



CDSS

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ARNOLD SCHWARZENEGGER
GOVERNOR

December 16, 2010

Lori Harrah, Director
Welfare and Social Services Division
Sutter County Department of Human Services
P.O. Box 1535
Yuba City, CA 95992-1535

Dear Ms. Harrah:

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 August 17-19, 2010. 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 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 too, becomes a public document. Per the Governor's Executive Order S-08-09, all compliance reviews (and corresponding CAPs) performed after January 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, Acting Chief
Civil Rights Bureau
Human Rights and Community Services Division

Enclosure

c: Patricia Evans, Civil Rights Coordinator

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Mike Papin, CDSS Supplemental Nutrition Assistance Program
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**CIVIL RIGHTS COMPLIANCE REVIEW REPORT
FOR
SUTTER COUNTY
WELFARE & SOCIAL SERVICES DIVISION**

Conducted August 17-19, 2010

California Department of Social Services

Human Resources Management Division

Civil Rights Bureau

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Reviewer

Mary Rockwood

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. 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 Sutter County welfare & Social Services Division 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.

Interviews with selected public contact staff were held by telephone prior to the on-site review, which was conducted on August 17-19, 2010. An exit interview was held with administrative staff on August 19, 2010.

The 2010 review was conducted in the following locations:

Facility Address	Programs Reviewed	Languages spoken by a substantial number of clients
190 Garden Highway, Yuba City	CalFresh (Food Stamps)	English, Spanish, Punjabi
1965 Live Oak Blvd., Yuba City	Children's Services (CPS)	English & Spanish
539 Garden Highway, Yuba City	CalWORKs Cash	English & Spanish

II. SUMMARY OF METHODOLOGY

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

- Reviewed the 2010-2011 Annual Civil Rights Plan submitted by the County.
- Reviewed the civil rights discrimination complaint database for a complete listing of complaints filed against the County for the last year.

Headquarters and on-site review procedures included:

- Interviews of public contact staff
- Case file reviews
- Facility inspections
- Review of Program Manager Surveys

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

Interviews Conducted with Public Contact Staff

Classifications	Total	Bilingual
Public Assistance Specialist	4	(2)
Lobby Receptionist	2	(0)
Social Worker	3	(1)
Total	9	(3)

Case File Review (Total 55 cases)

English speakers' case files reviewed	0
Non-English or limited-English speakers' case files reviewed	55
Undocumented/Unable to determine	0
Languages of non-English cases	Spanish, Punjabi

Program Manager Surveys

Number of surveys distributed	4
Number of surveys received	4

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. Any required corrective actions are stated at the end of each section.

Section IX of the report is reserved for a discussion 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			The C4 website allows for electronic submission 24 hours a day.
Does the county have extended hours to accommodate clients?	X			Staff are available from 7:00 a.m. until 5:30 p.m.
Can applicants access services when they cannot go to the office?	X			Alternatives include access via the telephone, website, mail and home visits when necessary.
Does the county ensure the awareness of available services for individuals in remote areas?	X			Out stationed staff and website access are used in addition to hosted outreach campaigns.

Signage, posters, pamphlets	Yes	No	Some-times	Comments
Does the county use the CDSS pamphlet "Your Rights Under California Welfare Programs"?	X	X		See comments at the end of this table regarding inconsistency.
Is the pamphlet distributed and explained to each client at intake and re-certification?	X			The distribution is made routinely and discussion is included in client processing.

Signage, posters, pamphlets	Yes	No	Some-times	Comments
Was the current version of Pub 13 available in English, Spanish, Lao, Vietnamese, Chinese, Hmong, Russian, Korean, Farsi, Armenian, and Cambodian?	X			Only the English and Spanish versions were displayed in the lobby due to the narrow diversity of clients; however, reception staff were aware of access to other translations on the website.
Was the Pub 13 available in large print, audio cassette and Braille?	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			Translated instructional and informational material was provided in the only threshold language of Spanish.

Comments (Use of Publication 13):

The Pub 13 pamphlet is routinely utilized by eligibility staff at intake and annual review for clients participating in CalWorks and CalFresh (Food Stamps); however, it appears that during the investigation of CPS initial referrals, the pamphlet is only given if the child is detained as a result of the investigation. In discussion with staff, the Pub 13 is given to families who "receive services" and an investigation with allegations unsubstantiated is apparently not considered a case receiving services.

B. Corrective Actions:

Areas of Findings	Corrective Action
Use of CDSS pamphlet, "Your Rights Under California Welfare Programs" (Publication 13)	<p>In the CPS Program, provision of the pamphlet is required at Initial contact with Individuals without regard to outcome of the investigation. While not an actual "application", this is considered the "intake" phase of agency contact with the individuals.</p> <p>(Div. 21- 107.221)</p>

IV. FACILITY ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES

The Americans with Disabilities Act 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 ADAAG in the Corrective Action column refers to the federal Standards for Design, and the Title 24 of California Code and Regulations (T24 CCR) are also cited because there are instances when California state law is more stringent 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 Americans with Disabilities Act Accessibility Guidelines (ADAAG).

Facility Location # 1: 190 Garden Highway, Yuba City

Facility Element	Findings	Corrective Action
Parking	<p>1. The signage designating accessible parking spaces was not complete.</p> <p>2. The ground markings (paint) for the designated accessible spaces is so faded that it can not be considered adequately "visible" as called for in regulation. Both the space and the access aisle crossing traffic are faded.</p>	<p>1. An additional sign below the symbol sign shall state "Minimum Fine \$250.00. (CA T24 1129B.4.1)</p> <p>2. Pavement signage shall be 36"x36" minimum, white on blue in color, visible and centered. (CA T24 1129B.4.2)</p> <p>Re-painting needed.</p>
Building Entrance	The door pressure was measured at 12 pounds.	Force to open doors, exterior and interior, shall be 5 pounds maximum [CA T24 1133B.2.5, ADA 4.13.11(2)(a) & (b)]
Reception Lobby	There is no accessible counter or table.	Height of accessible counters or tables is between 28 and 34 inches with knee space at least 19 inches deep. (CA T24 1122B.4, ADA 4.3 and .4)
Accessible Restrooms	There was no signage on the wall adjacent to both the men's and women's restroom..	In addition to the international symbol centered on doors at a height of 60" above the floor (CA T24 1115B.5), signage for gender identification shall be installed on the wall adjacent to the latch outside of the door. If there is no space, the sign shall be placed on the nearest adjacent wall, preferably on the right. (CA T24 1117B.5.7, ADA 4.30.6)

Facility Location # 2: 539/543 Garden Highway, Yuba City

Facility element	Findings	Corrective Action
Parking	<p>1. The signage designating accessible parking spaces was not complete.</p> <p>2. One of the designated van accessible spaces did not meet the specifications for van accessible. The access aisle/loading & unloading must be on the passenger side of a van accessible space.</p>	<p>1. An additional sign below the symbol sign shall state "Minimum Fine \$250.00. (CA T24 1129B.4.1)</p> <p>2. The most practical option is to convert the space to a regular passenger vehicle assessable space, since the access aisle can be on either side for a passenger vehicle. And with one other compliant van accessible space, the required minimum is met. If the choice is to retain two van accessible spaces, re-configuration of the space with the access aisle on the left will be necessary.</p>
Building Entrance	<p>1. The door pressure was measured at 12 pounds.</p> <p>2. There was no signage (usually a door decal) designating the building as accessible.</p>	<p>1. Force to open doors, exterior and interior, shall be 5 pounds maximum [CA T24 1133B.2.5, ADA 4.13.11(2)(a) & (b)]</p> <p>2. A sign with the international symbol of accessibility shall be at every primary entrance. [CA T24 1127B.3, ADA 4.1.3.(16B)]</p>
Reception Lobby	<p>There was no accessible counter or table.</p>	<p>Height of accessible counters or tables is between 28 and 34 inches with knee space at least 19 inches deep. (CA T24 1122B.4, ADA 4.3 and .4)</p> <p>Note: Staff stated that disabled clients are assisted by reception staff in lieu of an accessible counter; however, it did not appear to meet the ADA standards. Detail will be required in corrective action plan.</p>

Facility Location # 3: 1965 Live Oak Parkway, Yuba City

Facility Element	Findings	Corrective Action
Parking	The signage designating accessible parking spaces was not complete.	An additional sign below the symbol sign shall state "Minimum Fine \$250.00. (CA T24 1129B.4.1)
Accessible Restrooms	Paper towel dispensers were mounted too high on the wall in both the men's and women's accessible restroom (54/49 inches)	Dispensing fixtures are to be mounted no higher than 40" from the floor. CA ACRM 1115B.9.2 and CA-ACRM 11115B.9.1.2, ADA 4.19.6)

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 (TDDs), 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 be in the individuals' primary language.

A. Findings from Staff Interviews and Case File Reviews

Question	Yes	No	Sometimes	Comments
Does the county identify a client's language need upon first contact? How?	X			Reception staff conducts a preliminary screening using a household fact sheet. "I speak cards" available to assist in determining language.
Does the county use a primary language form?		X		There is no primary language form, but the household fact sheet and the direct entry of information into the C-IV individual demographic screen during interview provide this information in the case record. Exception: IHSS utilized the GEN22 in addition to the SOC 295
Does the client self-declare on this form?	-	-	-	It is the client verbal input that directs the entry of information into the system.
Are non-English- or limited- English-speaking clients provided bilingual services?	X			Spanish bilingual staffing is provided (and one Punjabi speaker as well). According to staff, when languages other than Spanish are spoken, it is generally the preference of clients to provide their own interpreters. The AT&T Language Line telephone service is also utilized if needed.
After it has been determined that the client is limited-English or non-English speaking, what is the county process for procuring an interpreter?	-	-	-	Non-English speaking clients are assigned to bilingual workers in most cases. When not possible, social service aides or co-workers are utilized to assist in providing interpretation services.
Is there a delay in providing services?		X		
Does the county have a language line provider, a county interpreter list, or	X			

Question	Yes	No	Some-times	Comments
any other interpreter process?				
Are county interpreters determined to be competent?	X			Bilingual workers are tested and certified by the agency.
Does the county have adequate interpreter services?	X			At the present time, Spanish-speaking clients represent the only threshold language and sufficient bilingual staffing and interpreter services appear to be in place. As noted, there is Punjabi staff member to assist if needed and the Language Line.
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			According to staff, it is common for clients to bring someone with them to serve as an interpreter if their primary language is other than English or Spanish.
Does the county use the CDSS-translated forms in the clients' primary languages?	X			Spanish forms are readily available, and were found in the cases reviewed. English forms were found in the few cases where languages other than Spanish were spoken, and review of client information indicated that English was their preferred choice for written material.
Is the information that is to be inserted into Notices of Action translated into the client's primary language?	X			
Does the county provide auxiliary aids and	X			TDD/TTY equipment is available and staff indicated that ASL interpreters

Question	Yes	No	Some-times	Comments
services, telecommunication devices for the deaf (TDDs) 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 Publication 13)?				<p>would be available to assist a hearing impaired client who requested to use sign language. Staff tended, however, to state that passing notes would be the method of communication used with the hearing impaired.</p> <p>According to staff, the primary means to assist visually impaired clients would be to have a third party assist them by reading and signing documents for them.</p> <p>Vocational Assistants were mentioned as an available resource to assist.</p>
Does the county identify and assist the client who has learning disabilities or a client who cannot read or write?	X			In the course of processing, staff assist those clients who cannot read or write by reading to them and helping with the completion of forms.
Does the county offer screening for learning disabilities?	X			This occurs in the Welfare to Work Program.
Is there an established process for offering screening?	X			The offer is made as part of the initial assessment process in CalWORKs employment services.
Is the client identified as having a learning disability referred for evaluation?	X			Further testing and evaluation is provided when appropriate.

B. Corrective Actions: None Required

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

Documentation Item	Cal WORKs	Non-Assistance CalFresh (Food Stamps)	IHSS	CPS
Ethnic Origin	SAWS 1	DFA 285 A1or SAWS 1	Soc 295	ER Initial Referral Form
Primary language	Saws 1 , C-IV	DFA 285 A1 or SAWS 1, C-IV	Soc 295 GEN22	ER Initial Referral Form
Method of providing bilingual services	C-IV Journal entry is provided In addition, Sutter County has implemented an excellent practice of entering the letters "SCI" along with the name of the worker making the journal entry, This stands for Sutter County Interpreter and further documents the use of bilingual staff in communicating with the non-English speaking client.	C-IV Journal entry is provided In addition, Sutter County has implemented an excellent practice of entering the letters "SCI" along with the name of the worker making the journal entry, This stands for Sutter County Interpreter and further documents the use of bilingual staff in communicating with the non-English speaking client.	The case narrative comments were well documented when interpreters were utilized – bilingual social workers did an excellent job documenting when they served as the interpreter.	Delivered Services Log were documented when interpreters were utilized – bilingual social workers did an excellent job documenting when they served as the interpreter

Documentation Item	Cal WORKs	Non-Assistance CalFresh (Food Stamps)	IHSS	CPS
Client provided own interpreter	Would be in narrative; no cases found in sample	Would be in narrative; no cases found in sample	Case Narrative well documented.	N/A – only agency provided interpreters utilized.
Method to inform client of potential problem of ineffective communication using own interpreter	Form 718 (no cases found in sample)	Form 718 (no cases found in sample)	Form 718	N/A
Release of information to Interpreter	Form 718 (no cases found in sample)	Form 718 (no cases found in sample)	Form 718	N/A
Individual's acceptance or refusal of written material offered in primary language	Written communication data field in C-IV individual demographics	Written communication data field in C-IV individual demographics	None	None
Translated NOAs contain translated inserts	Workers insert when C-IV does not print necessary detail	Workers insert when C-IV does not print necessary detail	Workers insert	N/A
Documentation of minor used as interpreter.	N/A	N/A	N/A	N/A
Method of identifying client's disability	Would be Journal Entry if applicable	Would be Journal Entry if applicable	Narrative	Various Documents if applicable
Documenting a client's request for auxiliary aids	Would be Journal Entry if applicable	Would be Journal Entry if applicable	Narrative	Delivered Service Logs contain this

B. Corrective Actions: None Needed

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			Staff receive civil rights training as new employees and annually thereafter. In addition, Sutter County has implemented an electronic "6-minute training" for all workers every 6 weeks which may include civil rights as a topic.
Do employees understand the county policy regarding a client's rights and procedure to file a discrimination complaint?	X			Referrals are made to the Civil Rights Coordinator.
Does the county provide employees Cultural Awareness Training?	X			This training is in conjunction with the Division 21 training mentioned above.
Do the employees seem knowledgeable about the cultural groups receiving services in their area?	X			Diversity is limited, but the Punjabi population appears to be expanding and staff are trained accordingly.

B. Corrective Action: None Required

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. The Civil Rights Coordinator primarily uses this log once complaints get to him/her.

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			Staff were articulate in describing the complaints and the process for complaint resolution for each.
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			They had a general knowledge that such a poster was in the lobby area.
When reviewing the complaint log with the Civil Rights Coordinator, was it complete and up to date?	-	-	-	The complaint log will be reconciled against the data base of complaints maintained by the Civil Rights Bureau. Any discrepancy will be discussed with the CRC.

B. Corrective Action: None Required

IX. CONCLUSION

Sutter County Welfare & Social Services Division is in substantial compliance with CDSS Manual of Policies and Procedures (MPP) Division 21 regulations, and other applicable state and federal civil rights laws. Workers reflected professionalism and consistent effort to ensure compliance with mandates related to the Civil Rights Program and overall service delivery.

The findings outlined in this report were discussed at the exit meeting which was attended by Director, Lori Harrah. At that meeting, she was advised of the excellent review and, in particular, the consistent professionalism in both process and product observed by this reviewer. The overall conversion to the C-IV automated case recording system in Sutter County DHS is representative of the commitment made by both management and staff to provide quality casework and service delivery to the clients served by the agency. The documentation by bilingual workers as noted in the documentation section of this report is an example that enhances the case information and may also remind bilingual workers of the importance of their role in providing language services.

Sutter County Welfare & social Services Division must remedy the violations 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 violations.

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.