



CDSS

WILL LIGHTBOURNE
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
744 P Street • Sacramento, CA 95814 • www.cdss.ca.gov



EDMUND G. BROWN JR.
GOVERNOR

January 16, 2013

Mr. Bruce Wagstaff
Santa Clara County Social Services Agency
333 West Julian Street, 5th Floor
San Jose, CA 95110

Dear Mr. Wagstaff:

This letter is to advise you that the Corrective Action Plan you submitted on November 14, 2012, in response to the results of our Santa Clara County Social Services Agency 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 analyst Daniel Cervantes at (916) 654-0946. You may also contact Daniel by e-mail at Daniel.Cervantes@dss.ca.gov.

Sincerely,

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

c: Diane Von Merta, 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
CalFresh Policy Bureau

Thuan Nguyen
Refugee Programs Bureau

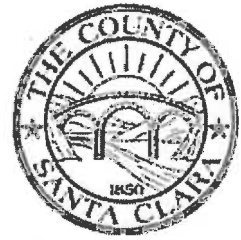
Joe Torres, Office of Civil Rights
USDA Food and Nutrition Services
Supplemental Nutrition Assistance Program (SNAP)
Western Region

Dominic Pagano, Office of Civil Rights
USDA Food and Nutrition Services
Supplemental Nutrition Assistance Program (SNAP)
Western Region

Hope Rios,
USDA Food and Nutrition Services
Supplemental Nutrition Assistance Program (SNAP)
Western Region

Jodie Berger, Regional Counsel
Legal Services of Northern California

County of Santa Clara
Social Services Agency



333 West Julian Street
San Jose, California 95110-2335

November 14, 2012

Jim Tashima, Chief
Civil Rights Bureau
Human Rights and Community Services Division
744 P Street
Sacramento, CA 95815

Subject: Civil Rights Compliance Review – Corrective Action Plan

Dear Mr. Tashima:

In response to the Civil Rights Compliance Review Report dated August 2, 2012, attached is our Corrective Action Plan addressing some compliance issues (deficiencies) identified in the report. In responding, we used your report format by adding one additional column for our response.

Thank you and your staff for the cooperation and assistance provided during the Civil Rights Compliance Review. On a special note, I would like to express our appreciation to Daniel Cervantes, Civil Rights Program Consultant, for his valued assistance and guidance during the audit.

If there are any questions regarding our Corrective Action Plan, please contact Diane Von Merta at (408) 755-7299; diane.vonmerta@ssa.sccgov.org.

Sincerely,

BRUCE WAGSTAFF
Agency Director

- c: Gina Sessions, Deputy Director of Operations, SSA
Katherine Buckovetz, Director of the Department of Employment and Benefits, SSA
Lori Medina, Director of Family and Children's Services, SSA
Nancy Goodman, Deputy Director of Administration, SSA
Diane Von Merta, Civil Rights Coordinator, SSA

SANTA CLARA COUNTY



SOCIAL SERVICES AGENCY

**CALIFORNIA HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
HUMAN RIGHTS AND COMMUNITY SERVICES DIVISION**

CIVIL RIGHTS COMPLIANCE REVIEW REPORT

CORRECTIVE ACTION PLAN

FOR

**SOCIAL SERVICES AGENCY
COUNTY OF SANTA CLARA**

November 14, 2012

**Bruce Wagstaff, Agency Director
Nancy Goodban, Deputy Director of Administration
Gina Sessions, Deputy Director of Operations
333 West Julian Street
San Jose, CA 95110**

**Prepared By
Diane Von Merta
Civil Rights Coordinator
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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 - CORRECTIVE ACTION PLAN

INTRODUCTION

The California Department of Social Services (CDSS) Civil Rights Bureau (CRB) staff assessed Santa Clara County Social 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 April 23 through April 26, 2012 with an introductory meeting held with Lisa Holmes, Civil Rights Coordinator. An exit interview was held April 26, 2012 to review the 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)
Santa Clara County Social Services Benefits Assistance Center	1867 Senter Road, San Jose, CA	CalFRESH	Spanish
Santa Clara County Social Services CalWORKs/ Continuing	1870 Senter Road, San Jose, CA	CALWORKs	Spanish, Vietnamese
Santa Clara County Social Services Family and Children's Services	373 W. Julian, San Jose, CA	CWS	Spanish
Santa Clara County Social Services Agency, Gilroy Outstation	373 W. Julian , San Jose, CA	CWS, CalWORKs, CalFRESH	Spanish

II. SUMMARY OF METHODOLOGY

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

- Reviewed the 2011 Annual Civil Rights 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

Below is a summary of the sources of information used for the review:

Interviews Conducted of Public Contact Staff

Classifications	Total	Bilingual
Eligibility Workers	2	1
Children Social Workers	4	3
Adult Program Workers	4	3
Receptionist/Screeners	4	4
Total	14	11

Program Manager Surveys

Number of surveys distributed	5
Number of surveys received	5

Reviewed Case Files

English speakers' case files reviewed	8
Non-English or limited-English speakers' case files reviewed	62
Languages of clients' cases	English, Spanish, Farsi , Vietnamese, Russian, Chinese

Sections III through VIII of this report contain specific Division 21 civil rights requirements and present field review findings regarding the county's compliance with each requirement. The report format first summarizes each requirement, then the actual review team findings, including appropriate comparisons. This format is an effort to validate the application of policies and procedures contained in the annual plan. Required corrective actions are stated at the end of each section.

Section IX of the report is reserved for a declaration of overall compliance.


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/Responses

CDSS Findings					SSA Response
Access to Services, Information and Outreach	Yes	No	Som e- time s	Comments	Completion or Expected Completion Date and Comments
Does the county accommodate working clients by flexing their hours or allowing applications to be mailed in?	X				In compliance.

CDSS Findings					SSA Response
Access to Services, Information and Outreach	Yes	No	Some-times	Comments	Completion or Expected Completion Date and Comments
Can applicants access services when they cannot go to the office?	X				In compliance.
Does the county ensure the awareness of available services for individuals in remote areas?	X			Aside from the various offices throughout the County, SSA does regular community outreach and often participates in health fairs.	In compliance.
Does the county use the CDSS pamphlet "Your Rights Under California Welfare Programs" (Pub 13 – 6/11)?			X	379 Tomkins has two lobbies. Upon entering, the lobby to the left offers CalFRESH and CalWORKS. The lobby to the right is the CalWORKS employment services lobby. The threshold language in this facility is Spanish. Receptionists on both sides had no idea what the PUB 13 was. The lobby which offers CalWORKS and CalFRESH did have the English version of the pamphlet, but not the Spanish. The CalWORKS ES lobby did not have PUB 13s available.	The Civil Rights Coordinator for SSA will ensure that the current versions of the "And Justice for All" poster, Pub 86, and Pub 13 are posted and that Pub 13 is available in all 18 languages and in Braille. The Receptionists at each client lobby will be provided training on the location and purpose of Pub 86, Pub 13 and related information by the Civil Rights Coordinator. The Social Service Program Manager over each client lobby will be notified upon completion of assessing and updating posters in each client lobby to issue an all staff email informing them of the location and purpose of the posters. The process of assessing and updating each of the 17 client lobbies with current posters and related information has been initiated and will be completed by December 1, 2012. 

CDSS Findings					SSA Response
Access to Services, Information and Outreach	Yes	No	Some-times	Comments	Completion or Expected Completion Date and Comments
Is the pamphlet distributed and explained to each client at intake and re-certification?	X			The intake workers interviewed were all aware of the PUB 13 pamphlet and always explain it to the clients.	In compliance.
Is the current version of Pub 13 available in Arabic, Armenian, Cambodian, Chinese, English, Farsi, Hmong, Japanese, Korean, Lao Mien, Portuguese, Punjabi, Russian, Spanish, Tagalog, Ukranian, Vietnamese?	X			The versions displayed by Santa Clara SSA was the most current version of the PUB 13.	In compliance.
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			The Civil Rights Coordinator for SSA will ensure that the current versions of the "And Justice for All" poster, Pub 86, and Pub 13 are posted and that Pub 13 is available in all 18 languages and in Braille. The Receptionists at each client lobby will be provided training on the location and purpose of Pub 86, Pub 13 and related information by the Civil Rights Coordinator. The Social Service Program Manager over each client lobby will be notified upon completion of assessing and updating posters in each client lobby to issue an all staff email informing them of the location and purpose of the posters. The process of assessing and updating each of the 17 client lobbies with current posters and related information has been initiated and will be completed by December 1, 2012.

CDSS Findings					SSA Response
Access to Services, Information and Outreach	Yes	No	Sometimes	Comments	Completion or Expected Completion Date and Comments
Was the Pub 13 available in large print, audio cassette and Braille?		X		<p>None of the offices visited had the PUB 13 in neither audio nor large print. "During the visit to Santa Clara County SSA, the analyst made arrangements to provide the CRC with Braille versions of the PUB 13.</p> <p><i>Braille sent by our office 12/2012</i></p>	<p>The Civil Rights Coordinator for SSA will ensure that the current versions of the "And Justice for All" poster, Pub 86, and Pub 13 are posted and that Pub 13 is available in all 18 languages and in Braille. The Receptionists at each client lobby will be provided training on the location and purpose of Pub 86, Pub 13 and related information by the Civil Rights Coordinator. The Social Service Program Manager over each client lobby will be notified upon completion of assessing and updating posters in each client lobby to issue an all staff email informing them of the location and purpose of the posters. The process of assessing and updating each of the 17 client lobbies with current posters and related information has been initiated and will be completed by December 1, 2012.</p> <p><i>OK</i></p>
Were the current versions of the required posters present in the lobbies?		X		<p>1867 Senter Road 1870 Senter Road, 1879 Senter Road, and 379 Tomkins all had the 2005 version of the PUB 86 poster.</p> <p>1867 Senter Road had the 1998 version of the "And Justice for All" poster.</p> <p>1879 Senter Road did not have the "And</p>	<p>The Civil Rights Coordinator for SSA will ensure that the current versions of the "And Justice for All" poster, Pub 86, and Pub 13 are posted and that Pub 13 is available in all 18 languages and in Braille. The Receptionists at each client lobby will be provided training on the location and purpose of Pub 86, Pub 13 and related information by the Civil Rights Coordinator. The Social Service Program Manager over each client lobby will be notified upon completion of assessing and updating posters in each client lobby to issue an all staff email informing them of the location and purpose of the posters. The process of</p> <p><i>OK</i></p>

				<p>Justice for All poster in lobby.</p> <p>The CPS lobby upstairs at 379 Tomkins did not have the "And Justice for All" poster.</p>	<p>assessing and updating each of the 17 client lobbies with current posters and related information has been initiated and will be completed by December 1, 2012.</p>
CDSS Findings					SSA Response
Signage, posters, pamphlets	Yes	No	Some-times	Comments	Completion or Expected Completion Date and Comments
Did the workers know the location of the required posters with the Civil Rights Coordinator's name and address?		X		<p>None of the 3 lobby receptionists at 379 Tomkins knew where the CRC's information was located.</p>	<p>The Civil Rights Coordinator for SSA will ensure that the current versions of the "And Justice for All" poster, Pub 86, and Pub 13 are posted and that Pub 13 is available in all 18 languages and in Braille. The Receptionists at each client lobby will be provided training on the location and purpose of Pub 86, Pub 13 and related information by the Civil Rights Coordinator. The Social Worker Program Manager over each client lobby will be notified upon completion of assessing and updating posters in each client lobby to issue an all staff email informing them of the location and purpose of the posters. The process of assessing and updating each of the 17 client lobbies with current posters and related information has been initiated and will be completed by December 1, 2012.</p> <p><i>all</i></p>

CDSS Findings					SSA Response
Access to Services, Information and Outreach	Yes	No	Some-times	Comments	Completion or Expected Completion Date and Comments
Were there instructional and directional signs posted in waiting areas and other places frequented by a substantial number of non-English-speaking clients translated into appropriate languages?	X				In Compliance

B. Corrective Actions

CDSS Findings		SSA Response
Informational Element	Corrective Action Required	Completion or Expected Completion Date and Comments
Translated Pub 13	Santa Clara County shall ensure that the current version of the Pub 13 is available in all languages translated by CDSS and that the available translated versions are given to the clients in their primary language Div. 21-115.2 the availability of large print, Braille, and auditory aids for participants in all of the programs for which CDSS has oversight responsibility. Div. 21-115.4	The Civil Rights Coordinator for SSA will ensure that the current versions of the "And Justice for All" poster, Pub 86, and Pub 13 are posted and that Pub 13 is available in all 18 languages and in Braille. The Receptionists at each client lobby will be provided training on the location and purpose of Pub 86, Pub 13 and related information by the Civil Rights Coordinator. The Social Service Program Manager over each client lobby will be notified upon completion of assessing and updating posters in each client lobby to issue an all staff email informing them of the location and purpose of the posters. The process of assessing and updating each of the 17 client lobbies with current posters and related information has been initiated and will be completed by December 1, 2012.

CDSS Findings		SSA Response
Informational Element	Corrective Action Required	Completion or Expected Completion Date and Comments
Auxiliary aids	Santa Clara County shall ensure the availability of large print, Braille, and auditory aids for participants in all of the programs for which CDSS has oversight responsibility. Div. 21-115-4	The SSA Civil Rights Coordinator will ensure that alternative formats, large print, Braille, and auditory aids, and or related assistance are available to program participants. Expected completion date is December 1, 2012.
Posters	Santa Clara County shall ensure that the most current version of posters on nondiscrimination provided by CDSS and USDA are prominently displayed in all waiting areas and reception rooms. Div.21-107.211	The Civil Rights Coordinator for SSA will ensure that the current versions of the "And Justice for All" poster, Pub 86, and Pub 13 are posted and that Pub 13 is available in all 18 languages and in Braille. The Receptionists at each client lobby will be provided training on the location and purpose of Pub 86, Pub 13 and related information by the Civil Rights Coordinator. The Social Worker Program Manager over each client lobby will be notified upon completion of assessing and updating posters in each client lobby to issue an all staff email informing them of the location and purpose of the posters. The process of assessing and updating each of the 17 client lobbies with current posters and related information has been initiated and will be completed by December 1, 2012.

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 are:

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

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.

A. Findings and Corrective Actions

Regulations cited are from the Title 24, California Code of Regulations (T24 CCR) and ADAAG.

Facility Location: 379 Tomkins Ct., Gilroy, CA


CDSS Findings			SSA Response
Facility Element	Findings	Corrective Action Required	Completion or Expected Completion Date and Comments
Parking	No "Minimum fine \$250.00" displayed in accessible parking space.	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	All items have been corrected by SSA Facilities and Fleet Department staff the week of 9/10/12. We are now in compliance
Restroom	Unisex Restroom in visitation and observation	Door sign and wall sign shall be 60" above the floor to the center line or sign. For permanent identification, the sign	All items have been corrected by SSA Facilities and Fleet Department staff the

CDSS Findings			SSA Response
Facility Element	Findings	Corrective Action Required	Completion or Expected Completion Date and Comments
	area missing door signage designating restroom as wheelchair assessable.	<p>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, preferable 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>	<p>week of 9/10/12. We are now in compliance.</p> 

D. Recommendation

None

E. Facility Location: 1867 Senter Road, San Jose, CA

CDSS Findings			SSA Response
Facility Element	Findings	Corrective Action Required	Completion or Expected Completion Date and Comments
Restroom	<p>Men's and Women's:</p> <p>No wall mounted sign designating restroom as wheelchair accessible.</p>	<p>Door sign and wall sign shall be 60" above the floor to the center line of sign.</p> <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 111/B.5.7, ADA 4.30.6) p 281</p> <p>Raised characters shall be raised 1/31" 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 283</p>	<p>All items have been corrected by SSA Facilities and Fleet Department staff the week of 9/10/12. We are now in compliance,</p> 

F. Recommendation

None



G. Facility Location: 1870 Senter Road, San Jose, CA

CDSS Findings			SSA Response
Facility Element	Findings	Corrective Action Required	Completion or Expected Completion Date and Comments
Exterior entrance	Door pressure excessive at 9 lbs.	Force to open doors, exterior and interior is 5 pounds maximum. (CA T24 1133B2.5, ADA 4.13.11(2)(a) & (b) p 207	The item has been corrected by SSA Facilities and Fleet Department staff the week of 9/3/12. We are now in compliance.
Restroom	Men's and Women's: Door pressure excessive at 11 lbs.	Force to open doors, exterior and interior is 5 pound maximum. (CA T24 1133B2.5, ADA 4.13.11(2)(a) & (b) p 207	The item has been corrected by SSA Facilities and Fleet Department staff the week of 9/3/12. We are now in compliance.

H. Recommendation

None

I. Facility Location: 1879 Senter Road, San Jose

CDSS Findings			SSA Response
Facility Element	Findings	Corrective Action Required	Completion or Expected Completion Date and Comments
Exterior entrance	Entrance at Employment Connection area of the building:	Force to open doors, exterior and interior is 5 pound maximum. (CA T24 1133B2.5, ADA 4.13.11(2)(a) & (b) p 207	All items have been corrected by SSA Facilities and Fleet Department staff the week of 9/3/12. We are now in compliance. 
	Door pressure excessive at 25 lbs.	Force to open fire door, minimum allowable not to exceed 15 pounds maximum (CA T24 1133B.2.5, ADA 4.13.11(1) p 207	
Restroom	Men's: Pipes under sink not insulated.	Hot water and drain pipes are insulated or covered. No sharp or abrasive surfaces under lavatories. (CA t24 1115B.4.7.12, ADA 4.24.6) p 343	The item has been corrected by SSA Facilities and Fleet Department staff the week of 9/3/12. We are now in compliance. 

J. Recommendation

None

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

CDSS Findings					SSA Response
Question	Yes	No	Some-times	Comments	Completion or Expected Completion Date and Comments
Does the county identify a client's language need upon first contact? How?	X			Information regarding the client's language is found on the Saws1, SCD 1264, or by simply asking the client depending on the program.	In compliance.
Does the county use a primary language form?	X				In compliance.
Does the client self-declare on this form?				<p>The client is required to sign the form.</p> <p>It should be noted that there were many forms filled out, but not signed by the client.</p>	<p>Policies and procedures addressing the corrective action are contained in Common Place Handbook section CP HB 36.1.3. An Agency Memo dated September 26, 2012 was posted to the intranet under "Updates" for staff to review the policy and reminding staff of the importance of compliance. Also, Social Service Program Managers will review the policy and importance of compliance at Bureau meetings with their unit</p>

CDSS Findings					SSA Response
Question	Yes	No	Sometimes	Comments	Completion or Expected Completion Date and Comments
					<p>supervisors, who will review with line staff to ensure SSA has signed documents and the required documents are on. The staff meetings have been initiated and expected completion date for the staff meetings is December 1, 2012.</p> <p>Staff Development was requested by DEBS to highlight this area in future trainings.</p>
Are non-English- or limited- English-speaking clients provided bilingual services?	X			Santa Clara County makes a solid effort to match the client with a worker that speaks their language. If not workers know how to use the language line effectively..	In compliance.
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			See comments above.	In compliance.
Is there a delay in providing services?		X			In compliance.
Does the county have a language line provider, a county interpreter list, or any other interpreter process?	X			Santa Clara County uses both a language line and a county interpreter list.	In compliance.

CDSS Findings					SSA Response
Question	Yes	No	Some-times	Comments	Completion or Expected Completion Date and Comments.
				When an LEP client requires services, Santa Clara County is able to accommodate them.	
Are county interpreters determined to be competent?	X			Bilingual County employees must be certified..	In compliance.
Does the county have adequate interpreter services?	X				In compliance.
Does the county allow minors to be interpreters? If so, under what circumstances?	X			Minors have been used to schedule /reschedule appointments, but they are typically not used.	In compliance.
Does the county allow the client to provide his or her own interpreter?	X			When Santa Clara County clients used their own interpreters, workers were not documenting these occurrences, Further, clients were not completing the release of information form required by Div 21.	In compliance.
Does the County ensure that the client-provided interpreter understands what is being interpreted for the client?	X				In compliance
Does the county use the CDSS-translated forms in the clients' primary languages?	X			Most of the cases reviewed were in Spanish, but in all of these instances, the CDSS forms(s)	In compliance

CDSS Findings					SSA Response
Question	Yes	No	Some-times	Comments	Completion or Expected Completion Date and Comments
				were sent out in the client's primary language.	
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				In compliance.
Does the county identify and assist the client who has learning disabilities or a client who cannot read or write?	X			If a client required assistance reading/writing, the County worker was able to provide that service.	In compliance.
Does the county offer screening for learning disabilities?	X				In compliance.
Is there an established process for offering screening?	X			Clients are screened for learning disabilities during the intake process.	In compliance.
Is the client identified as having a learning disability referred for evaluation?	X				In compliance.

B. Corrective Actions

Area of Findings	Corrective Actions Required	SSA Response
Client provided interpreters/release of information	When applicants/recipients provide their own interpreter, the CWD shall ensure that the applicants/recipients are informed of the potential problems for	Please refer to the specific items identified above to be corrected. A corrective action date or

Area of Findings	Corrective Actions Required	SSA Response
	ineffective communication. The CWD shall document in the case record that the applicants/recipients were so informed. Div. 21-116.23	a date when corrective action will be completed has been provided.

VI. DOCUMENTATION OF APPLICANT/RECIPIENT CASE RECORDS

Counties are required to ensure that case records document applicants/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	CalWORKs & Employment Services	Non-Assistance CalFresh
Ethnic origin documentations	Soc 1649 Soc 225 Soc 203	Saws 1 SCD 1264	Saws 1 SCD 1264
Primary language documentation	Soc 1649 Soc 225 Soc 203	Saws 1 SCD 1264	Saws 1 SCD 1264
Method of providing bilingual services and documentation	Case narrative	CalWIN case file notes	CalWIN case file notes
Client provided own interpreter	Case narrative *None found	CalWIN case file notes	CalWIN case file notes
Method to inform client of potential problem using own interpreter	Case narrative *None found	CalWIN case file notes *None found	CalWIN case file notes *None found
Release of information to Interpreter	Case narrative *None found	CalWIN case file notes *None found	CalWIN case file notes *None found
Individual's acceptance or refusal of written material offered in primary language	Case narrative	CalWIN case file notes	CalWIN case file notes
Documentation of minor used as interpreter	Case narrative	CalWIN case file notes	CalWIN case file notes
Documentation of circumstances for using minor interpreter	*None found	CalWIN case file notes *None found	CalWIN case file notes *None found

temporarily			
Translated notice of actions (NOA) contain translated inserts	N/A	CalWIN case file notes	CalWIN case file notes
Documented Item	Children's Services	CalWORKs & Employment Services	Non-Assistance CalFresh
Method of identifying client's disability		Notes	Notes
Method of documenting a client's request for auxiliary aids and services	Case narrative	CalWIN case file notes	CalWIN case file notes

B. Corrective Actions

Areas of Action	Corrective Action	SSA Response
Documentation if client provided own interpreter	When applicant/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	<p>Policies and procedures addressing the corrective action are contained in Common Place Handbook Section 36.1.2. An Agency Memo dated September 26, 2012 was posted to the intranet under "Updates" for staff to review the policy and reminding staff of the importance of compliance. Also, Social Service Program Managers will review the policy and importance of compliance at Bureau meetings with their unit supervisors, who will review with line staff to ensure SSA has signed documents and the required documents on are file. The staff meetings have been initiated and expected completion date for the staff meetings is December 1, 2012.</p> <p>DEBS requested Staff Development to highlight this area in future trainings.</p>
Documentation of interpreter signed confidentiality statement	Consent for the release of information shall be obtained from applicants/recipients	Policies and procedures addressing the corrective action are contained in Common Place Handbook Section 36.1.2. An Agency Memo dated

	<p>when individuals other than CWD employees are used as interpreters and the case record shall be so documented. Div.21-201.21</p>	<p>September 26, 2012 was posted to the intranet under "Updates" for staff to review the policy and reminding staff of the importance of compliance. Also, Social Service Program Managers will review the policy and importance of compliance at Bureau meetings with their unit supervisors, who will review with line staff to ensure SSA has signed documents and the required documents on are file. The staff meetings have been initiated and expected completion date for the staff meetings is December 1, 2012.</p> <p>Staff Development was requested by DEBS to highlight this area in future trainings.</p>
Documentation of primary language	<p>Each agency shall ensure that case record identification show the applicant's/recipient's ethnic orgin and primary language. Div. 21-201.21</p>	<p>Policies and procedures addressing the corrective action are contained in Common Place Handbook Section 36.1.2. An Agency Memo dated September 26, 2012 was posted to the intranet under "Updates" for staff to review the policy and reminding staff of the importance of compliance. Also, Social Service Program Managers will review the policy and importance of compliance at Bureau meetings with their unit supervisors, who will review with line staff to ensure SSA has signed documents and the required documents on are file. The staff meetings have been initiated and expected completion date for the staff meetings is December 1, 2012.</p> <p>DEBS requested that Staff Development to highlight this area in future trainings.</p>
General	<p>Santa Clara County must ensure that proper documentation is kept in the files that identifies all the required elements to ensure compliance. Div. 21-116</p>	<p>Policies and procedures addressing the corrective action are contained in Common Place Handbook Section 36.1.2. An Agency Memo dated September 26, 2012 was posted to the intranet under "Updates" for staff to review the policy and reminding staff of the importance of compliance.</p>

		<p>Also, Social Service Program Managers will review the policy and importance of compliance at Bureau meetings with their unit supervisors, who will review with line staff to ensure SSA has signed documents and the required documents on are file. The staff meetings have been initiated and expected completion date for the staff meetings is December 1, 2012.</p> <p>DEBS requested that Staff Development highlight this area in future trainings.</p>
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C. Recommendation

Santa Clara County has done an above average job in documenting the services provided across all programs. In the past, more than one Language Preference Form was used to document the client's primary language. It should be noted that Santa Clara County did an exceptional job of have clients self designate their primary language using form SCD 1264. This form, when used as it was intended, fulfills the division 21 requirements. But, the form must be followed up by coinciding case notes and filled out properly.

The reviewer also noticed that some of the case narratives were completed using a template. Although a template is not required, it has typically been more effective because it requires the county worker to fill out/answer all of the questions. If an effective template is created and is used by all county workers, that typically improves the documentation in the case files significantly.

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.

Interview questions	Yes	No	Some-times	Comments	SSA Response
Do employees receive continued Division 21 Training?	X			Training is mandatory upon hire as well as regular refresher trainings given by the CRC every 12-18 months.	In compliance

Interview questions	Yes	No	Some-times	Comments	SSA Response
Do employees understand the County policy regarding a client's rights and procedure to file a discrimination complaint?	X				In compliance
Does the County provide employees Cultural Awareness Training?	X			Training is offered at the same time Div 21 training is offered.	In compliance
Do the CSW's have an understanding of MEPA (Multi-Ethnic Placement Act)?	X				In compliance
Do the employees seem knowledgeable about the predominant cultural groups receiving services in their area?	X				In compliance

B. Corrective Actions

None

VIII. DISCRIMINATION COMPLAINT PROCEDURES

A. Findings from Staff Interviews and Program manager Surveys

Interview and review areas	Yes	No	Sometimes	Findings	SSA Response
Can the employees easily identify the difference between a program, discrimination, and a personnel complaint?			X	Only half of the employees interviewed over the phone (and 3 employees I spoke with while visiting the county were able to differentiate between all 3 types of complaints	The Client Complaint Procedures are being revised to include the definition of the 3 types of complaints. Upon completion of the revision, the Client Complaint Procedures will be posted to the intranet, and redistributed. Expected completion date is December 10, 2012.
Did the employees know who the Civil Rights Coordinator is?	X				In compliance
Did the employees know the location of the the Civil Rights poster showing where the clients can file a discrimination complaint?		X		Only 4 employees interviewed knew where the Civil Rights Poster was located in the lobby. The rest of the staff interviewed, including all of the receptionists at the facilities visited, had no idea there was a civil rights poster in the lobby.	The Civil Rights Coordinator for SSA will ensure that the current versions of the "And Justice for All" poster, Pub 86, and Pub 13 are posted and that Pub 13 is available in all 18 languages and in Braille. The Receptionists at each client lobby will be provided training on the location and purpose of Pub 86, Pub 13 and related information by the Civil Rights Coordinator. The Social Worker Program Manager over each client lobby will be notified upon completion of assessing and updating posters in

					each client lobby to issue an all staff email informing them of the location and purpose of the posters. The process of assessing and updating each of the 17 client lobbies with current posters and related information has been initiated and will be completed by December 1, 2012.
When reviewing the complaint log with the Civil Rights Coordinator, was it completed and up to date?	Yes				In compliance

B. Corrective Action

Element	Corrective Action	SSA Response
Discrimination Process	Santa Clara County 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	The Client Complaint Procedures are being revised to include the definition of the 3 types of complaints. Upon completion of the revision, the Client Complaint Procedures will be posted to the intranet, and redistributed. Expected completion date is December 10, 2012.

IX. CONCLUSION

The CDSS reviewer found the Santa Clara County Social Services Agency staff warm, welcoming, informative and very supportive. Particular thanks to Ms. Lisa Holmes, Civil Rights Coordinator, for organizing the details of the review. In each district Office, staff was very helpful with the facility reviews, case reviews, and computer assistance.

The CDSS found the Santa Clara County Social 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 Santa Clara County Social 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 actions.

It is our intent that this report be used to create appositive interaction between the county and CDSS in identifying and correcting compliance violations and to provide the county with an opportunity to implement corrective action achieve compliance with Division 21 regulations. Civil Rights staff is available to provide technical assistance as requested.