding and encouraged to coordinate corrective action with the Civil Rights Coordinator as the Corrective Action Plan for the 2010 compliance review is prepared for submittal to CDSS.

B. Corrective Actions

| 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 |

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 | | | There has been excellent assistance from the community through California Rural Organization in providing cultural awareness training for workers. |
| Do the CSW's have an understanding of MEPA (Multi-Ethnic Placement Act)? | X | | | |
| Do the employees seem knowledgeable about the predominant cultural groups receiving services in their area? | X | | | |

B. Corrective Actions: None required

C. Recommendation:

Either through staff development or supervisory oversight, focus needs to be directed to the case documentation by bilingual workers regarding language service they provide in the course of their casework (e.g., interpreter service).

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 | | | Most were able to articulate differences in the resolution processes for the 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 | | | They knew that a poster was in the lobby for the clients. |
| When reviewing the complaint log with the Civil Rights Coordinator, was it complete and up to date? | X | | | |

B. Corrective Action: None Required

IX. CIVIL RIGHTS COMPLIANCE PLAN REVIEW AND APPROVAL

The Ventura County Human Services Agency's Civil Rights Plan update for 2010-2011 was received and is approved as submitted.

X. CONCLUSION

The CDSS reviewer found the Ventura County Human Services Agency in satisfactory compliance with the CDSS Division 21 Regulations and other applicable state and federal laws.

The findings outlined in this report were discussed at the exit meeting which was attended by administrative staff. At that meeting, managers were advised of the excellent review and, in particular, the consistent professionalism in both process and product observed by this reviewer. The corrective actions taken in response to prior reviews were in evidence, especially at the Oxnard Intake & Eligibility Center. There was also visible impact of the community outreach efforts in providing staff with cultural awareness and training – especially in the West Valley location.

The documentation by bilingual workers as noted in the documentation section of this report remains an area of needed focus to ensure that workers understand their responsibility to include documentation of their role in the delivery of language services to those non-English speaking clients they serve as a bilingual worker. There is excellent bilingual staffing to assist the clients and this needs to be consistently documented.

As discussed on page 11, the corrective action taken at the Oxnard Income & Eligibility Center to improve lobby accessibility for the disabled is excellent. There were findings in some facility reviews, however, that will need to be addressed to ensure full accessibility for the disabled at the respective sites.

The Ventura County Human Services Agency 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.