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EDMUND G. BROWN JR.  
GOVERNOR

November 28, 2012

Ms. Terry Speiker, Interim Director  
Contra Costa County Employment & Human Services Department  
40 Douglas Drive  
Martinez, CA 94553

Dear Ms. Speiker:

I want to take this opportunity to thank you and your staff for the cooperation and assistance provided to the reviewer from our office, Ms. Yrma Villareal during the course of the Civil Rights Compliance Review of Contra Costa County. 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 60 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 enclosed 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, these documents 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 Mr. Daniel Cervantes at (916) 654-0946. You may also contact him by e-mail at [Daniel.Cervantes@dss.ca.gov](mailto:Daniel.Cervantes@dss.ca.gov).

Sincerely,

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

Enclosure

c: Yrma Villareal, Civil Rights Coordinator

Linda Patterson, Branch Chief  
CDSS CalFresh Program

Mike Papin, Chief  
CalFresh Policy Bureau

Marlene Fleming, Chief  
Field Operations Bureau

Brian Tam, Chief  
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**CIVIL RIGHTS COMPLIANCE REVIEW REPORT  
FOR  
CONTRA COSTA COUNTY EMPLOYMENT &  
HUMAN SERVICES DEPARTMENT**

**Conducted July 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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**Reviewer**

**Daniel Cervantes**

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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 Contra Costa County Employment and Human Services Department 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 July 2012. An exit interview was held to review the preliminary findings.

The review was conducted in the following locations:

<b>Name of Facility</b>	<b>Address</b>	<b>Programs</b>	<b>Non-English languages spoken by a substantial number of clients (5% or more)</b>
Employment and Human Services	151 Linus Pauling Hercules, CA	CalWORKS, CalFRESH	Spanish
Employment and Human Services	4545 Delta Fair Blvd Antioch, CA	CalWORKS, CalFRESH	Spanish
Children and Family Services	4549 Delta Fair Blvd Antioch, CA	Children and Family Services	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

<b>Classifications</b>	<b>Total</b>	<b>Bilingual</b>
Eligibility Workers	7	5
Children Social Workers	4	2
Adult Program Workers	4	3
Receptionist/Screeners	4	3
<b>Total</b>	<b>19</b>	<b>13</b>

An additional 2 interviews were scheduled but were not conducted due to staff unavailability.

#### Program Manager Surveys

Number of surveys distributed	4
Number of surveys received	4

#### Reviewed Case Files

English speakers' case files reviewed	<b>18</b>
Non-English or limited-English speakers' case files reviewed	<b>42</b>
Languages of clients' cases	English, Spanish, Tagalog, Vietnamese, Chinese, Tamil, ASL, Farsi

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			<p>Contra Costa County allows applications to be mailed in as well as completed online.</p> <p><b>4545 Delta Fair</b> makes their services available during the extended hours of 7:00am to 6:30pm. Additionally, staff are able to meet with clients at their school or work location if necessary.</p> <p><b>151 Linus Pauling</b> extends their hours from 7:00am to 6:00pm. Workers at this office also accommodate the client by meeting at mutually agreed upon locations.</p>

				<b>4549 Delta Fair</b> is a children's services building. They have on call staff for CFS emergencies.
Does the county have extended hours to accommodate clients?	X			See comments above.
Can applicants access services when they cannot go to the office?	X			Applications can be submitted via mail, fax, and/or via the internet. Further, home visits can be arranged if necessary.
Does the county ensure the awareness of available services for individuals in remote areas?	X			The county has a very thorough and informative website that is often advertised. Further, the county offers community mailers that go out to the public as well as meetings monthly with community partners who also help spread the word.

<b>Signage, posters, pamphlets</b>	<b>Yes</b>	<b>No</b>	<b>Some-times</b>	<b>Comments</b>
Does the county use the CDSS pamphlet "Your Rights Under California Welfare Programs" (Pub 13 – 6/11)?	X			Staff interviewed were aware of the PUB 13 and the importance of its purpose.
Is the pamphlet distributed and explained to each client at intake and re-certification?	X			Although the pamphlet is distributed and explained at intake, such practice is not evident during recertification.
Is the current version of Pub 13 available in Arabic, Armenian Cambodian, Chinese, English, Farsi, Hmong, Japanese, Korean,	X			The county does a great job in displaying the various versions of the PUB 13 in the



<b>Signage, posters, pamphlets</b>	<b>Yes</b>	<b>No</b>	<b>Some-times</b>	<b>Comments</b>
Lao Mien, Portuguese, Punjabi, Russian Spanish, Tagalog, Ukranian, Vietnamese?				lobbies visited.
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?				
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			The CRC, Yrma Villareal does an excellent job in communicating with most county staff and detailing the importance of Civil Rights in the county.
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

<b>Informational Element</b>	<b>Corrective Action Required</b>
Distribution of CDSS' Pub 13	<p>Contra Costa 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. Div. 21-107.221</p> <p>The pamphlet shall be given <u>and explained</u> and</p>

Informational Element	Corrective Action Required
	recertification to remind clients of their rights and responsibilities.

### C. Recommendation

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.cdss.ca.gov/civilrights/entres/forms/English/pub13.pdf>.

## 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: 151 Linus Pauling, Hercules CA

Facility Element	Findings	Corrective Action
Parking	<p>Accessible signage does <u>not</u> display "<b>Minimum Fine \$250.00</b>"</p> <p>The words "<b>NO PARKING</b>" not painted in access aisles.</p>	<p>An additional sign or additional language below the symbol sign of accessibility shall state "Minimum Fine \$250". (CA T24 1129B.4) p 134</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.3.1) p 136</p>
Restroom	<p><b>Men's Restroom:</b></p> <p>Door pressure excessive at 11 lbs.</p> <p><b>Woman's Restroom:</b></p> <p>Door pressure excessive at 9 lbs.</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>Interior Door will have 5 pounds maximum pressure. (CA T24 1133B.2.5) (ADA 4.13.11(2)(b)) p 207</p>

### 2. Facility Location: 4545 Delta Fair Blvd, Antioch, CA

Facility Element	Findings	Corrective Action
Parking	<p>Accessible signage does <u>not</u> display "<b>Minimum Fine \$250.00</b>"</p>	<p>An additional sign or additional language below the symbol sign of accessibility shall state "Minimum Fine \$250". (CA T24 1129B.4) p 134</p>
Exterior entrance	Door pressure to enter	Interior Door will have 5 pounds

	<p>the building excessive at 11 lbs.</p> <p>(the building has automatic doors upon entering into the foyer. There are then entrances to two "sub offices" from the main foyer. This pertains to the FINANCIAL ASSISTANCE &amp; SUPPORTIVE SERVICES side of the building.</p>	<p>maximum pressure. (CA T24 1133B.2.5) (ADA 4.13.11(2)(b)) p 207</p>
Restroom	<p><b>Men's Restroom:</b></p> <p>Door pressure excessive at 9 lbs.</p> <p><b>Woman's Restroom:</b></p> <p>Door pressure excessive at 10 lbs.</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>Interior Door will have 5 pounds maximum pressure. (CA T24 1133B.2.5) (ADA 4.13.11(2)(b)) p 207</p>

### 3. Facility Location: 4549 Delta Fair Blvd, Antioch, CA

Facility Element	Findings	Corrective Action
Parking	<p>Accessible signage does <u>not</u> display "<b>Minimum Fine \$250.00</b>".</p> <p>The words "<b>NO PARKING</b>" not painted in access aisles.</p>	<p>An additional sign or additional language below the symbol sign of accessibility shall state "Minimum Fine \$250". (CA T24 1129B.4) p 134</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.3.1) p 136</p>
Restroom	<b>Men's Restroom:</b>	

	Door pressure excessive at 8 lbs.	Interior Door will have 5 pounds maximum pressure. (CA T24 1133B.2.5) (ADA 4.13.11(2)(b)) p 207
	<b>Woman's Restroom:</b>	
	Door pressure excessive at 10 lbs.	Interior Door will have 5 pounds maximum pressure. (CA T24 1133B.2.5) (ADA 4.13.11(2)(b)) p 207

**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			Contra Costa County uses the I SPEAK card to determine a client's language upon first

Question	Yes	No	Some-times	Comments
				contact.
Does the county use a primary language form?	X			Contra Costa County uses the GEN 22 form.
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			The county has many Spanish speaking workers to accommodate that community. If necessary, they also have a language line at their disposal.
Is there a delay in providing services?		X		During the last review, it was noted that a worker admitted to excessive wait times for Spanish speaking interpreters. Since then, Contra Costa County has fixed this problem. No delays were reported by anyone in the county.
Does the county have a language line provider, a county interpreter list, or any other interpreter process?	X			The county does have a language line as well as a county interpreters list.
Are county interpreters determined to be competent?	X			
Does the county have adequate interpreter services?	X			
Does the county allow minors to be interpreters? If so, under what			X	Workers in Children's Services said that they have allowed a minor to interpret simply to

Question	Yes	No	Some-times	Comments
circumstances?				reschedule a meeting or request a call back by a member of that family. Other than that, no other program allows minors to interpret.
Does the county allow the client to provide his or her own interpreter?	X			Contra Costa County does allow clients to provide their own interpreter, however they always inform the client of the possibility of ineffective communication. They encourage all clients to use a county appointed 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			Of the case files reviewed, there was no issues involving notices sent out to the client.
Is the information that is to be inserted into NOA translated into the client's primary language?	X			See comments above. Even in the more rare languages, Contra Costa County does a good job of ensuring the client understands the information provided to them.
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			

Question	Yes	No	Some-times	Comments
Does the county identify and assist the client who has learning disabilities or a client who cannot read or write?	X			The county works with a community based organization, Project Second Chance. The county has a resource guide they use to assist their clients with their needs.
Does the county offer screening for learning disabilities?	X			The County worker stated during the telephone interview that Welfare to Work Workers would provide this screening.
Is there an established process for offering screening?				See comments above.

## B. Corrective Actions

None

## VI. DOCUMENTATION OF APPLICANT/RECIPIENT CASE RECORDS

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

### A. Findings from Case File Reviews and Staff Interviews

Documented Item	Children's Services	Adult Programs (IHSS & APS)	CalWORKs & Employment Services	Non-Assistance CalFresh
Ethnic origin documentation	CWS/CMS Case notes	Face sheet	Gen22, SAWS 1	Gen22, SAWS 1
Primary language documentation	CWS/CMS Case notes	Face sheet	Gen22, SAWS 1	Gen22, SAWS 1
Method of providing bilingual services and documentation	CWS/CMS Case notes	Face sheet	CalWIN case notes	CalWIN case notes
Client provided	CWS/CMS	Face sheet	CalWIN case	CalWIN case



<b>Documented Item</b>	<b>Children's Services</b>	<b>Adult Programs (IHSS &amp; APS)</b>	<b>CalWORKs &amp; Employment Services</b>	<b>Non-Assistance CalFresh</b>
own interpreter	Case notes		notes	notes
Method to inform client of potential problem using own interpreter	Case notes	Case notes	Case notes	Case notes
Release of information to Interpreter	Not available	Not available	Not available	Not available
Individual's acceptance or refusal of written material offered in primary language	Case notes	Not available	Case notes	Case notes
Documentation of minor used as interpreter	Case notes	APS does not allow minors to interpret	Contra Costa County does not allow minors to interpret	Contra Costa County does not allow minors to interpret
Documentation of circumstances for using minor interpreter temporarily	Case notes	n/a	n/a	n/a
Translated notice of actions (NOA) contain translated inserts	n/a	Not available	Found in documents distributed	Found in documents distributed
Method of identifying client's disability	Case notes	Not available	Case notes	Case notes
Method of documenting a client's request for auxiliary aids and services	None found in cases reviewed	Not available	None found in cases reviewed	None found in cases reviewed

## 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 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
General	Contra Costa County must ensure that proper documentation is kept in the file that identifies all the required elements to ensure compliance. Div. 21-116

## C. Notes

It should be noted that Adult Services did not allow reviewer any access to the Adult Protective Services (APS) system. When reviewing APS cases, reviewer was only able to see a "face sheet." I was not able to fully navigate through an APS case, therefore much of the information sought was not found.

Also, the documentation of services provided in the case notes were generally good. There were a few workers that did not detail the use of an interpreter, but for the most part the documentation was acceptable.

## 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			The Civil Rights Coordinator does a great job in ensuring county staff receive regular training.
Do employees understand the county policy regarding a client's rights and procedure to file a discrimination complaint?	X			All County workers interviewed understood the county policy regarding a client's rights and procedures to file a discrimination complaint.
Does the county provide employees Cultural Awareness Training?	X			This training coincides with Division 21/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			Contra Costa County staff was a very diverse group that were well aware of the demographics in surrounding areas.

### B. Corrective Actions

None

## VIII. DISCRIMINATION COMPLAINT PROCEDURES

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

### A. Findings from Staff Interviews and Program Manager Surveys

Interview and review areas	Yes	No	Some-times	Findings
Can the employees easily identify the difference between a program, discrimination, and a personnel complaint?	X			
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	4 of the employees interviewed did not know of the poster in the lobby.
When reviewing the complaint log with the Civil Rights Coordinator, was it complete and up to date?	X			

### B. Corrective Action

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

## IX. CIVIL RIGHTS COMPLIANCE PLAN REVIEW AND APPROVAL

The Contra Costa County Employment & Human Services Department Civil Rights Compliance Plan for the period January 1, 2012 through December 31, 2012, was received in October 2011. It is approved as submitted.

## **X. CONCLUSION**

The CDSS reviewer found the Contra Costa County Employment & Human Services Department staff warm, welcoming, informative and very supportive. Particular thanks to Yrma Villareal, Civil Rights Coordinator, for organizing the details of the review. In each District Office, staff were very helpful with the facility reviews, case reviews, and computer assistance.

The CDSS found the Contra Costa County Employment & Human Services Department 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 Contra Costa County Employment & Human Services Department 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.