



CDSS

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STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
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EDMUND G. BROWN JR.
GOVERNOR

September 30, 2011

Nick Macchione, Director
San Diego County Health & Human Services Agency
1255 Imperial Avenue, Rm 433, MS W414
San Diego, CA 92101

Dear Mr. Macchione:

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 June 6-9, 2011. Enclosed is the final report on the review. We apologize for the delay.

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 becomes a public document as well. Per the Governor's Executive Order S-08-09, all compliance reviews (and corresponding CAPs) performed after January 1, 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, Chief
Civil Rights Bureau
Human Rights and Community Services Division

Enclosure

c: Lora Guillen, Civil Rights Coordinator

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**CIVIL RIGHTS COMPLIANCE REVIEW REPORT
FOR
San Diego Health & Human Services Agency
Conducted on June 6 – 9, 2011**

**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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Reviewer

Elsa Garcia

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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 San Diego Health & Human Services Agency (HHSA) 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 June 6 – 9, 2011. An exit interview was held 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)
North Inland Escondido	620 East Valley Parkway, Escondido	CalWORKS & Calfresh	Spanish
Aging & Independence Services	5560 Overland Ave., Suite 300, San Diego	IHSS	Spanish
Lemon Grove	7065 Broadway, Lemon Grove	CalWORKS & Calfresh	Spanish
Southeast	4588 Market Street, San Diego	CalWORKS & Calfresh	Spanish

II. SUMMARY OF METHODOLOGY

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

- Reviewed the 2011 HHSA 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 Workers	12	9
Adult Program Workers	3	3
Receptionist/Screeners	4	3
Total	19	15

Program Manager Surveys

Number of surveys distributed	5
Number of surveys received	5

Reviewed Case Files

English speakers' case files reviewed	5
Non-English or limited-English speakers' case files reviewed	125
Languages of clients' cases	Spanish, Tagalog, Russian, Cambodian, Farsi, Chinese, Arabic, ASL

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			Office hours are between 7:00 a.m. – 5:30 p.m.
Can applicants access services when they cannot go to the office?		X		In March 2009, HHSA implemented the ACCESS Call Center, (Agency Customer Service Center (ACCESS) which has automated self service features 24 hours. However, CRB has received a pattern of

				<p>complaints from clients regarding they are not able to get through.</p> <p>Clients can access services online; www.benefitscalwin and/or call 211.</p>
Does the county ensure the awareness of available services for individuals in remote areas?	X			<p>HHSA ensures awareness through advertisements made through Public announcements, television, internet, newspapers, brochures, and through outreach at the local community events/fairs/schools and medical facilities.</p>

Signage, posters, pamphlets	Yes	No	Some-times	Comments
Does the county use the CDSS pamphlet "Your Rights Under California Welfare Programs" (Pub 13 – 6/11)?	X			Pub 13 pamphlets are available in the lobby and reception desk.
Is the pamphlet distributed and explained to each client at intake and re-certification?	X			Pub 13 pamphlets are included in all new application and renewal packets.
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, and Vietnamese?	X			All sites visited had a display of the Pub 13.
If the PUB 13 is not displayed in all the languages available, is there a poster that indicates that the Pub				

Signage, posters, pamphlets	Yes	No	Some-times	Comments
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			
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 the Escondido Office there was signage regarding "Registered Dogs" which needs to be translated into threshold language.

B. Corrective Actions

Informational Element	Corrective Action Required
Directional signage	HHSSA 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. <u>Div. 21-107.212 and .24</u>
Access to services	The CDSS Civil Rights Bureau (CRB) has noticed that San Diego County HHSA clients are not able to get through to the ACCESS Call Center due to the high volume of calls. Months prior to this compliance review CRB was receiving telephone complaints (approx. 8-10 per day) from San Diego County clients. Clients were frustrated that they were unable to get through to speak to a worker after repeated attempts throughout the day. During the week of this review, the reviewer also tested the ACCESS call center by attempting to call starting on Monday at various times of the day with

Informational Element	Corrective Action Required
	little success getting through. Out of multiple attempts the reviewer was only successful getting through two times (once, in the early morning hour and late evening. San Diego County HHSA must find a way to make staff and services more easily accessible by phone.

C. Note

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" 06/11
Note: This is a new version of the PUB 13. Other languages will follow on a flow basis.

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: 620 East Valley Parkway, Escondido

Facility Element	Findings	Corrective Action
Parking	<p>This facility has a large shared parking lot. There are accessible parking spaces found throughout the parking lot.</p> <ul style="list-style-type: none"> One of the accessible parking spaces near the main entrance does not have a freestanding accessible sign. <p>In the same parking lot there are two accessible spaces located in front of the Public Health Office and findings are listed below.</p> <p>Measurements do not meet requirements:</p> <ul style="list-style-type: none"> Length is too short at 17' 1". 	<p>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 (ISA) in white on dark blue background.</p> <p>The sign shall be 70 sp. in. min. and, when in a path of travel, shall be posted at a height of 80" min. from the bottom of the sign to the finished grade. (CA T24 1129B.) (ADA4.6.4) p133</p> <p>Length of parking space shall be at least 18' long, 9' wide.</p>

	<ul style="list-style-type: none"> • Access aisle is too narrow at 7'9" width. • Height of freestanding sign is 78". <p>Directly across from the Public Health Office, there is another accessible space and the findings are as follows:</p> <ul style="list-style-type: none"> • Length is too short at 17'. • Access aisle is too narrow at 7'9" width. <p>And in the far corner near the street, there is another accessible space. The findings are as follows:</p>	<p>(CA T24 1129B.3.1, ADA 4.6.3) p 135</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>When in a path of travel, shall be posted at a height of 80" min. from the bottom of the sign to the finished grade. (CA T24 1129B.) (ADA 4.6.4) p133</p> <p>Length of parking space shall be at least 18' long, 9' wide. (CA T24 1129B.3.1, ADA 4.6.3) p 135</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>
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	<ul style="list-style-type: none"> The signage on pavement needs to be repainted. No "Minimum Fine \$250" signage below the ISA sign. <p>The access aisle does not have the words "No Parking" painted on the pavement.</p>	<p>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> <p>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> <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>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>
Main Entrance	The ramp slope in front of main entrance is too steep near the top landing at 8.7% -10.9%.	Slope of ramp does not exceed 1:12 (8.3% slope). (CA T24 1127B.5.3, ADA 4.8.2) p 155
Lobby – Instructional and/or directional signage	At the Escondido Office there was signage regarding "Registered Dogs" which needs to be translated into threshold language.	All instructional and directional signs posted in waiting areas and other places frequented by a substantial number of non-English-speaking applicants/recipients shall be translated into appropriate languages. Such signs, or an

		additional sign, shall state that applicants/recipients may request aid or services in their primary language. (Div 21-107.212)
Water Fountain	Fountain spout is too high at 37".	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
Men's Restroom	Accessible wall sign is too high at 64". Force to open door is excessive at 6 lbs.	Door sign and wall sign shall be 60" above the floor to the center line of sign. Force to open doors, exterior and interior is 5 pounds maximum. (CA T24 1133B.2.5, ADA 4.13.11(2)(a) & (b)) p 207
Women's Restroom	Accessible wall sign is too high at 64".	Door sign and wall sign shall be 60" above the floor to the center line of sign.

B. Facility Location: 5560 Overland Ave, Suite 300, San Diego

Facility Element	Findings	Corrective Action
Unisex Restroom	Force to open door is excessive at 15 lbs. Toilet Sheet Protector is too high at 43".	Force to open doors, exterior and interior is 5 pounds maximum. (CA T24 1133B.2.5, ADA 4.13.11(2)(a) & (b)) p 207 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

C. Facility Location: 7065 Broadway, Lemon Grove

Facility Element	Findings	Corrective Action
Parking	<p>No directional signage to accessible spaces.</p> <p>Accessible parking space access aisle are too narrow at 4'10".</p> <p>Accessible path of travel starts with a down slope ramp which is too steep which was between 11.4%-12.1%.</p> <p>Ramp is too narrow at 46" beginning at the second section of ramp.</p>	<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.5.1) pp 186, 394</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>Slope of curb ramp does not exceed 1:12 (8.3% slope). (CA T24 1127B.5.3, ADA 4.8.2) p 155</p> <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.) p 144</p>
Main Entrance	<p>No accessible signage; International Symbol of Accessibility (ISA) posted on main entrance.</p>	<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.5.1) pp 186, 394</p>

	Force to open door is excessive at 19 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 207
Men's Restroom	Accessible signage on door is too high at 64".	Door sign and wall sign shall be 60" above the floor to the center line of sign.
	Force to open door is excessive at 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 207
	Pipes under sink are not insulated or covered.	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
Women's Restroom	Accessible signage on door is too high at 66".	Door sign and wall sign shall be 60" above the floor to the center line of sign.
	Force to open door is excessive at 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 207
	Pipes under sink are not insulated or covered.	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
	Soap dispenser is too high at 43".	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

D. Facility Location: 4588 Market Street, San Diego

Facility Element	Findings	Corrective Action
Parking	<p>Freestanding accessible sign is too low at 69".</p> <p>Van accessible access aisle is too narrow at 7'7".</p> <p>Ramp slope is uneven in levels, measuring between 8.7% -11.7%.</p>	<p>When in a path of travel, sign shall be posted at a height of 80" min. from the bottom of the sign to the finished grade. (CA T24 1129B.4) (ADA 4.6.4)</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>Slope of ramp does not exceed 1:12 (8.3% slope). (CA T24 1127B.5.3, ADA 4.8.2) p 155</p>
Main Entrance	<p>Force to open door is excessive at 9 lbs.</p> <p>Interior accessible route is too narrow and crowded.</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 207</p> <p>Wheelchair passage width: minimum clear width required for a single wheelchair is 32" at a point (e.g., at a door); and continuous length is 36" (at a corridor). (CA T24 1118B.1, ADA 4.2.1) p 210</p>
Client lobby	Lobby counter is too high at 39".	Height of accessible tables or counters is between 28" – 34" from floor finish. (CA T24 1122B.4, ADA 4.32.4) p 388
Men's Restroom	Accessible door signage is too low at 57". Also, there is no accessible wall sign.	Door sign and wall sign shall be 60" above the floor to the center line of sign.

		<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>
	Mirror base is too high at 49".	<p>Mirrors located above accessible lavatories shall be mounted with the bottom edge of the reflecting surface no higher than 40" above finish floor or ground. (This is also applicable to mirrors above countertops). (CA T24 1115B.8.1.1) (ADA 4.19.6) p299</p>
	Paper towel dispenser and toilet sheet protector are too high at 50".	<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>
	Grab bars in accessible stall are too high at 37".	<p>The height of grab bar is 33" above and parallel to floor except that where a tank-type toilet used obstructs the 33" placement, the grab bar may</p>

		be as high at 36". Grab bar is securely attached. (CA T24 1115B.4.1.3(3.2), ADA 4.17.6 and CA T24 1115 B.7.1, ADA 4.26.2) p 298
Women's Restroom	<p>Accessible door signage is too low at 58" and wall sign is too low at 57".</p> <p>Mirror base is too high at 49".</p> <p>Paper towel dispenser is too high at 45" and hand dryer is too high at 52".</p>	<p>Door sign and wall sign shall be 60" above the floor to the center line of sign.</p> <p>Mirrors located above accessible lavatories shall be mounted with the bottom edge of the reflecting surface no higher than 40" above finish floor or ground. (This is also applicable to mirrors above countertops). (CA T24 1115B.8.1.1) (ADA 4.19.6) p299</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>

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			The clients receive the Language Needs Form 20-46 in packet of forms at intake.
Does the county use a primary language form?	X			Language Needs Form 20-46
Does the client self-declare on this form?	X			
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			Clients are assigned to a bilingual worker according to their selected preferred language. Staff utilizes the on-line bilingual lists however; If there is no staff available who speaks client's language they will request an interpreter from the language line.

Question	Yes	No	Some-times	Comments
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			Bilingual Lists are available on-line for staff. Language translations can also be provided by The Language Line Over-the-Phone Interpretations.
Are county interpreters determined to be competent?	X			County bilingual staff must pass a testing process to be certified.
Does the county have adequate interpreter services?	X			
Does the county allow minors to be interpreters? If so, under what circumstances?	X			Only in an emergency situation a minor would be used to reschedule appt.
Does the county allow the client to provide his or her own interpreter?	X			Clients and interpreters must read and sign HHSA 20-49 Civil-Rights Interpreter Confidentiality Form.
Does the county ensure that the client-provided interpreter understands what is being interpreted for the client?	X			
Does the county use the CDSS-translated forms in the clients' primary languages?	X			
Is the information that is to be inserted into NOA translated into the client's primary language?	X			

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		At the Southeast Office in some of the cases reviewed, there were a couple of cases that the appointment had to be rescheduled due to no ASL interpreter available. One of the cases noted the client had made several attempts to receive benefits and became upset due to being rescheduled because no ASL interpreter was available.
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			In the Welfare to Work Program.
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
Effective Services	HHSA must develop and implement a policy that identifies the process to ensure effective services to applicants and recipients who are non-English speaking or who have disabilities. Div. 21-115

Area of Findings	Corrective Actions
Timely Services	HHSA must ensure that bilingual/interpretive services are prompt and without undue delay. Div. 21-115
Interpreter Services	HHSA must offer and provide free interpreter services using qualified interpreters. Div. 21-104q(1) and 21-115
Auxiliary Aids	HHSA 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

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	Adult Programs (IHSS)	CalWORKs & Employment Services	CalFresh
Ethnic origin documentation	Face Sheet SOC 293	Calwin, SAWS1	Calwin, SAWS1
Primary language documentation	Face Sheet SOC 293	20-46	20-46
Method of providing bilingual services and documentation	Case Record Assessment	CalWIN case comments	CalWIN case comments
Client provided own interpreter	20-49	20-49	20-49

Documented Item	Adult Programs (IHSS)	CalWORKs & Employment Services	CalFresh
Method to inform client of potential problem using own interpreter	20-49	20-49	20-49
Release of information to Interpreter	20-49	20-49	20-49
Individual's acceptance or refusal of written material offered in primary language	20-49	20-49	20-49
Documentation of minor used as interpreter	None found in case sample	None found in case sample	None found in case sample
Translated notice of actions (NOA) contain translated inserts	Case file	CalWIN	CalWIN
Method of identifying client's disability	SOF	SOF	SOF
Method of documenting a client's request for auxiliary aids and services	None found in case sample	CalWIN Case comments.	CalWIN Case comments

B. Additional Finding

At the Southeast FRC there were a higher number of cases that did not have documentation of how interpretive services were being provided.

C. 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 (ACL 08-65)

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			Staff interviewed stated they receive training annually.
Does the county provide employees Cultural Awareness Training?	X			
Do the employees seem knowledgeable about the predominant cultural groups receiving services in their area?	X			

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		There were a three staff who were not able differentiate between the different types of complaints.
Did the employees know who the Civil Rights Coordinator is?	X			All staff interviewed were aware of 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 interviewed knew the location of the required 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	HHSA 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

C. Recommendation

CDSS would encourage ongoing training on the discrimination process, including an overview of the different types of complaints (discrimination, program and customer service complaints) and how to handle them.

IX. CIVIL RIGHTS COMPLIANCE PLAN REVIEW AND APPROVAL

The San Diego Health & Human Services Agency Civil Rights Compliance Plan for the period 2011 was received on May 20, 2011. It is approved as submitted.

X. CONCLUSION

The CDSS reviewer found the HHSA staff warm, welcoming, informative and very supportive. Particular thanks to Diane Petach, Program Specialist II, and Lora Guillen, Civil Rights Coordinator for organizing the details of the review, and to John Peterson, Facilities Manager, who assisted in each of the facility reviews. In each District Office, staff were very helpful with the facility reviews, case reviews, and computer assistance.

At the Exit Conference, the issue was raised and discussed regarding the ACCESS Customer Service Line. Management was very receptive and attentive and had explained since its inception they have been continuously working on resolving and making adjustments to the new call center. Management said that they will take immediate steps to address call center access until it is resolved.

The CDSS found the HHSA 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 HHSA 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.