



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

April 8, 2013

Rick Wanne, MA, MFT, Director
Eligibility Operations
San Diego County Health & Human Services Agency
1255 Imperial Avenue
San Diego, CA 92101

Dear Mr. Wanne:

This letter is to advise you that the Corrective Action Plan you submitted on April 5, 2013 with final updates, in response to the results of our June 25-28, 2012 Civil Rights Compliance Review, is approved.

We will be monitoring the implementation of your corrective action items through your Civil Rights Coordinator.

If you have any questions, please contact Claudia Cabrera at (916) 654-1047. You may also contact your consultant by e-mail at claudia.cabrera@dss.ca.gov.

Sincerely,

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

c: Jennifer Cooke, 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
CalFresh Management Operations Section

Paul Gardes
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Refugee Programs Bureau

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

Jodie Berger, Regional Counsel
Legal Services of Northern California

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IV. FACILITY ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES

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.

Findings and Corrective Actions

1. Facility Location: 220 S. 1st Street, El Cajon (2)

Facility Element	Findings	Corrective Action	Status Update	Revised Status Update
A. Parking	1. 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.	Pending September 2012	Completed October 2012
	2. 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.	Pending September 2012	Completed October 2012

2. Facility Location: 5001 73rd Street, San Diego (5)

Facility Element	Findings	Corrective Action	Status Update	Revised Status Update
A. Parking	1. 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) p.134.	Completed July 2012	N/A
B. Exterior Entrance	2. Doors to entrance are excessive at 10 lbs each.	Exterior Door: 5 pounds of force max. pressure. (CA T24 1133B.2.5) (ADA 4.13.11 (2)(A)) p.207.	Pending September 2012	Completed October 2012

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2. Facility Location: 5001 73rd Street, San Diego (5), continued

Facility Element	Findings	Corrective Action	Status Update	Revised Status Update
C. Men's Restroom	3. Sign on door is low at 58".	Door sign and wall sign shall be 60" above the floor to the center line of sign.	Completed July 2012	N/A
	4. Sign on wall is low at 46".		Completed July 2012	N/A
D. Women's Restroom	5. Sign on wall is low at 46".	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.	Completed July 2012	N/A

3. Facility Location: 4990 Viewridge Avenue, San Diego (6)

Facility Element	Findings	Corrective Action	Status Update	Revised Status Update
A. Parking	1. Reviewer was unable to measure the length of parking spaces as the lines are not visible.	Parking space dimensions: 9' wide by 18' long. 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) p.136.	Completed August 2012	N/A
	2. Clearance access aisle on passenger side of van are completely faded.		Completed August 2012	N/A

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3. Facility Location: 4990 Viewridge Avenue, San Diego (6), continued

Facility Element	Findings	Corrective Action	Status Update	Revised Status Update
A. Parking, continued	3. The accessible path of travel leading to the entrance is not visible.	<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. (CAT24 11 29B.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 letters no smaller than 12". (GA T24 11298.3.1) p. 136.</p> <p>Parking space dimensions: 9' minimum width and 18' minimum length. (GA T24 11298.3.1) p.138.</p> <p>Van-access aisle dimensions: 8' wide by 18' long, located on the passenger side. (GA T24 1129B.3.1 & 2) (ADA 4.6.3) p.138.</p> <p>The space shall be located so the disabled are not forced to wheel or walk behind parking spaces other than their own accessible parking space. (GA T24 1129B.3.3) P 136.</p>	Completed August 2012	N/A
	4. There is no signage on pavement clearly depicting a wheelchair with occupant.	<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 a vehicle is properly marked in the space and shall be 36" by 36". (CA T24 11298.4.1 & 2) p.134.</p>	Completed August 2012	N/A

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3. Facility Location: 4990 Viewridge Avenue, San Diego (6), continued

Facility Element	Findings	Corrective Action	Status Update	Revised Status Update
B. Main Entrance	5. Both doors are excessive at 15 lbs. each.	Exterior Door: 5 pounds of force max. pressure. (CA T24 1133B.2.5) (ADA 4.13.11 (2)(A)) p.207.	Completed July 2012	N/A
C. Women's Restroom	6. It was identified that the women's restroom was designated as a fire door, which is excessive at 17 lbs.	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.	Completed July 2012	N/A

4. Facility Location: 4588 Market Street, San Diego (10)

Facility Element	Findings	Corrective Action	Status Update	Revised Status Update
A. Parking	1. 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) p.134.	Pending September 2012	Pending December 2012
B. Main Entrance	2. Exit door is excessive at 14 lbs.	Exterior Door: 5 pounds of force max. pressure. (CA T24 1133B.2.5) (ADA 4.13.11 (2)(A)) p. 207.	Pending September 2012	Completed September 2012
	3. Entrance door is excessive at 15 lbs.	Interior Door: 5 pounds of force max. pressure. (CA T24 1133B.2.5) (ADA 4.13.11 (2)) (B)) p. 207.	Pending September 2012	Completed September 2012
C. Lobby	4. 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.	Completed June 2012. Staff meet with clients in an adjacent interview room where the table height is within accessible limits which was measured by the CDSS analyst during the visit.	N/A

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4. Facility Location: 4588 Market Street, San Diego (10), Continued

Facility Element	Findings	Corrective Action	Status Update	Revised Status Update
D. Men's Restroom	5. Sign on door is low at 59".	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.	Completed July 2012	N/A
	6. Sign on wall is low at 58".		Completed July 2012	N/A
	7. Toilet tissue dispenser is located too far from edge of toilet seat at 27".	Toilet tissues dispensers are located on the wall within 12" of front edge of toilet seat. (CA T24 1115B.8.4) p.299, 305.	Completed July 2012	N/A
E. Women's Restroom	8. Sign on door is low at 58".	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.	Completed July 2012	N/A
	9. Sign on wall is low at 58".		Completed July 2012	N/A
	10. Toilet tissue dispenser is located too far from front edge of toilet seat at 22".	Toilet tissues dispensers are located on the wall within 12" of front edge of toilet seat. (CA T24 1115B.8.4) p. 299, 305.	Completed July 2012	N/A

5. Facility Location: 1305 Union Plaza Court, Oceanside (10)

Facility Element	Findings	Corrective Action	Status Update	Revised Status Update
A. Parking	1. Freestanding sign height, located closest to the entrance, is low at 78".	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.	Completed September 2012	N/A
B. Exterior Entrance	2. Door pressure is excessive at 15 lbs each.	Exterior Door: 5 pounds of force max. pressure. (CA T24 1133B.2.5) (ADA 4.13.11 (2)(A) p. 207.	Completed October 2012	N/A
C. Elevator	3. 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.	Pending December 2012	

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6. Facility Location: 1305 Union Plaza Court, Oceanside (10), Continued

Facility Element	Findings	Corrective Action	Status Update	Revised Status Update	
D. Men's Restroom	4. Both doors are excessive at 14 lbs each.	Interior Door will have 5 pounds maximum pressure. (CA T24 1133B.2.5) (ADA 4.13.11(2)(b) p.207.	Completed October 2012		
	5. Paper towel dispenser is high at 47".	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.	Completed October 2012		
	6. Door latch to the accessible stall is broken.	Door Opening Hardware - Centered above floor surface between 30" - 44" height. (CA T24 1133b.2.5.2) (ADA 4.13.9)	Completed October 2012		
	7. Accessible stall does not have the 48" clearance in front of the toilet and opening to the stall. It measured at 36".	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 11158.3.2, ADA 4.17.3) p. 327.	Completed October 2012		
	8. Toilet tissue dispenser is located too far at 24".	Toilet tissues dispensers are located too far at 24" located on the wall within 12" of front edge of toilet seat. (CA T24 1115B.8.4) p.299, 305.	Completed October 2012		
	9. Door pressure for first door is excessive at 13 lbs. Door pressure for second door is excessive at 12 lbs.	Interior Door will have 5 pounds maximum pressure. (CA T24 1133B.2.5) (ADA 4.13.11(2)(b) p.207.	Completed October 2012		
	10. Toilet tissue dispenser is located too far at 24".	Toilet tissues dispensers are located on the wall within 12" of front edge of toilet seat. (CA T24 1115B.8.4) p. 299, 305.	Completed October 2012		
	D. Women's Restroom				

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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.

Documented Item	Children's Services	IHSS	CalWORKs	Non-Assistance Cal Fresh
1. 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
2. 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
3. Documentation of minor used as interpreter	Documented in case notes	None found in cases reviewed	Documented in case comments	Documented in case comments
4. Documentation of circumstances for using minor as interpreter temporarily	Documented in case notes	None found in cases reviewed	Documented in case comments	Documented in case comments

Areas of Action	Corrective Action Required	Status Update
1. 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	Form 20-49 has been revised to include language regarding the potential for ineffective communication when using client-provided interpreters.
2. 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	Use of this form is required to be documented in case comments. Form 20-49 has been revised to include language regarding the potential for ineffective communication when using client-provided interpreters.
		Use of this form is required to be documented in case comments.

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Areas of Action, Continued	Corrective Action Required	Status Update
<p>3. Documentation of primary language</p>	<p>Each agency shall ensure that case record identification shows the applicant's/recipient's ethnic origin and primary language. Div. 21-201.21</p>	<p>Form 20-46, Language Needs Determination, is the form used by the County of San Diego to document primary language. Documentation of primary language is required to be entered into case comments. Case comments template has been revised to capture this information.</p> <p>All relevant processes related to the documentation of primary language are located in the CR Program Guide</p> <p><u>Civil Rights Program Guide</u></p> <p>CR processes are also discussed at CR Liaison meetings and information is provided in CR handouts/trainings.</p> <p>Reminders have been provided to staff regarding this requirement.</p>
<p>4. Documentation that bilingual services were provided</p>	<p>Document the method used to provide bilingual were provided 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</p>	<p>Documentation of bilingual services is required to be entered into case comments. Case comments template has been revised to capture this information.</p> <p>All relevant processes related to the documentation of provision of bilingual services are located in the CR Program Guide</p> <p><u>Civil Rights Program Guide</u></p> <p>CR processes are also discussed at CR Liaison meetings and information is provided in CR handouts/trainings.</p> <p>Reminders have been provided to staff regarding this requirement.</p>

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 OBSERVATIONS AND RECOMMENDATIONS (NO CORRECTIVE ACTION REQUIRED)**

Observations/Questions	Findings	Recommendation	Status Update
1. Does the county offer screening for learning disabilities?	No Staff interviewed was unaware of any screening tool to help identify learning disabilities.	None	Learning disability screening is offered to CalWORKs recipients participating in the Welfare to Work (W/TW) program.
2. Is there an established process for offering screening?	No	None	
3. Is the client identified as having a learning disability referred for evaluation?	No	None	
4. Offer of Interpretive Services	<p>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 refugees 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 CWO 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.</p>	<p>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.</p>	<p>All relevant processes related to the provision of interpretive services are located in the CR Program Guide.</p> <p><u>Civil Rights Program Guide</u></p> <p>CR processes are also discussed at CR Liaison meetings and information is provided in CR handouts/trainings.</p> <p>Periodic reminders are provided to staff on a regular basis and during mandated trainings.</p> <p>Reminders have been provided to staff regarding this requirement.</p>

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OBSERVATIONS AND RECOMMENDATIONS (NO CORRECTIVE ACTION REQUIRED), Continued

Observations/Questions	Findings	Recommendation	Status Update
<p>5. Language Needs Determination Form</p>	<p>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.</p>	<p>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.</p>	<p>Form 20-46, Language Needs Determination, is the form used by the County of San Diego to document primary language. Case comments template has been revised to capture this information.</p> <p>All relevant processes related to the documentation of primary language are located in the CR Program Guide</p> <p><u>Civil Rights Program Guide</u></p> <p>CR processes are also discussed at CR Liaison meetings and information is provided in CR handouts/trainings.</p> <p>Reminders have been provided to staff regarding this requirement.</p>
<p>6. Civil Rights Interpreters Form</p>	<p>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 CWO 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.</p>	<p>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.</p>	<p>Form 20-49 has been revised to include language regarding the potential for ineffective communication when using client-provided interpreters.</p>