



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 26, 2015

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

Dear Mr. Wagstaff:

I want to take this opportunity to thank you and your staff for the cooperation and assistance provided to the reviewer from our office during the course of the Civil Rights Compliance Review of June 9-12, 2014. 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.

Please submit your CAP in both hardcopy and, in an effort to comply with ADA website accessibility, we also require the CAP to be submitted electronically as a Word document via email at crb@dss.ca.gov.

We will provide a copy of your 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 Tiffany Marsh at (916) 651-6242. You may also contact us by e-mail at crb@dss.ca.gov.

Sincerely,

Original signed by Lisa Bandaccari for

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

Enclosure

c: Tere Hayes, Civil Rights Coordinator

Ryan Fruchtenicht, Chief
CalFresh Policy Bureau

John Mason, Chief
Field Operations Bureau

Sysvanh Kabkeo, 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

Andrew Riesenbergl
USDA Food and Nutrition Services
Supplemental Nutrition Assistance Program (SNAP)
Western Region

**CIVIL RIGHTS COMPLIANCE REVIEW REPORT
FOR
SANTA CLARA COUNTY
SOCIAL SERVICES AGENCY**

**Conducted on
June 9-12, 2014**

**California Department of Social Services
Human Rights and Community Services Division
Civil Rights Bureau
744 P Street, M.S. 8-16-70
Sacramento, CA 95814
(916) 654-2107**

Reviewer: Tiffany Marsh

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. COMMUNITY INPUT
- XI. CONCLUSION

CIVIL RIGHTS COMPLIANCE REVIEW REPORT

I. INTRODUCTION

The purpose of this review by the California Department of Social Services (CDSS) Civil Rights Bureau (CRB) staff was to assess the 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 June 9–12, 2014. An exit interview was held on June 13, 2014, to review the preliminary findings.

The review was conducted in the following locations:

Name of Facility	Address	Programs	Non-English languages spoken by a substantial number of clients (5% or more)
DAAS Adult Protective Services	333 W. Julian Street San Jose	APS, Fraud, Vendor Contracts	Spanish, Vietnamese
In-Home Supportive Services	1888 Senter Road San Jose	IHSS	Chinese, Russian, Spanish, Vietnamese
Gilroy DEBS	379 Tomkins Court Gilroy	CalFresh, CalWORKs, CWES, CWS	Spanish
North County DEBS	1330 W. Middlefield Road Mountain View	CalFresh, CalWORKs, CWES	Spanish, Vietnamese

II. SUMMARY OF METHODOLOGY

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

- Reviewed the 2014 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
- Discussion with community advocate groups. In this review the following organization(s) were contacted for feedback.

Asian Law Alliance
991 West Hedding Street, Suite 202
San Jose, CA 95126

Foundation of Silicon Valley
152 North Third Street, Third Floor
San Jose, CA 95112

Bay Area Legal Aid
Santa Clara County Regional Office
2 W. Santa Clara Street, 8th floor
San Jose, CA 95113

Each site/program was reviewed for compliance in the following areas:

- Dissemination of Information
- Facility Accessibility for Individuals with Disabilities
- Bilingual Staffing/Services for Non-English-Speaking Clients
- Accessibility for Clients with Visual or Hearing Impairments
- Documentation of Client Case Records
- Staff Development and Training
- Discrimination Complaint Procedures

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

Interviews Conducted of Public Contact Staff

Classifications	Total	Bilingual
Eligibility Workers	5	5
Employment Services Workers	2	1
Children Social Workers	1	1
Adult Program Workers	8	5
Receptionist/Screeners	4	3
Total	20	15

Program Manager Surveys

Number of surveys distributed	7
Number of surveys received	7

Reviewed Case Files

English speakers' case files reviewed	23
Non-English or limited-English speakers' case files reviewed	107
Languages of clients' cases	American Sign Language, Cambodian, Cantonese, Chinese, Farsi, Korean, Mandarin, Russian, Spanish, Tagalog, Urdu, Vietnamese

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 highlights issues pointed out by Community Input and summarizes Reviewer Observations.

Section XI 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			Staff may schedule appointments before and after regular business hours to accommodate clients.
Does the county have extended hours to accommodate clients?		X		Office hours: 8:00 am – 5:00 pm. However, see above comment.
Are clients able to access services outside of the office?	X			Clients may apply/recertify for benefits by mail, phone, fax, or online at mybenefitscalwin.org . Staff may also schedule a meet at a location outside the office based on client's need.
Does the county ensure the awareness of available services for individuals in remote areas?	X			Information about services available may be obtained from community outreach, health fairs, job fairs, flyers, community centers, and online at www.sccgov.org .

Signage, posters, pamphlets	Yes	No	Some-times	Comments
Does the county use the CDSS pamphlet "Your Rights Under California Welfare Programs" (Pub 13 – 6/11)?	X			

Signage, posters, pamphlets	Yes	No	Some-times	Comments
Is the pamphlet distributed and explained to each client at intake and re-certification?	X			Pub 13 is provided and explained thoroughly to clients during appointments.
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, Ukrainian, and Vietnamese?	X			The Pub 13 pamphlets are displayed in lobby.
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		
Was the Pub 13 available in large print (English and Spanish), audio CD and Braille?	X			These versions of the Pub 13 are available at the front counter or reception desk of offices reviewed.
Were the current versions of the required posters present in the lobbies?	X			Pub 86 (03/07) AD 475B (12/99)
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	Instructional and directional signs posted in offices threshold languages (English, Spanish, Vietnamese). Sender Road office need to post signage in Chinese and Russian as additional threshold languages.

B. Corrective Actions: None

C. Recommendation: None

The county is required to use the latest version of each of the referenced documents. For your information, the most recent version for each of the above referenced documents is:

Pub 13	“Your Rights under California Welfare Programs”	06/11
Pub 86	“Everyone is Different, but Equal Under the Law”	03/07
Form AD 475B	“And Justice for All”	12/99

Contact the Civil Rights Bureau to receive the most recent versions, or download the Pub 13 from the CRB website

<http://www.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: 333 W. Julian Street, San Jose

Facility Element	Findings	Corrective Action
Parking	<p>No signage of "Minimum Fine \$250" displayed below the accessible parking signage located on the side building.</p> <p>Of the 10 accessible parking spaces located on the side building, parking spaces eight and nine, from left to right, measured 8'11" in width.</p>	<p>Additional language or an additional sign below the International Symbol of Accessibility shall state "Minimum Fine \$250". (CA T24 11B-502.6.2)</p> <p>Parking space min. dimensions: 9' wide by 18' long. (CA T24 11B-502.2)</p>
Restroom	<p>Men: Mounted hand dryer operable part measured high at 44".</p> <p>Women: Mounted hand dryer operable part measured high at 43".</p> <p>Toilet paper dispenser from front edge of toilet measured at 12" centered.</p>	<p>Where towel or sanitary napkin dispensers, waste receptacles, or other accessories are provided in toilet facilities, at least one of each type shall be located on an accessible route. (CA T24 11B-603.5)</p> <p>All operable parts, including coin slots, shall be 40" max. above the finish floor. (CA T24 11B-603.5)</p> <p>Toilet paper dispensers shall be 7" min. and 9" max. in front of the water closet measured to the centerline of the dispenser. (CA T24 11B-604.7) (ADA 604.7)</p>

A. Recommendation: None

	<p>No wheel stops to prevent vehicle parking from obstructing the walkway nearest the entrance.</p> <p>Accessible car and van parking spaces measured short in length at 16’.</p> <p>Access aisle measured too narrow at 4’10” in width.</p>	<p>A curb or wheel stop shall be provided if required to prevent encroachment of vehicles over the required clear width of adjacent accessible routes. CA T24 11B-502.7.2</p> <p>Car and van parking spaces shall be 18’ long min. (CA T24 11B-502.2) (ADA 502.2)</p> <p>Access aisle min. dimensions: 5’ wide by 18’ long. (CA T24 11B-502.2) (ADA 4.6.3)</p>
Exterior entrance	<p>There is not an International Symbol of Accessibility sign at entrance to indicate building complies with Americans Disabilities Accessibility Act.</p> <p>Force to open door excessive at 10 lbs.</p>	<p>In existing buildings and facilities where not all entrances comply with Section 33, Doors, Doorways and Gates, entrances complying with Section 33, Doors, Doorways and Gates shall be identified by the International Symbol of Accessibility complying with “International Symbol of Accessibility” heading in Section 57, Signs & Identification. (CA T24 11B-216.6) (ADA 216.6)</p> <p>The force for pushing or pulling open a door or gate other than fire doors shall be as follows:</p> <ol style="list-style-type: none"> 1. Interior hinged doors and gates: 5 lbs. max. 2. Sliding or folding doors: 5 lbs. max. 3. Required fire doors: the minimum opening force allowable by the appropriate administrative authority, not to exceed 15 lbs. Exterior hinged

		doors: 5 lbs. max. (CA T24 11B-404.2.9 (1 - 4)) (ADA 404.2.9 (1 & 2))
Interview Room	Table measured too low at 25 1/2" and does not meet the knee clearance.	The tops of dining surfaces and work surfaces shall be 28" min. and 34" max. above the finish floor or ground. (CA T24 11B.902.3) (ADA 902.3)
Restroom	<p>Women: Wall signage not displayed adjacent to the door latch.</p> <p>Men: Door signage not displayed to designate ADA accessible.</p> <p>Toilet paper dispenser from front edge of toilet measure at 12" centered.</p>	<p>Where a tactile sign is provided at a door, the sign shall be located alongside the door at the latch side. (CA T24 11B-703.4.2) (ADA 703.4.2)</p> <p>Men's toilet and bathing facilities shall be identified by an equilateral triangle, 1/4" thick with edges 12" long and a vertex pointing upward. (CA T24 11B-703.7.2.6.1)</p> <p>The triangle symbol shall contrast with the door, either light on a dark background or dark on a light background. (CA T24 11B-703.7.2.6.1)</p> <p>The symbol shall be mounted at 58" min. and 60" max. above the finish floor or ground surface measured from the centerline of the symbol. (CA T24 11B-703.7.2.6)</p> <p>Toilet paper dispensers shall be 7" min. and 9" max. in front of the water closet measured to the centerline of the dispenser. (CA T24 11B-604.7) (ADA 604.7)</p>

Threshold Languages	Directional and instructional signage are not posted in threshold languages, Chinese and Russian.	All instructional and directional signs posted in waiting areas and other places frequented by a substantial number of non-English-speaking applicants/recipients shall be translated into appropriate languages. Such signs, or an additional sign, shall state that applicants/recipients may request aid or services in their primary language. (Div 21-107.212)
---------------------	---	--

A. Recommendation: None

3. Facility Location: 379 Tomkins Court, Gilroy

Facility Element	Findings	Corrective Action
Parking	Each ramp slope in the access aisles are too steep from 9.2%-12.2% in range.	Ramp runs shall have a running slope no steeper than 1:12 (8.3%). (CA T24 11B-405.2) (ADA 405.2)
Exterior entrance	There is not an International Symbol of Accessibility sign at entrance to indicate building complies with Americans Disabilities Accessibility Act.	In existing buildings and facilities where not all entrances comply with Section 33, Doors, Doorways and Gates, entrances complying with Section 33, Doors, Doorways and Gates shall be identified by the International Symbol of Accessibility complying with "International Symbol of Accessibility" heading in Section 57, Signs & Identification. (CA T24 11B-216.6) (ADA 216.6)
Client lobby	Employment Services: Lobby counter measured too high at 37".	A portion of the counter surface that is 36" long min. and 34" high max. above the finish floor or ground shall be provided.

	<p>There is no place to park a wheelchair in the lobby.</p> <p>Benefits: Lobby counter measured too low at 27 ½”.</p> <p>BCW Kiosk located in lobby located on counter measured at 37” in height.</p> <p>Children Welfare Services: Lobby counter measured too high at 37”.</p> <p>There is no place to park a wheelchair.</p>	<p>(CA T24 11B-904.4.2) (ADA 904.4.2)</p> <p>Knee and toe space complying with Section 32, Clear Floor or Ground Space for Wheelchairs shall be provided under the counter (CA T24 11B-904.4.2) (ADA 904.4.2)</p> <p>A clear floor or ground space complying with Section 32, Clear Floor or Ground space for Wheelchairs shall be positioned for a forward approach to the counter (CA T24 11B-904.4.2) (ADA 904.4.2)</p> <p>The clear floor or ground space shall be 30” min. x 48” min. (CA T24 11B-305.3) (ADA 305.3)</p> <p>See above requirement code. (CA T24 11B-904.4.2) (ADA 904.4.2)</p> <p>See above requirement code. (CA T24 11B-904.4.2) (ADA 904.4.2)</p> <p>See above requirement code. (CA T24 11B-904.4.2) (ADA 904.4.2)</p> <p>The clear floor or ground space shall be 30” min. x 48” min. (CA T24 11B-305.3) (ADA 305.3)</p>
--	--	--

Elevator	Does not display International Symbol of Accessibility to indicate compliance.	Where existing elevators do not comply with this section, elevators complying with this section shall be clearly identified with the International Symbol of Accessibility complying with Section 57, Signs & Identification. (CA T24 11B-216.7) (ADA 216.7)
Restroom	<p>Employment Services:</p> <p>Men: Force to open door excessive at 12 lbs.</p> <p>Toilet paper dispenser from front edge of toilet measured at 12" centered.</p> <p>Women: Force to open door excessive at 14 lbs.</p> <p>Sink pipes need to be securely insulated or wrapped.</p> <p>Sanitary dispenser: although not operational, suggest removal for operational parts exceed 40" max.</p>	<p>The force required to activate operable parts shall be 5 lbs. (CA T24 11B-309.4) (ADA 309.4)</p> <p>Toilet paper dispensers shall be 7" min. and 9" max. in front of the water closet measured to the centerline of the dispenser. (CA T24 11B-604.7) (ADA 604.7)</p> <p>The force required to activate operable parts shall be 5 lbs. (CA T24 11B-309.4) (ADA 309.4)</p> <p>Water supply and drain pipes under lavatories and sinks shall be insulated or otherwise configured to protect against contact. (CA T24 11B-606.5) (ADA 606.5)</p> <p>All operable parts, including coin slots, shall be 40" max. above the finish floor. (CA T24 11B-603.5)</p>

	<p>Children Welfare Services:</p> <p>Men: Force to open door excessive at 12 lbs.</p> <p>Toilet paper dispenser measured at 11" centered from front edge of toilet seat.</p> <p>Women: Force to open door excessive at 12 lbs.</p>	<p>The force required to activate operable parts shall be 5 lbs. (CA T24 11B-309.4) (ADA 309.4)</p> <p>Toilet paper dispensers shall be 7" min. and 9" max. in front of the water closet measured to the centerline of the dispenser. (CA T24 11B-604.7) (ADA 604.7)</p> <p>The force required to activate operable parts shall be 5 lbs. (CA T24 11B-309.4) (ADA 309.4)</p>
--	---	--

- A. **Recommendation** – Removal or repair of sanitation napkin dispenser in women's restroom for it not operational. If repaired, operational parts required to be at the appropriate level.

4. Facility Location: 1330 W. Middlefield Road, Mountain View

Facility Element	Findings	Corrective Action
Parking	<p>Van accessible parking stall measured too narrow at 8'9" in width.</p> <p>Access aisle measured too narrow at 4'10" in width.</p>	<p>Van Parking Space Min. Dimensions: 12' wide by 18' long. (CA T24 11B-502.2) (ADA 502.2)</p> <p>Van parking spaces shall be permitted to be 9' wide (min.) where the access aisle is a min. of 8' wide. (CA T24 11B-502.2) (ADA 502.2)</p> <p>Access aisle min. dimensions: 5' wide by 18' long. (CA T24 11B-502.2) (ADA 4.6.3)</p>

Exterior entrance	Force to open doors excessive at 10-12 lbs.	<p>The force for pushing or pulling open a door or gate other than fire doors shall be as follows:</p> <ol style="list-style-type: none"> 1. Interior hinged doors and gates: 5 lbs. max. 2. Sliding or folding doors: 5 lbs. max. 3. Required fire doors: the minimum opening force allowable by the appropriate administrative authority, not to exceed 15 lbs. Exterior hinged doors: 5 lbs. max. (CA T24 11B-404.2.9 (1 - 4)) (ADA 404.2.9 (1 & 2))
Restroom	<p>Men: Wall signage measured too low at 51" centered.</p> <p>Women: Wall signage measured too low at 52" centered.</p>	<p>The symbol shall be mounted at 58" min. and 60" max. above the finish floor or ground surface measured from the centerline of the symbol. (CA T24 11B-703.7.2.6)</p> <p>The symbol shall be mounted at 58" min. and 60" max. above the finish floor or ground surface measured from the centerline of the symbol. (CA T24 11B-703.7.2.6)</p>

A. 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

Question	Yes	No	Some-times	Comments
Does the county identify a client's language need upon first contact? How?	X			Clients self-declare verbal and written preferred language at initial contact or on application.
Does the county use a primary language form?	X			CalFresh, CalWORKs, IHSS, WTW, APS: Language Survey Interpreter/Translation Request – SCD 1264 Children and Family Services: Primary Language Designation Form – SCZ 225
Does the client self-declare on this form?	X			
Are non-English- or limited- English-speaking clients provided bilingual services?	X			Services provided through certified bilingual staff, contracted interpretive services, and telephone interpretive services; documented at each point of contact.

Question	Yes	No	Some-times	Comments
After it has been determined that the client is limited-English or non-English speaking, is there a county process for procuring an interpreter?	X			Clients language needs are documented in the CalWIN, CWS/CMS, and CMIPS systems. Also, clients are assigned to a bilingual staff member, or contracted interpretive services are utilized by phone or scheduled appointment.
Is there a delay in providing services?		X		
Does the county have a language line provider, a county interpreter list, or any other interpreter process?	X			Language Line Services company, a list of county certified interpreters, and contracted language interpreters.
Are county interpreters determined to be competent?	X			County interpreters must certify through Equal Opportunity/Civil Rights Coordinator's Office.
Does the county have adequate interpreter services?	X			
Does the county allow minors to be interpreters? If so, under what circumstances?		X		If extenuating circumstance call for such action, minor interpretation would be used to communicate minimal information.
Does the county allow the client to provide his or her own interpreter?	X			Clients may provide their own interpreter, age 18 and older.
Does the county ensure that the client-provided interpreter understands what is being interpreted for the client?	X			Client-provided interpreter must sign the Interpreter Service form (SC 1257)

Question	Yes	No	Some-times	Comments
Does the county use the CDSS-translated forms in the clients' primary languages?	X			
Is the information that is to be inserted into NOA translated into the client's primary language?	X			If not available in client's language, information will be provided in English with instructions to call worker for translation services.
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			Services available: contracted ASL interpreters, Skype, and large print materials
Does the county identify a client with a disability (physical, mental, or learning)?	X			Client will self-disclose on SAWS1 application or during interview. Staff will ask if client needs a reasonable accommodation.
Does the county provide reasonable accommodations to clients with a disability (physical, mental, or learning)?	X			Staff will provide requested reasonable accommodation or comparable accommodations to meet the client's needs.
Does the county identify and assist the client who has learning disabilities or a client who cannot read or write?	X			<p>Staff will assist client by reading and thoroughly explaining documents to ensure the client understands.</p> <p>A client who cannot write may sign documents with a mark and witness signature.</p>

Question	Yes	No	Some-times	Comments
Does the county offer screening for learning disabilities?	X			Screening is offered in CalWORKs program.
Is there an established process for offering screening?	X			Screenings are offered during orientation and conducted in the CalWORKs program.
Is the client identified as having a learning disability referred for evaluation?	X			

B. Corrective Action: None

C. Recommendation: 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	Adult Programs (IHSS & APS)	CalFresh	CalWORKs & Employment Services	Children's Services	Fraud
Ethnic origin documentation	CMIPS SOC 295 SOC 341	CalWIN: Demographic Summary SAWS 2	CalWIN: Demographic Summary SAWS 2	CWS/CMS: Demographic Summary	Not available on case sample printout
Primary language documentation	CMIPS SOC 341, SCD 1264 Case Notes	CalWIN: Demographic Summary, SAWS 2	CalWIN: Demographic Summary, SAWS 2	CWS/CMS: Demographic Summary, SCZ 225	CalWIN: Demographic Summary Printout, Case Comments

Documented Item	Adult Programs (IHSS & APS)	CalFresh	CalWORKs & Employment Services	Children's Services	Fraud
Method of providing bilingual services and documentation	Case Notes (Inconsistent documentation of method of services provided.)	CalWIN: Case Comments (Inconsistent documentation of method of services provided.)	CalWIN: Case Comments (Inconsistent documentation of method of services provided.)	CWS/CMS: Delivery Service Log (Inconsistent documentation of method of services provided.)	CalWIN: Case Comments
Client provided own interpreter	SCD 1257, Case Notes	CalWIN: Case Comments	CalWIN: Case Comments	None found in case sample	None found in case sample
Method to inform client of potential problem using own interpreter	Staff verbally explains to client the possibility of ineffective communication using own interpreter. Documentation not found in case sample	Staff verbally explains to client the possibility of ineffective communication using own interpreter. Documentation not found in case sample	Staff verbally explains to client the possibility of ineffective communication using own interpreter. Documentation not found in case sample	Staff verbally explains to client the possibility of ineffective communication using own interpreter. Documentation not found in case sample	None found in case sample
Release of information to Interpreter	SCD 1257 (Form used inconsistently)	None found in case sample	None found in case sample	None found in case sample	None found in case sample
Individual's acceptance or refusal of written material offered in primary language	Case Notes	CalWIN: Case Comments	CalWIN: Case Comments	None found in case sample	None found in case sample
Documentation of minor used as interpreter	None found in case sample	None found in case sample	None found in case sample	None found in case sample	None found in case sample

Documented Item	Adult Programs (IHSS & APS)	CalFresh	CalWORKs & Employment Services	Children's Services	Fraud
Documentation of circumstances for using minor interpreter temporarily	None found in case sample	None found in case sample	None found in case sample	None found in case sample	None found in case sample
Method of identifying client's disability	Case Notes	None found in case sample	CalWIN: Case Comments	None found in case sample	None found in case sample
Documentation of services provided to clients with disability	Case Notes	None found in case sample	CalWIN: Case Comments	None found in case sample	None found in case sample

B. Corrective Actions

Areas of Action	Corrective Action
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	Santa Clara County must ensure that proper documentation is kept in the file that identifies all the required elements to ensure compliance. Div. 21-116

C. Comment: IHSS case sample notes indicate services provided to clients with disabilities by care provider or family member during home visits.

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			Div. 21 Training is conducted annually in a seminar setting.
Do employees understand the county policy regarding a client's rights and procedure to file a discrimination complaint?	X			
Does the county provide employees Cultural Awareness Training?	X			Provided in the New Employee Orientation.
Do the CSW's have an understanding of MEPA (Multi-Ethnic Placement Act)?	X			
Do the employees seem knowledgeable about the predominant cultural groups receiving services in their area?	X			

B. Corrective Actions: None

C. Recommendation: None

VIII. DISCRIMINATION COMPLAINT PROCEDURES

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

A. Findings from Staff Interviews and Program Manager Surveys

Interview and review areas	Yes	No	Some-times	Findings
Can the employees easily identify the difference between a program, discrimination, and a personnel complaint?			X	17 of 20 staff interviewed were able to distinguish the differences between the three types of complaints.
Did the employees know who the Civil Rights Coordinator is?	X			
Did the workers know the location of the required posters with the Civil Rights Coordinator's name and address?			X	3 of 20 staff interviewed did not know the location of the poster for clients to get the information to file a discrimination complaint.
When reviewing the complaint log with the Civil Rights Coordinator, was it complete and up to date?	X			
Is the County utilizing correct correspondence to address the final results to the complainant after the investigation is completed?	X			

B. Corrective Action

Element	Corrective Action
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
Civil Rights Coordinator	Santa Clara 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

C. Recommendation: None

IX. COMMUNITY INPUT

As a part of this review, and as noted in Section II, feedback was sought from community and advocate groups. None of the groups responded to our request.

X. CIVIL RIGHTS COMPLIANCE PLAN REVIEW AND APPROVAL

The Santa Clara County Social Services Agency Civil Rights Compliance Plan for the period July 1, 2012 through June 8, 2014, was received on May 6, 2014. It is approved as submitted.

XI. CONCLUSION

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

The Santa Clara County Department of 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 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.