



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

July 27, 2012

Nick Macchione, Director
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 to the reviewer from our office, Claudia Cabrera, during the course of the Civil Rights Compliance Review of June 25-28, 2012. 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 becomes a public document as well. In addition, they are published on our website at <http://www.cdss.ca.gov/civilrights/PG2890.htm>

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 COUNTY HEALTH AND HUMAN SERVICES
AGENCY**

**Conducted on
June 25-28, 2012**

**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

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 San Diego County Health and 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 June 25-28, 2012. 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)
El Cajon Family Resource Center	220 S. 1st Street El Cajon	CalFresh/CalWORKs	Spanish, Arabic
North East Family Resource Center	5001 73 rd Street San Diego	CalFresh/CalWORKs	Spanish
North Central Family Resource Center	4990 Viewridge Ave San Diego	Children's Services, State Hearings	Spanish
North Coastal	1305 Union Plaza Court, Oceanside	IHSS	Spanish
South East Family Resource Center	4588 Market Street San Diego	CalFresh/CalWORKs	Spanish

II. SUMMARY OF METHODOLOGY

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

- Reviewed the 2012 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/Human Services Specialists	6	6
Children Social Workers	2	1
IHSS Workers	2	
Receptionist/Screeners	4	
Total	21	12

Program Manager Surveys

Number of surveys distributed	5
Number of surveys received	5

Reviewed Case Files

English speakers' case files reviewed	10
Non-English or limited-English speakers' case files reviewed	115
Languages of clients' cases	Spanish, Farsi, Laotian, Vietnamese, Somali, Korean, Russian, Arabic, Tagalog, Chaldean

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			Online applications can be submitted through ACCESS, clients can mail applications, or home visits can be arranged, upon approval.
Does the county have extended hours to accommodate clients?	X			Normal office hours are 7:00 AM-5:00 PM.
Can applicants access services when they cannot go to the office?	X			ACCESS Call Center -Clients can call in and talk to a worker, if worker cannot properly assist client then worker will use SharePoint to message line staff and request that they contact client. -Questions regarding client benefits status are answered through call center. -Issues are normally resolved without having to visit office. -County workers are staffed at call center.

				-Supervisors also available onsite at call center.
Does the county ensure the awareness of available services for individuals in remote areas?	X			Information regarding services available are disseminated via radio announcements, community events, county website, food banks, and farmers markets.

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 is distributed during intake with informational packet and at annual redetermination with renewal packet. For IHSS and Children's services, PUB 13 is given to clients during initial face to face.
Is the pamphlet distributed and explained to each client at intake and re-certification?	X			See above.
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			
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			PUB 13 was displayed in all offices reviewed.
Was the Pub 13 available in large print (English and Spanish), audiocassette and Braille?			X	Reception staff at the El Cajon office did not have the PUB 13 Braille, large print or audio at the front desk.

Signage, posters, pamphlets	Yes	No	Some-times	Comments
				These materials are kept with admin and tracked by staff so they don't get lost. Reception staff are aware of the location of these materials and know how to access them.
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	Out of the 21 staff interviewed, one worker was unaware of the location of the PUB 86 with the CRC's contact information.
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

None

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"	06/11
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

1. Facility Location: 220 S. 1st Street, El Cajon

Facility Element	Findings	Corrective Action
Parking	Accessible access aisle short at 4'10".	Access aisle dimensions: 5' wide by 18' long. (CA T24 1129B.3.1 &2) ADA 4.6.3) p 136 Dimension to centerline of stripes. (CA T24 1129B.3.1) p136
	Van-Accessible access aisle short at 7'10".	Van-access aisle dimensions: 8' wide by 18' long, located on the passenger side. (CA T24 1129B.3.1 & 2) (ADA 4.6.3) p 138

a. Observation

At the time of the review of this facility, there was construction going on at the front end of the building. This construction is for the expansion of the current lobby and includes development of a new, bigger and up to date lobby. Due to the work being done, a large tent has been set up in the parking lot to help assist clients who need to pick up applications, drop off applications, or submit receipts/verifications. There was receptionist staff stationed in the tent along with a security guard. Chairs and tables are set up for clients to take a seat or fill out forms. An accessible water dispenser is located inside this tent, as well as a large fan to provide some relief from warm weather. This temporary alternative also helps assist clients sooner; eliminating huge crowds in the lobby as there can be more than 1,000 clients visiting this office location on any given day. It is expected that this tent be removed once construction of the new lobby has been completed.

2. Facility Location: 73rd Street, San Diego

Facility Element	Findings	Corrective Action
Parking	Wall mounted sign height is low at 33".	Wall mounted signage: when posted, sign may be centered on the wall at the interior end of the parking space. Height 36 inches minimum. (CAT24 1129B.4) p134
Exterior entrance	Doors to entrance are excessive at 10lbs each.	Exterior Door: 5 pounds of force max. pressure. (CA T24 1133B.2.5) (ADA 4.13.11(2)(A)) p 207
Restroom	Men's Sign on door is low at 58". Sign on wall is low at 46". Women's Sign on wall is low at 46".	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 287

a. Observation

It was noted that the security scanner was too narrow, at 29 ½", for someone in a wheelchair to properly pass through. In speaking to the staff, it was identified that someone in a wheelchair is not required to walk through the scanner. A scanning wand will be used instead. Considering that a security guard is monitoring the entrance, this does not pose a problem.

3. Facility Location: 4990 Viewridge Ave, San Diego

Facility Element	Findings	Corrective Action
Parking	<p>Reviewer was unable to measure the length of parking spaces as the lines are not visible.</p> <p>Clearance access aisle on passenger side of van are completely faded.</p> <p>The accessible path of travel leading to the entrance is not visible.</p>	<p>Parking space dimensions: 9' wide by 18' long.</p> <p>Access aisle dimensions: 5' wide by 18' long. (CA T24 1129B.3.1 &2) ADA 4.6.3) p 136</p> <p>Dimension to centerline of stripes. (CA T24 1129B.3.1) p136</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. (CA T24 1129B.3.1) p136</p> <p>The parking access aisles shall be part of an accessible route of travel to the building or facility entrance. (CA T24 1129B.3.1) P 136</p> <p>The loading and unloading access aisle shall be marked by a border painted blue. (CA T241129B.3.1) p 136</p> <p>The words "NO PARKING" shall be painted on the ground in each 5' or 8' loading and unloading access aisle in white</p>

	<p>There is no signage on pavement clearly depicting a wheelchair with occupant.</p>	<p>letters no smaller than 12". (CA T24 1129B.3.1) p 136</p> <p>Parking space dimensions: 9' minimum width and 18' minimum length. (CA T24 1129B.3.1) p 138</p> <p>Van-access aisle dimensions: 8' wide by 18' long, located on the passenger side. (CA T24 1129B.3.1 & 2) (ADA 4.6.3) p 138</p> <p>The space shall be located so the disable are not forced to wheel or walk behind parking spaces other than their own accessible parking space. (CA T24 1129B.3.3) p 136</p> <p>Street surface Signage: 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"> • (a) 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 • (b) By outlining a profile view of a wheelchair with occupant in white on blue background. <p>The profile view shall be located so that it is visible to a traffic enforcement officer when</p>
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		a vehicle is properly parked in the space and shall be 36" by 36". (CA T24 1129B.4.1 & 2) p 134
Main entrance	Both doors are excessive at 15lbs each.	Exterior Door: 5 pounds of force max. pressure. (CA T24 1133B.2.5) (ADA 4.13.11(2)(A)) p 207
Restroom	Women's It was identified that the women's restroom was designated as a fire door, which is excessive at 17lbs.	Fire Door: Min. allowable by administrative authority, not to exceed 15 pounds of force max. (CA T24 1133B.2.5) (ADA 4.13.11(1)) p 207

a. Observation

Although there are plans to relocate the State Hearings Office to another location within the next few months, the hearing rooms at this facility were also reviewed and found to be compliant. There are three hearing rooms, all of which have plenty of space for someone to park their wheelchair and comfortably turn 180 degrees in a 60" diameter (CA T24 1118B.3, ADA 4.2.3) p 388. All clients are escorted to the hearing room and provided assistance upon request.

4. Facility Location: 4588 Market Street, San Diego

Facility Element	Findings	Corrective Action
Parking	The first van-accessible parking space sign is short at 63".	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 134 Wall mounted signage: when posted, sign may be centered on the wall at the interior end of the parking space. Height 36 inches minimum. (CAT24 1129B.4) p134
Main Entrance	Exit door is excessive at 14lbs.	Exterior Door: 5 pounds of force max. pressure. (CA T24 1133B.2.5) (ADA 4.13.11(2)(A)) p 207

	Entrance door is excessive at 15lbs.	Interior Door: 5 pounds of force max. pressure. (CA T24 1133B.2.5) (ADA 4.13.11(2)) (B)) p 207
Lobby	There is no accessible counter or accessible table.	Min. height is 28" and max height is 34" from floor or ground top of tables or counters. (CA T24 1122B.4) (ADA 4.32.4) p 396
Restroom	<p>Men's</p> <p>Sign on door is low at 59".</p> <p>Sign on wall is low at 58".</p> <p>Toilet tissue dispenser is located too far from front edge of toilet seat at 27".</p> <p>Women's</p> <p>Sign on door is low at 58".</p> <p>Sign on wall is low at 58".</p> <p>Toilet tissue dispenser is located too far from front edge of toilet seat at 22".</p>	<p>Door sign and wall sign shall be 60" above the floor to the center line of sign. (CA T24 1117B.5.7) (ADA 4.30.6) p 287</p> <p>Toilet tissues dispensers are located on the wall within 12" of front edge of toilet seat. (CA T24 1115B.8.4) p 299, 305</p> <p>Door sign and wall sign shall be 60" above the floor to the center line of sign. (CA T24 1117B.5.7) (ADA 4.30.6) p 287</p> <p>Toilet tissues dispensers are located on the wall within 12" of front edge of toilet seat. (CA T24 1115B.8.4) p 299, 305</p>

a. Observation

All facilities reviewed had security staff available to help assist clients by escorting them to the designated accessible seating area. Lobby areas also had "lobby ambassadors" who are county staff available to help direct clients to the appropriate window, escort them to an interview room if client requires additional accommodation, or quickly answer general questions regarding the submission of applications or verifications.

5. Facility Location: 1305 Union Plaza Court, Oceanside

Facility Element	Findings	Corrective Action
Parking	Freestanding sign height, located closest to the	When in a path of travel, sign shall be posted at a height of

	entrance, is low at 78".	80" min. from the bottom of the sign to the finished grade. (CA T24 1129B. 4) (ADA 4.6.4) p 134
Exterior entrance	Door pressure is excessive at 15lbs each.	Exterior Door: 5 pounds of force max. pressure. (CA T24 1133B.2.5) (ADA 4.13.11(2)(A)) p 207
Elevator	Elevator is not audible. Note: Reviewer was informed that a service order has already been submitted.	A visual and audible signal is provided at each hoist way entrance indicating to the prospective passenger the car answering the call and its direction of travel. (CA T24 1116B.1.13) (ADA 4.10.4) p 262
Restroom	Men's Both doors are excessive at 14lbs each. Paper towel dispenser is high at 47". Door latch to the accessible stall is broken. Accessible stall does not have the 48" clearance in front of the toilet and opening to the stall. It measured at 36".	Interior Door will have 5 pounds maximum pressure. (CA T24 1133B.2.5) (ADA 4.13.11(2)(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.8.1.1) (ADA 4.19.6) p 296, 299, 304. Door Opening Hardware - Centered above floor surface between 30" - 44" height. (CA T24 1133b.2.5.2) (ADA 4.13.9) Clear space in front of water closet is minimum 48" if the compartment has end opening (facing water closet) or minimum of 60" if compartment has side opening. (CA T24

	<p>Toilet tissue dispenser is located too far at 24".</p> <p>Women's</p> <p>Door pressure for first door is excessive at 13lbs. Door pressure for second door is excessive at 12lbs.</p> <p>Toilet tissue dispenser is located too far at 24".</p>	<p>1115B.3.2, ADA 4.17.3) p 327</p> <p>Toilet tissues dispensers are located on the wall within 12" of front edge of toilet seat. (CA T24 1115B.8.4) p 299, 305</p> <p>Interior Door will have 5 pounds maximum pressure. (CA T24 1133B.2.5) (ADA 4.13.11(2)(b)) p 207</p> <p>Toilet tissues dispensers are located on the wall within 12" of front edge of toilet seat. (CA T24 1115B.8.4) p 299, 305</p>
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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			Staff will use the Language Identification Chart (LIC) to help identify a client's preferred language. The chart is color coded yellow and laminated. All reception areas had this chart available at the front desk.
Does the county use a primary language form?	X			Form 2046, Language Needs Determination.
Does the client self-declare on this form?	X			Clients self identify their preferred language.
Are non-English- or limited- English-speaking clients provided bilingual services?	X			If a client requests an interpreter, it is the responsibility of the Civil Rights Liaison (CRL) to locate an interpreter 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			The CRL contacts the Civil Rights Coordinator (CRC) to schedule an interpreter.
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			HHSA has a list of bilingual county staff, Interpreter Vendor's, Language Line for over-the-phone interpreters and Interpreters Unlimited for face-to-face interpreters.
Are county interpreters determined to be competent?	X			All interpreters are certified.
Does the county have adequate interpreter services?	X			
Does the county allow minors to be interpreters? If so, under what circumstances?			X	Only under extenuating circumstances and during an emergency, such as to relay important information regarding

Question	Yes	No	Some-times	Comments
				a new appointment with an interpreter.
Does the county allow the client to provide his or her own interpreter?	X			If an individual other than a HHSA staff is used as an interpreter, consent form 20-49 "Civil Rights Interpreter" must be signed by the client and the client-provided interpreter.
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			
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			There is a designated accessible area at the Market Street and El Cajon office for clients who have a disability and require either prompt assistance or an area to park their wheelchair. When requested, clients are provided materials in large font, a clipboard to help fill out forms, or are escorted to a conference room where workers can provide additional assistance.
Does the county identify and assist the client who has learning or mental disabilities or a client who cannot read or write?	X			Workers will offer to help assist in filling out forms for a client who cannot read or write and will document in case comments and case narratives. For clients who have a mental disability, either a representative from Mental Health Services, designated

Question	Yes	No	Some-times	Comments
				provider, conservator, or a regional center worker will accompany them to the office.
Does the county offer screening for learning disabilities?		X		Staff interviewed was unaware of any screening tool to help identify learning disabilities.
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

None

C. Recommendation

It has been brought to our attention, by San Diego's Legal Advocates, that clients who are non-English speaking and applying for benefits at the El Cajon office are not being offered and provided interpretive services by the county. Rather clients are being asked to bring a family or friend to their appointments to help interpret. Complaints have risen from refugee's who are being turned away due to the language barrier and allegedly the refusal of interpretive services. Division 21.115.16 states that "applicants/recipients may provide their own interpreter; however, the CWD shall not require them to do so. 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." According to San Diego's 2012 Civil Rights Compliance Plan (CRCP), interpretive services are available through bilingual HHSA staff, Language Line, Interpreters Unlimited, Deaf Community Services of San Diego, and Network Interpreting Services. Staff shall be reminded of these additional methods of providing interpretive services to non-English speaking clients who request an interpreter in their preferred language.

It was also noted that additional bilingual staff have been recently hired to help meet the needs of the growing ethnic populations.

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	Non-Assistance CalFresh
Ethnic origin documentation	CMS-CWS ID Page	SOC 295	CalWIN Individual Demographics	SAWS I, CalWIN Individual Demographics
Primary language documentation	CMS-CWS ID Page	Needs Assessment Sheet, Form 20-46	CalWIN Case Summary, Form 20-46	CalWIN Case Info Page, Form 20-46
Method of providing bilingual services and documentation	Documented in case notes	Documented in case narratives	Documented in case comments	Documented in case comments
Client provided own interpreter	Documented in case notes	Documented in case narratives	Documented in case comments	Documented in case comments
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	Form 20-49	Form 20-49	Form 20-49	Form 20-49
Individual's acceptance or refusal of written material offered in primary language	Form 20-46, Language Needs Determination was inconsistently used	Form 20-46	Form 20-46	Form 20-46
Documentation of minor used as interpreter	Documented in case notes	None found in cases reviewed	Documented in case comments	Documented in case comments
Documentation of circumstances for using minor interpreter temporarily	Documented in case notes	None found in cases reviewed	Documented in case comments	Documented in case comments
Translated notice of actions (NOA) contain translated inserts	Found in case file	Found in case file	CalWIN Correspondence	CalWIN Correspondence
Method of identifying client's	Documented in case notes	Needs Assessment	CalWIN Disability/Medical	CalWIN Disability/Medical

Documented Item	Children's Services	IHSS	CalWORKs	Non-Assistance CalFresh
disability		Sheet	Screen	Screen
Method of documenting a client's request for auxiliary aids and services	Documented in case notes	Documented in case narratives	Documented in case comments	Documented in case comments

B. Corrective Actions

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

C. Recommendation

Form 20-46, Language Needs Determination, was inconsistently found in cases, with the exception of IHSS. This form helps identify the language needs preference for clients who are non-English speaking. The forms allow clients to fill out and self identify their primary language. It is recommended that staff get reminders of the importance of such form and that staff consistently use the form to capture the client's primary language.

Of high concern was the fact that clients are not being informed of the potential for ineffective communication using their own interpreters. Form 20-49, Civil Rights Interpreters, has no language stating this information. According to Division 21-116.2.23

“when applicants/recipients provide their own interpreter, the CWD shall ensure that the applicants/recipients are informed of the potential problems for ineffective communication.” It was also not noted in case comments or case narratives that workers informed clients of this. It is being advised that either this language be added to form 20-49, or an alternative method be developed to assure clients are being informed of the potential problems there could be with ineffective communication when choosing to use client-provided interpreters.

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 receives Civil Rights Training annually and periodically receives refresher training online.
Do employees understand the county policy regarding a client's rights and procedure to file a discrimination complaint?	X			Staff are aware of the discrimination complaint process.
Does the county provide employees Cultural Awareness Training?	X			Cultural awareness training included with civil rights training.
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

C. Recommendation

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	Some-times	Findings
Can the employees easily identify the difference between a program, discrimination, and a personnel complaint?	X			All staff interviewed were able to clearly identify the difference between a program, discrimination, and personnel complaint.
Did the employees know who the Civil Rights Coordinator is?	X			All staffed identified Lora Guillen as the current civil rights coordinator.
Did the employees know the location of the Civil Rights poster showing where the clients can file a discrimination complaint?	X			
When reviewing the complaint log with the Civil Rights Coordinator, was it complete and up to date?	X			

B. Corrective Action

None

C. Recommendation

None

IX. CIVIL RIGHTS COMPLIANCE PLAN REVIEW AND APPROVAL

The San Diego County Human Services Agency Civil Rights Compliance Plan for 2012 was received on May 7, 2012. It is approved as submitted.

X. CONCLUSION

The CDSS reviewer found the San Diego County Human Services Agency staff warm, welcoming, informative and very supportive. Particular thanks to Lora Guillen, Civil Rights Coordinator, Alexander Sandoval, Program Specialist II, 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.

The CDSS found San Diego County Human Services Agency 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 San Diego 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.