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STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY  
**DEPARTMENT OF SOCIAL SERVICES**  
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ARNOLD SCHWARZENEGGER  
GOVERNOR

November 18, 2010

Cathi Grams, Director  
Butte County Department of Employment & Social Services  
P.O. Box 1649  
Oroville, CA 95965

Dear Ms. Grams:

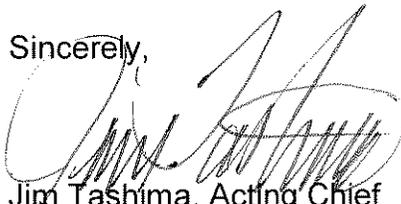
I want to take this opportunity to thank you and your staff for the cooperation and assistance provided the reviewer from our office during the course of the Civil Rights Compliance Review of April 5-6, 2010. Enclosed is the final report on the review. We apologize for the delay.

There were 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 Public Records Act (PRA) request. Our reports are considered public documents under the PRA. Once we approve your CAP, it too, becomes a public document. Per the Governor's Executive Order S-09-09, all compliance reviews (and corresponding CAPs) performed after January 2008 will be ported 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](mailto:crb@dss.ca.gov).

Sincerely,



Jim Tashima, Acting Chief  
Civil Rights Bureau  
Human Rights and Community Services Division

Enclosure

c: Mike Morgan, Civil Rights Coordinator

Chris Webb-Curtis, Branch Chief, CDSS Supplemental Nutrition Assistance Program  
M.S. 8-9-32

Mike Papin, CDSS Supplemental Nutrition Assistance Program  
Food Stamps Policy Bureau M.S. 8-9-32

Richard Trujillo, CDSS Supplemental Nutrition Assistance Program  
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Paul Gardes, CDSS Supplemental Nutrition Assistance Program  
Food Stamps Policy Bureau M.S. 8-9-32

Brian Tam, CDSS Supplemental Nutrition Assistance Program  
Food Stamps Policy Bureau M.S. 8-9-32

Thuan Nguyen, Refugee Programs Bureau, M.S. 8-8-46

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

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

**CIVIL RIGHTS COMPLIANCE REVIEW REPORT  
FOR  
BUTTE COUNTY DEPARTMENT OF EMPLOYMENT & SOCIAL  
SERVICES**

**Conducted  
April 5-6, 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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(916) 654-2107**

**Reviewer**

**Elsa Garcia**

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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 Butte County Department of Employment & Social Services (DESS) 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 5-6, 2010. An exit interview was held on July 15, 2010 to review the findings.

The review was conducted in the following locations:

<b>Name of Facility</b>	<b>Address</b>	<b>Programs</b>	<b>Non-English languages spoken by a substantial number of clients (5% or more)</b>
Employment & Social Services	2445 Carmichael Dr., Chico	NACalFresh, CalWORKS, Children's Services, Adult Services)	Spanish, Hmong
Employment & Social Services	78 Table Mountain Blvd., Oroville	CalWORKS, NACalFresh	Spanish, Hmong

### 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**

<b>Classifications</b>	<b>Total</b>	<b>Bilingual</b>
Eligibility Workers	3	2
Children Social Workers	1	1
Adult Program Workers	1	1
Receptionist/Screeners	2	2
Employment Worker	4	2

### **Program Manager Surveys**

Number of surveys distributed	9
Number of surveys received	9

### **Reviewed Case Files**

English speakers' case files reviewed	14
Non-English or limited-English speakers' case files reviewed	54
Languages of clients' cases	Hmong, Spanish, Vietnamese, Arabic, Laotian

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.

### 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

<b>Access to Services, Information and Outreach</b>	<b>Yes</b>	<b>No</b>	<b>Some-times</b>	<b>Comments</b>
Does the county accommodate working clients by flexing their hours or allowing applications to be mailed in?	X			Applications are accepted by mail. When clients are not able to come to the office, workers can make a home visit on case by case basis.
Does the county have extended hours to accommodate clients?	X			Business hours 7:30 a.m. – 5:00 p.m. The county considers these as extended hours.
Can applicants access services when they cannot go to the office?	X			Clients can access services through the Internet web-site, written communication, and fax or by telephone.
Does the county ensure the awareness of available services for individuals in remote areas?				Internet website, outreach through partners, brochures, phone listings, community public speaking engagements and media.

<b>Signage, posters, pamphlets</b>	<b>Yes</b>	<b>No</b>	<b>Some-times</b>	<b>Comments</b>
Does the county use the CDSS pamphlet "Your Rights Under California Welfare Programs" (Pub	X			Workers are required to go over the Pub 13 with clients.

Signage, posters, pamphlets	Yes	No	Some-times	Comments
13)? Is the pamphlet distributed and explained to each client at intake and re-certification?	X			Clients receive Pub 13 in the intake packet and at recertification.
Was the current version of Pub 13 available in English, Spanish, Lao, Vietnamese, Chinese, Hmong, Russian, Korean, Farsi, Arabic, Laotian, Tagalog, Armenian and Cambodian?	X			
Was the Pub 13 available in large print, audiocassette and Braille?	X			
Were the current versions of the required posters present in the lobbies?	X			
Did the workers know the location of the required posters with the Civil Rights Coordinator's name and address?	X			
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			Good signage was found at both the Oroville and Butte Offices. Signage was in both threshold languages: Spanish and Hmong.

### C. Recommendation

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

Pub 13	"Your Rights under California Welfare Programs"	03/07
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](http://www.dss.cahwnet.gov/civilrights/YourRights_498.htm).

#### **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: 78 Table Mountain, Oroville**

Facility Element	Findings	Corrective Action
<b>Parking</b>	There is no "Minimum Fine \$250.00" sign.	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
<b>Client Interview Room</b>	There is no turnaround space for a person in 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
<b>Men's Restroom</b>	Door pressure is too excessive at 10 lbs.	Interior Door will have 5 pounds maximum pressure. (CA T24 1133B.2.5, ADA 4.13.11(2)(b)) p 201
<b>Women's Restroom</b>	Wall sign is too low at 51".	<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</p>

		<p>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><b>Child Welfare Services Office (Same address different entrance)</b></p>		
<p><b>Unisex Restroom</b></p>	<p>Wall sign is too low at 50".</p>	<p>Door sign and wall sign shall be 60" above the floor.</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>

**B. Facility Location: 2445 Carmichael, Chico**

Facility Element	Findings	Corrective Action
<p><b>Client Interview Room</b></p>	<p>There is no turnaround space for a person in a wheelchair. Less than 60"</p>	<p>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</p>

<b>Men's Restroom</b>	<p>Force to open door is excessive at 10 lbs.</p> <p>Soap dispenser is too high at 41 ½".</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>
<b>Women's Restroom</b>	<p>Force to open door is excessive at 10 lbs.</p>	<p>Interior Door will have 5 pounds maximum pressure. (CA T24 1133B.2.5, ADA 4.13.11(2)(b)) p 201</p>

#### **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			Upon first contact client self declares their preferred language on the BU-526 Primary Language Designation Form.
Does the county use a primary language form?	X			BU-526 Primary Language Designation Form.
Does the client self-declare on this form?	X			Clients self declares on SAWS <sup>1</sup> application form and BU-526 Primary Language Designation Form.
Are non-English- or limited- English-speaking clients provided bilingual services?	X			Clients are assigned to bilingual worker by Interpreter Supervisor.
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			When a client request an interpreter, the worker contacts the Interpreter Supervisor for their assigned program to schedule a bilingual interpreter.
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			DESS has a process to contact the "Interpreter Supervisor" when an interpreter is needed. Staff can seek assistance through the DESS Interpreter List, which consists of community interpreters. The county also has a contract with Language Line Interpretive Services.
Are county interpreters determined to be competent?	X			Staff is required to pass a written and verbal exam to be certified.

Question	Yes	No	Some-times	Comments
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 own interpreter?	X			If client chooses to use their own interpreter they may do so, however they are required to sign a confidential release form.
Does the county ensure that the client-provided interpreter understands what is being interpreted for the client?	X			
Does the county use the CDSS-translated forms in the clients' primary languages?	X			
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			DESS provides auxiliary aids; Braille, large print and audio of Pub 13 at each office. They also have the TDD phone equipment, and Sign language interpretation available.

Question	Yes	No	Some-times	Comments
Does the county identify and assist the client who has learning disabilities or a client who cannot read or write?	X			Staff interviewed all said they would read to the client and explain all forms to ensure they understand.
Does the county offer screening for learning disabilities?	X			In the Welfare to Work Program they offer screening to all applicants.
Is there an established process for offering screening?	X			The Employment worker and/or assessment staff conducts screening.
Is the client identified as having a learning disability referred for evaluation?	X			If a client is identified as having a learning disability they would be referred to the Dept. of Rehabilitation or a contractor.

**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	CaWORKs	NACalFresh
Ethnic origin documentation	SOC 158A	SOC 295	BU-526 Primary Language Form and SAWS1	BU-526 Primary Language Form and SAWS1
Primary language documentation	BU-526 Primary Language Form	BU-526 Primary Language Form	BU-526 Primary Language Form	BU-526 Primary Language Form

<b>Documented Item</b>	<b>Children's Services</b>	<b>Adult Programs</b>	<b>CalWORKs</b>	<b>NACalFresh</b>
Method of providing bilingual services and documentation	BU-526 Primary Language Form and/or case comments	BU-526 Primary Language Form and Case narrative.	BU-526 Primary Language Form and case comments	BU-526 Primary Language Form and case comments
Client provided own interpreter	BU-526 Primary Language Form and/or court documents	BU-526 Primary Language Form and/or case narrative	BU-526 Primary Language Form	BU-526 Primary Language Form
Method to inform client of potential problem using own interpreter	No documentation found	BU-526 Primary Language Form	BU-526 Primary Language Form	BU-526 Primary Language Form
Release of information to Interpreter	None found in case sample	BU-526 Primary Language Form	BU-526 Primary Language Form	BU-526 Primary Language Form
Individual's acceptance or refusal of written material offered in primary language	BU-526 Primary Language Form	BU-526 Primary Language Form	BU-526 Primary Language Form	BU-526 Primary Language Form
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
Documentation of circumstances for using minor interpreter temporarily	N/A	N/A	N/A	N/A
Translated notice of actions (NOA) contain translated inserts	Case file and/or CWS-CMS system	Case file	Case file	Case file

Documented Item	Children's Services	Adult Programs	CalWORKs	NACalFresh
Method of identifying client's disability	No documentation found	Case Narrative	SOF	SOF
Method of documenting a client's request for auxiliary aids and services	BU-526 Primary Language Form			

## VII. STAFF DEVELOPMENT AND TRAINING

Counties are required to provide civil rights and cultural awareness training for all public contact employees, including familiarization with the discrimination complaint process and all other requirements of Division 21. The training should be included in orientation, as well as the continuing training programs.

### A. Findings

Interview questions	Yes	No	Some-times	Comments
Do employees receive continued Division 21 Training?	X			The department has had a great success with "video" training which is emailed to every desktop for mandatory viewing and monitored for attendance.
Do employees understand the county policy regarding a client's rights and procedure to file a discrimination complaint?	X			Staff interviewed were aware of the county's policy to file a discrimination complaint.
Does the county provide employees Cultural Awareness Training?	X			Staff interviewed had positive comments regarding the Cultural Awareness training they have received.
Do the CSW's have an understanding of MEPA (Multi-Ethnic Placement Act)?	X			Staff interviewed state they received refresher training and had an understanding.

Do the employees seem knowledgeable about the predominant cultural groups receiving services in their area?	X			
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### **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**

<b>Interview and review areas</b>	<b>Yes</b>	<b>No</b>	<b>Some-times</b>	<b>Findings</b>
Can the employees easily identify the difference between a program, discrimination, and a personnel complaint?	X			Staff was able to articulate between the three different types of complaints and how to handle.
Did the employees know who the Civil Rights Coordinator is?	X			
Did the employees know the location of the Civil Rights poster showing where the clients can file a discrimination complaint?	X			Employees were aware of 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			

## **IX. CONCLUSION**

The CDSS would like to thank Butte County Department of Employment & Social Services for their hospitality and cooperation. The reviewer was given a warm welcome and complete cooperation throughout the review. All staff were friendly and very helpful during the on-site review. CDSS would like to acknowledge and thank Mike Morgan, Civil Rights Coordinator and Jeni Casaulong, for organizing and coordinating the review.

There was clear and consistent evidence that efforts continue to ensure staff recognize the civil rights program. The civil rights on-line training has been a great success. Staff is consistent in utilizing the BU-256 Preferred Language Form in all programs, for the exception in Children's Services.

The CDSS found the Butte County Department of Employment & Social Services was in substantial compliance with CDSS Manual of Policies and Procedures (MPP) Division 21 Regulations, and other applicable state and federal civil rights laws.

Butte County Department of Employment & Social Services 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 by which all actions will be taken to correct the deficiencies.

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.