



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

August 15, 2011

Ana Pagan, Director
Merced County Human Services Agency
PO Box 112
Merced, CA 95341

Dear Ms. Pagan:

I want to take this opportunity to thank you and your staff for the cooperation and assistance provided the reviewer from our office during the course of the Civil Rights Compliance Review of March 8-11, 2010. Enclosed is the final report on the review. We apologize for the delay.

There are some compliance issues (deficiencies) identified in the report, which will require the development of a corrective action plan (CAP). Please submit your CAP within sixty days of this letter. Please address each deficiency and include steps and time lines for the completion of all corrective actions and recommendations listed in the attached report.

We will provide a copy of our report to any individual who makes a valid Public Records Act (PRA) request. Our reports are considered public documents under the PRA. Once we approve your CAP, it becomes a public document as well. Per the Governor's Executive Order S-08-09, all compliance reviews (and corresponding CAPs) performed after January 1, 2008 will be posted on the state's Reporting Government Transparency website.

If you need technical assistance in the development of your CAP, please feel free to contact the Civil Rights Bureau at (916) 654-2107. You may also contact us by e-mail at crb@dss.ca.gov.

Sincerely,

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

Enclosure

c: Sylvia Laguna, Civil Rights Coordinator,

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**CIVIL RIGHTS COMPLIANCE REVIEW REPORT
FOR
Merced County Human Services Agency
Conducted
March 8-11, 2010**

**California Department of Social Services
Human Rights and Community Services Division**

Civil Rights Bureau

744 P Street, M.S. 8-16-70

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Reviewer

**Elsa Garcia
&
Tiffany Marsh**

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CIVIL RIGHTS COMPLIANCE REVIEW REPORT

I. INTRODUCTION

The purpose of this review by the California Department of Social Services (CDSS) Civil Rights Bureau (CRB) staff was to assess the Merced County Human Services Agency with regard to its compliance with CDSS Manual of Policies and Procedures (MPP) Division 21 Regulations, and other applicable state and federal civil rights laws.

An exit interview was held on March 11, 2010 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)
Main Campus	2115 Wardrobe Ave, Merced	CaWORKS, Food Stamps, IHSS	Spanish
Los Banos Family Services	415 F Street, Los Banos	Food Stamps	Spanish
CaWORKS Employment and Training	848 6 th St, Los Banos	CaWORKS,	Spanish
Westside Family Service Center	635 J Street, Los Baños	Children Services, Adult Services	Spanish

II. SUMMARY OF METHODOLOGY

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

- Reviewed the 2010 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.

Headquarters and on-site review procedures included:

- Interviews of public contact staff
- Survey of program managers
- Case file reviews
- Facility inspections

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

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

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

Interviews Conducted of Public Contact Staff

Classifications	Total	Bilingual
Eligibility Workers	11	5
Children Social Workers	2	1
Adult Social Workers	4	2
Receptionist/Screeners	4	4
TOTAL	21	12

Program Manager Surveys

Number of surveys distributed	3
Number of surveys received	3

Reviewed Case Files

English speakers' case files reviewed	15
Non-English or limited-English speakers' case files reviewed	80
Languages of clients' cases	Spanish, Hmong, Lao, Mien Cantonese, Portuguese and English

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 X of the report is reserved for a declaration of overall compliance.

III. DISSEMINATION OF INFORMATION

Counties are required to disseminate information about program or program changes and about how applicants and recipients are protected by the CDSS regulations (Division 21). This dissemination should occur through outreach and information to all applicants, recipients, community organizations, and other interested persons, including non- and limited-English speakers and those with impaired hearing or vision or other disabling conditions.

A. Findings

Access to Services, Information and Outreach	Yes	No	Some-times	Comments
Does the county accommodate working clients by flexing their hours or allowing applications to be mailed in?	X			For Food Stamps and Medi-Cal applications can be mailed in. Food Stamp applications can be submitted electronically 24/7 through the C-IV Yourself web based application system.
Does the county have extended hours to accommodate clients?	X			All office hours are 8:00-5:00 p.m. The Merced office is open on Thursdays until 7:00 p.m. Appointments can be made on Saturday or after hours when necessary.
Can applicants access services when they cannot go to the office?	X			Applicants can access services on-line for Food Stamps. Applications can be mailed in for Medi-Cal and Food Stamps. Home visits can be arranged for elderly and disabled clients.
Does the county ensure the awareness of available services for	X			The agency conducts periodic outreach

individuals in remote areas?				events with organizations and community service providers to ensure awareness to residents.
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Signage, posters, pamphlets	Yes	No	Sometimes	Comments
Does the county use the CDSS pamphlet "Your Rights Under California Welfare Programs" (Pub 13)?	X			Clients receive Pub 13 during initial intake, and re-certification. Clients also watch a video-based "Rights and Responsibilities" briefing.
Is the pamphlet distributed and explained to each client at intake and re-certification?	X			
Was the current version of Pub 13 available in English, Arabic, Armenian, Cambodian, Chinese, Farsi, Hmong, Japanese, Korean, Lao, Mien, Portuguese, Punjabi, Russian, Spanish, Tagalog, Ukranian and Vietnamese.	X			
Was the Pub 13 available in large print, audiocassette and Braille?	X			However, please note at 415 F Street reception there was no device to play the audio cd.
Were the current versions of the required posters present in the lobbies?	X			
Did the workers know the location of the required posters with the Civil Rights Coordinator's name and address?	X			

Signage, posters, pamphlets	Yes	No	Some-times	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		At 635 J Street, Los Baños Office, instructional signage regarding office hours was not in threshold language (Spanish).

B. Corrective Actions

Informational Element	Corrective Action Required
Auxiliary aids	Merced County Human Services Agency 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
Directional signage	Merced County Human Services Agency shall ensure that instructional and directional signs are posted in waiting areas and other places that are frequented by clients and that where such areas are frequented by a substantial number of non-English-speaking clients, such signage shall be translated into appropriate languages. Div. 21-107.212 and .24

C. Recommendation

The most recent version for each of the above referenced documents is:

Pub 13	"Your Rights under California Welfare Programs"	06/11
	*Revised version now available in English and Spanish	
Pub 86	"Everyone is Different, but Equal Under the Law"	03/07
Form AD 475B	"And Justice for All"	12/99

Contact your program consultant to receive the most recent versions, or download the Pub 13 from the CRB website http://www.dss.cahwnet.gov/civilrights/YourRights_498.htm. Please note revised Pub 13 in all other languages will be posted as they are translated.

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.

1. Facility Location: 2115 Wardrobe, Merced

Facility Element	Findings	Corrective Action
Parking	Lengths of accessible spaces are too short at 17'6". (Repeat finding from 2008).	<p>Length of parking space shall be at least 18' long, 9' wide. (CA T24 1129B.3.1, ADA 4.6.3) p 135</p> <p>Access aisles should be located on the passenger side of a space, and should be a min. of 18' long by 5" wide for aisles, serving car accessible spaces, and a min. 18' by 8' wide for aisles serving van accessible spaces. (CA T24 1129B.3.1) (ADA 4.6.3)</p>
Client Interview Room	Interview room does not have minimum turning space for wheelchair.	Wheelchair Turning Space is a minimum space for a wheelchair to turn 180 degrees in a 60" diameter or T-shaped space. (CA T24 1118B.3, ADA 4.2.3) p 236
Men's Restroom	No accessible signage on door. (Repeat finding from 2008).	<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 1117B.5.7, ADA 4.30.6) p 281</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
	Force to open door is excessive at 9 lbs.	Interior Door will have 5 pounds maximum pressure. (CA T24 1133B.2.5, ADA 4.13.11(2)(b)) p 201
Women's Restroom	No accessible signage on door. (Repeat finding from 2008).	<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 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>
	Force to open 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 201
	Sanitary Napkin Dispenser is too high at 45 1/2".	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.8.3, ADA 4.23.7) p 294
	Toilet seat in accessible stall is too high at 22".	Height of water closet is 17" to 19" measured from the floor to the top of a maximum 2" high toilet seat. (CA T24 1115B.4.1.4, ADA 4.16.3) p 325

B. Corrective Action Note:

Merced County Human Services Agency must correct repeat findings from 2008.

2. Facility Location: 2115 Wardrobe (Employment & Training Center), Merced

Facility Element	Findings	Corrective Action
Parking	<p>Van accessible space and accessible space lengths are too short at 16'8". (Repeat finding from 2008).</p> <p>One of the Van accessible spaces does not have an access aisle on the passenger side.</p>	<p>Length of parking space shall be at least 18' long, 9' wide. (CA T24 1129B.3.1, ADA 4.6.3) p 135</p> <p>Access aisles should be located on the passenger side of a space, and should be a min. of 18' long by 5" wide for aisles, serving car accessible spaces, and a min. 18' by 8' wide for aisles serving van accessible spaces. (CA T24 1129B.3.1) (ADA 4.6.3)</p>
Main Entrance	Force to open door is excessive at 10lbs.	Interior Door will have 5 pounds maximum pressure. (CA T24 1133B.2.5, ADA 4.13.11(2)(b)) p 201
Client lobby	Lobby counter is too high at 40".	Height of accessible tables or counters is between 28" – 34"

		from floor finish. (CA T24 1122B.4, ADA 4.32.4) p 388
Client Interview room	Interview room does not have minimum turning space for a wheelchair.	Wheelchair Turning Space is a minimum space for a wheelchair to turn 180 degrees in a 60" diameter or T-shaped space. (CA T24 1118B.3, ADA 4.2.3) p 236
Men's Restroom	Door sign is too high. No accessible signage on wall adjacent to latch outside of door. (Repeat finding from 2008).	<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 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>
Women's Restroom	Door sign is too high. No accessible signage on wall adjacent to latch outside of door. (Repeat finding from 2008).	<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</p>

		<p>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>
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B. Corrective Action Note:

Merced County Human Services Agency must correct repeat findings from 2008.

3. Facility Location: 415 F Street, Los Banos

Facility Element	Findings	Corrective Action
Parking	No unauthorized parking signage at entrance to off-street.	Additional sign shall be posted in conspicuous place at entrances to off-street parking facilities, or adjacent to and visible from each space. Sign shall be 17" by 22" min. in size with lettering 1" min. high, stating: "Unauthorized vehicles parked in designated accessible spaces not displaying distinguishing placards or license plates issued for persons with disabilities may be towed away at owner's expense. Towed vehicles may be reclaimed at _____ or by telephoning _____." (CA T24 1129B.5) p 133
	No freestanding disabled parking sign(s) for the five (5) accessible spaces (to the right of main entrance on F Street side).	Each parking space for persons with disabilities shall be identified by a reflectorized sign permanently posted adjacent to and visible from each stall or space, consisting of the

	<p>Also, there are also six (6) additional accessible spaces on the 4th Street side. These spaces also do not have the freestanding disabled signage.</p> <p>Accessible space does not meet measurement requirements. Lengths of space(s) are too short at 16'2.</p> <p>Access aisle is too narrow at 3'2.</p> <p>No Van accessible space.</p>	<p>International Symbol of Accessibility in white on dark blue background.</p> <p>The sign shall be 70 sp. in. min. and, when in a path of travel, shall be posted at a height of 80" min. from the bottom of the sign to the finished grade. (CA T24 1129B.) (ADA4.6.4) p133</p> <p>Length of parking space shall be at least 18' long, 9' wide. (CA T24 1129B.3.1, ADA 4.6.3) p 135</p> <p>Access aisles should be located on the passenger side of a space, and should be a min. of 18' long by 5" wide for aisles, serving car accessible spaces, and a min. 18' by 8' wide for aisles serving van accessible spaces. (CA T24 1129B.3.1) (ADA 4.6.3)</p> <p>One in every 8 accessible spaces and no less than 1 shall be served by an access aisle 96" wide minimum placed opposite the driver's side and shall be designated Van-Accessible. (CA T24 1129.B.3.2, ADA 4.1.2(5)(b)) p 136</p> <p>Length of parking space shall be at least 18' long, 9' wide. (CA T24 1129B.3.1, ADA 4.6.3) p 135</p> <p>Access aisles should be located on the passenger side of a space, and should be a</p>
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	<p>Access aisle needs the words "No Parking" painted on pavement in access aisle.</p>	<p>min. of 18' long by 5" wide for aisles, serving car accessible spaces, and a min. 18' by 8' wide for aisles serving van accessible spaces. (CA T24 1129B.3.1) (ADA 4.6.3)</p> <p>The words "NO PARKING" shall be painted on the ground in each 5' or 8' loading and unloading access aisle in white letters no smaller than 12". (CA T24 1129B.3.2) p 135</p>
Main entrance	<p>No International Symbol of Accessibility (ISA) at entrance.</p> <p>ISA signs – non-glare finish, color contrast.</p> <p>Force to open main door is excessive at 10 lbs.</p>	<p>A sign with the international symbol of accessibility shall be at every primary entrance and every major junction indicating the direction along or to accessible features. (CA T24 1127B.3, ADA 4.1.3(16B), CA T24 1117B.5.1) pp 186, 394</p> <p>Characters, symbols and their backgrounds have a non-glare finish. Characters and symbols contrast with their background, either light characters on a dark background or dark characters on a light background. (CA T24 1117B.5.2, ADA 4.30.5) p 396</p> <p>Interior Door will have 5 pounds maximum pressure. (CA T24 1133B.2.5, ADA 4.13.11(2)(b)) p 201</p>
Client lobby	<p>Lobby counter is too high at 37".</p>	<p>Height of accessible tables or counters is between 28" – 34" from floor finish. (CA T24 1122B.4, ADA 4.32.4) p 388</p>
Client Interview rooms	<p>Interview room does not have minimum turning space for a wheelchair.</p>	<p>Wheelchair Turning Space is a minimum space for a wheelchair to turn 180 degrees</p>

		in a 60" diameter or T-shaped space. (CA T24 1118B.3, ADA 4.2.3) p 236
Emergency egress	No visual emergency alarm.	<p>If emergency warning systems are provided, they should include both audible alarms and visual alarms.</p> <p>If emergency warning systems are required, they shall activate a means of warning the hearing impaired. (CA T24 1114B.2.2, ADA 4.28.1) p 243</p>
Water fountain	<p>Drinking fountain spout is too high at 42".</p> <p>Fountain does not have knee space of 27".</p>	<p>The spout is located within 6" of the front edge and 36" of the floor. The water stream is parallel to the front edge of the fountain. (CA T24 1117B.1.4, ADA 4.15.3) p 233</p> <p>The clear knee space between the bottom of the apron and the floor or ground not less than 27" in height, 30" in width, and 8" in depth. (CA T24 1117B.1.2, ADA 4.15.5(1)) p 231</p>
Men's Restroom	No accessible wall sign.	<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 1117B.5.7, ADA 4.30.6) p 281</p>

	<p>Door width is too narrow at 26".</p> <p>Force to open both doors leading into restroom is excessive at 10 lbs and 12 lbs.</p> <p>Men's urinal is too high at 21".</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>Clear Width: Minimum clearance width of exit way must be 32". (CA T24 1133B.2.2) p 198</p> <p>Interior Door will have 5 pounds maximum pressure. (CA T24 1133B.2.5, ADA 4.13.11(2)(b)) p 201</p> <p>Rim height shall be a maximum of 17" in height above the floor. (CA T24 1115B.4.2.1) p 285</p> <p>Urinals: Where there are urinals provided, at least one (1) shall provide a clear floor space of 30" wide x 48" deep in front of the urinal to allow for a forward approach. This clear space may extend 6" maximum under the urinal if the urinal has a 9" minimum toe clearance from the floor to the urinal's bottom. (CA T24 1115B.4.2.3, ADA 4.18.3 & 4.22.5) p 285</p>
	<p>Pipes under sink need to be rewrapped.</p>	<p>Hot water and drain pipes are insulated or covered. No sharp or abrasive surfaces under lavatories. (CA T24 1115B.4.7.1, ADA 4.24.6) p 343</p>

	<p>At least one dispenser/disposal/mirror should not be more than 40" high. (operable parts needs to be at 40") The following are too high:</p> <ul style="list-style-type: none"> • Toilet sheet protector at 51". • Paper towel dispenser at 48". • Mirror base at 48". <p>Accessible stall too small at 30 ½ " W x 34" L</p> <p>No Grab bars in accessible stall.</p>	<p>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.8.3, ADA 4.23.7) p 294</p> <p>Clear space in front of water closet is, minimum of 48" if the compartment has end opening (facing water closet) or minimum of 60" if compartment has side opening. (CA T24 1115B.3.2, ADA 4.17.3) p 327</p> <p>The height of grab bar is 33" above and parallel to floor except that where a tank-type toilet used obstructs the 33" placement, the grab bar may be as high at 36". Grab bar is securely attached. (CA T24 1115B.4.1.3(3.2), ADA 4.17.6 and CA T24 1115 B.7.1, ADA 4.26.2) p 298</p>
Women's Restroom	No accessible wall sign.	<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 1117B.5.7, ADA 4.30.6) p</p>

	<p>Door width is too narrow at 26".</p> <p>Force to open both doors leading into restroom is excessive at 14 lbs. and 15 lbs.</p> <p>Pipes under sink need to be rewrapped.</p> <p>At least one dispenser/disposal/mirror should not be more than 40" high. (operable parts needs to be at 40") The following are too high:</p> <ul style="list-style-type: none"> • Paper towel dispenser at 48". • Mirror base at 48". 	<p>281 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>Clear Width: Minimum clearance width of exit way must be 32". (CA T24 1133B.2.2) p 198</p> <p>Interior Door will have 5 pounds maximum pressure. (CA T24 1133B.2.5, ADA 4.13.11(2)(b)) p 201</p> <p>Hot water and drain pipes are insulated or covered. No sharp or abrasive surfaces under lavatories. (CA T24 1115B.4.7.1, ADA 4.24.6) p 343</p> <p>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.8.3, ADA 4.23.7) p 294</p>
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4. Facility Location: 848 6th Street, Los Banos

Facility Element	Findings	Corrective Action
Main entrance	No International Symbol of Accessibility (ISA) at entrance.	A sign with the international symbol of accessibility shall be at every primary entrance and every major junction indicating

	Force to open door is excessive at 15 lbs.	<p>the direction along or to accessible features. (CA T24 1127B.3, ADA 4.1.3(16B), CA T24 1117B.5.1) pp 186, 394</p> <p>Characters, symbols and their backgrounds have a non-glare finish. Characters and symbols contrast with their background, either light characters on a dark background or dark characters on a light background. (CA T24 1117B.5.2, ADA 4.30.5) p 396</p> <p>Interior Door will have 5 pounds maximum pressure. (CA T24 1133B.2.5, ADA 4.13.11(2)(b)) p 201</p>
Lobby	Lobby counter is too high at 46".	Height of accessible tables or counters is between 28" – 34" from floor finish. (CA T24 1122B.4, ADA 4.32.4) p 388
Emergency egress	No visual emergency alarm.	<p>If emergency warning systems are provided, they should include both audible alarms and visual alarms.</p> <p>If emergency warning systems are required, they shall activate a means of warning the hearing impaired. (CA T24 1114B.2.2, ADA 4.28.1) p 243</p>
Unisex Restroom	Both door sign and wall sign are too low. Door at 56" and wall at 49".	<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</p>

		<p>doors, the sign shall be placed on nearest adjacent wall, preferably 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>Locking/Latching Doors: If hand-operated, to be operable with a single effort (e.g.; lever, panic bar, push/pull). (CA T24 1133B.2.5.2, ADA 4.13.9) p 205</p> <p>Interior Door will have 5 pounds maximum pressure. (CA T24 1133B.2.5, ADA 4.13.11(2)(b)) p 201</p> <p>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.8.3, ADA 4.23.7) p 294</p> <p>Rim height shall be a maximum of 17" in height above the floor. (CA T24 1115B.4.2.1) p 285</p> <p>Urinals: Where there are urinals provided, at least one (1) shall provide a clear floor space of 30" wide x 48" deep in front of the urinal to allow for a</p>
	Door cannot be opened with a closed fist.	
	Force to open door is excessive at 8 lbs.	
	Toilet sheet protector is too high at 47".	
	Men's urinal is too high at 24".	

		forward approach. This clear space may extend 6" maximum under the urinal if the urinal has a 9" minimum toe clearance from the floor to the urinal's bottom. (CA T24 1115B.4.2.3, ADA 4.18.3 & 4.22.5) p 285
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5. Facility Location: 635 J Street, Los Banos

Facility Element	Findings	Corrective Action
Main entrance	Force to open door is excessive at 15 lbs. Bottom of main door has 5" smooth uninterrupted surface which does not meet requirement.	Interior Door will have 5 pounds maximum pressure. (CA T24 1133B.2.5, ADA 4.13.11(2)(b)) p 201 The bottom 10" of all doors except automatic and sliding shall have a smooth, uninterrupted surface to allow the door to be opened by a wheelchair footrest without creating a trap or hazardous condition. (CA T24 1133B.2.6) p 203
Client Lobby	Accessible counter is too low at 27".	Height of accessible tables or counters is between 28" – 34" from floor finish. (CA T24 1122B.4, ADA 4.32.4) p 388
Emergency egress	No visual emergency alarm.	If emergency warning systems are provided, they should include both audible alarms and visual alarms. If emergency warning systems are required, they shall activate a means of warning the hearing impaired. (CA T24 1114B.2.2, ADA 4.28.1) p 243
Unisex Restroom	Wall sign is too high above 60".	Door sign and wall sign shall be 60" above the floor to the center line of sign.

	Dispenser/disposal/mirror was higher than 40" high. <ul style="list-style-type: none"> • Soap dispenser at 50" • Toilet sheet protector at 49" • Mirror base at 49" • Paper towel dispenser at 45" 	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.8.3, ADA 4.23.7) p 294
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V. PROVISION FOR SERVICES TO APPLICANTS AND RECIPIENTS WHO ARE NON-ENGLISH-SPEAKING OR WHO HAVE DISABILITIES

Counties are required by Division 21 to ensure that effective bilingual/interpretive services are provided to serve the needs of the non-English-speaking population and individuals with disabilities without undue delays. Counties are required to collect data on primary language and ethnic origin of applicants/recipients (identification of primary language must be done by the applicant/recipient).

Using this information, a county may determine 1) the number of public contact staff necessary to provide bilingual services, 2) the manner in which they can best provide interpreter services without bilingual staff and 3) the language needs of individual applicants/recipients. Counties must employ an appropriate number of certified bilingual public contact employees in each program and/or location that serves a substantial number of non-English-speaking persons. In offices where bilingual staff are not required because non-English-speaking persons do not represent a substantial number, counties must provide effective bilingual services through interpreter or other means.

Counties must also provide auxiliary aids and services, including Braille material, taped text, qualified interpreters, large print materials, telecommunication devices for the deaf (TDD's), and other effective aids and services for persons with impaired hearing, speech, vision or manual skills. In addition, they must ensure that written materials be available in individuals' primary languages when the forms and materials are provided by CDSS, and that information inserted in notices of action (NOA) be in the individuals' primary language.

A. Findings from Program Manager Surveys, Staff Interviews and Case File Reviews

Question	Yes	No	Some-times	Comments
Does the county identify a client's language need	X			At initial contact the client's language is identified on

Question	Yes	No	Some-times	Comments
upon first contact? How?				application.
Does the county use a primary language form?		X		
Does the client self-declare on this form?	X			Clients self declare on application.
Are non-English- or limited- English-speaking clients provided bilingual services?	X			
After it has been determined that the client is limited-English or non-English speaking, is there a county process for procuring an interpreter?	X			The system automatically assigns the case for primary language. Clients are provided bilingual staff worker if available or an interpreter is requested through Supervisor
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			The Agency utilizes list of local interpreters (including American Sign Language). Language Line services are contracted through TeleTerpretor.
Are county interpreters determined to be competent?	X			Agency staff is certified /tested proficient.
Does the county have adequate interpreter services?	X			
Does the county allow minors to be interpreters? If so, under what circumstances?		X		
Does the county allow the client to provide his or her	X			

Question	Yes	No	Some-times	Comments
own interpreter?				
Does the county ensure that the client-provided interpreter understands what is being interpreted for the client?	X			Staff ensures interpreter understands what is being communicated. Interpreter is explained the importance of confidentiality. Verbal consent of the client is documented in case journal.
Does the county use the CDSS-translated forms in the clients' primary languages?	X			
Is the information that is to be inserted into NOA translated into the client's primary language?	X			
Does the county provide auxiliary aids and services, TDD's and other effective aids and services for persons with impaired hearing, speech, vision or manual skills, including Braille material, taped text, large print materials (besides the Pub 13)?	X			Auxiliary aides are provided, however at 415 F street, the reception did not have device to play cd.
Does the county identify and assist the client who has learning disabilities or a client who cannot read or write?	X			
Does the county offer screening for learning disabilities?	X			In the Welfare To Work program.
Is there an established process for offering	X			

Question	Yes	No	Some-times	Comments
screening?				
Is the client identified as having a learning disability referred for evaluation?	X			

B. Corrective Actions Required:

None.

VI. DOCUMENTATION OF APPLICANT/RECIPIENT CASE RECORDS

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

A. Findings from Case File Reviews and Staff Interviews

Documented Item	Children's Services	Adult Programs	CalWORKs	Non-Assisted Food Stamps
Ethnic origin documentation	CWS-CMS	SOC 295	Application, C-IV	Application, C-IV
Primary language documentation	CWS-CMS	SOC 295	C-IV	C-IV
Method of providing bilingual services and documentation	Journal entry	Case narrative	Journal entry	Journal entry
Client provided own interpreter	None found in case sample			
Method to inform client of potential problem using own interpreter	N/A	N/A	N/A	N/A

Documented Item	Children's Services	Adult Programs	CalWORKs	Non-Assisted Food Stamps
Release of information to Interpreter	N/A	N/A	N/A	N/A
Individual's acceptance or refusal of written material offered in primary language	None found in case sample	Case narrative	Journal notes	Journal notes
Documentation of minor used as interpreter	None found in case sample			
Documentation of circumstances for using minor interpreter temporarily	None found in case sample			
Translated notice of actions (NOA) contain translated inserts	CWS-CMS	Case	C-IV	C-IV
Method of identifying client's disability	None found in case sample	Case narrative	Application, C-IV	Application, C-IV
Method of documenting a client's request for auxiliary aids and services	None found in case sample	Case narrative	None found in case sample	None found in case sample

B. Corrective Actions Required:

None.

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			Employees receive training at an initial orientation and continuous training basis.
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			Employees receive mandatory training every other year.
Do the CSW's have an understanding of MEPA (Multi-Ethnic Placement Act)?	X			Staff interviewed state that they received training on MEPA and had a good understanding of it.
Do the employees seem knowledgeable about the predominant cultural groups receiving services in their area?	X			

B. Corrective Actions Required:

None.

VIII. DISCRIMINATION COMPLAINT PROCEDURES

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

A. Findings from Staff Interviews and Program Manager Surveys

Interview and review areas	Yes	No	Some-times	Findings
Can the employees easily identify the difference between a program, discrimination, and a personnel complaint?	X			
Did the employees know who the Civil Rights Coordinator is?	X			All staff interviewed were aware of who the Civil Rights Coordinator is.
Did the employees know the location of the Civil Rights poster showing where the clients can file a discrimination complaint?	X			All staff interviewed knew the location of the Civil Rights poster.
When reviewing the complaint log with the Civil Rights Coordinator, was it complete and up to date?	X			

B. Corrective Action Required:

None.

IX. CIVIL RIGHTS COMPLIANCE PLAN REVIEW AND APPROVAL

The Merced County Human Services Agency Civil Rights Compliance Plan for the period 2010 was received on December 02, 2009. It is approved as submitted.

X. CONCLUSION

The CDSS reviewer found the Merced County Human Services Agency staff warm, welcoming, informative and very supportive. Particular thanks to Sylvia Laguna, Civil Rights Coordinator, for organizing the details of the review, and to Lynda Bennett, Facilities Manager, who assisted in each of the facility reviews. In each District Office, staff were very helpful with the facility reviews, case reviews, and computer assistance.

There were some repeat findings from 2008 at the Main Office location, 2115 Wardrobe Ave, Merced. In a letter dated October 2, 2009, and Corrective Action Plan received for the 2008 Compliance Review it was noted that corrections were in progress and/or completed, specifically the findings in the parking lot and restrooms. The reviewers did not find the corrections and they remain uncorrected. Please include a statement in respect to the repeat findings.

The CDSS found the Merced County Human Services Agency in substantial compliance with CDSS Division 21 Regulations, and other applicable state and federal laws. County staff continues to reflect a commitment similar to that expressed by management with respect to ensuring access, assistance, and compliance.

The Merced County Human Service 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.