



CDSS

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DIRECTOR

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



EDMUND G. BROWN JR.
GOVERNOR

March 23, 2016

Lori Cox, Director
Alameda County Social Services Agency
2000 San Pablo Ave., 4th Floor, Suite #445
Oakland, CA 94612

Dear Ms. Cox:

I want to take this opportunity to thank you and your staff for the cooperation and assistance provided to the reviewer from our office during the course of the Civil Rights Compliance Review of September 21-25, 2015. 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 60 days of this letter. Please address each deficiency and include steps and time lines for the completion of all corrective actions and recommendations listed in the enclosed report.

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

We will provide a copy of your report to any individual who makes a valid Public Records Act (PRA) request. Our reports are considered public documents under the PRA. Once we approve your CAP, it becomes a public document as well. In addition, these documents are published on our website at <http://www.cdss.ca.gov/civilrights/PG2890.htm>.

If you need technical assistance in the development of your CAP, please feel free to contact Elsa Vazquez at (916) 654-2110. You may also contact us by e-mail at crb@dss.ca.gov.

Sincerely,

Original signed by Civil Rights Bureau Chief

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

Enclosure

c: Darleen Brooks, Civil Rights Coordinator

Kim McCoy Wade, Chief
CalFresh Policy Bureau

Carlos Ocampo, Chief
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**CIVIL RIGHTS COMPLIANCE REVIEW REPORT
FOR
ALAMEDA COUNTY SOCIAL SERVICES AGENCY**

**Conducted on
September 21-25, 2015**

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

Reviewer: Elsa Vazquez

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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 Alameda County Social Services Agency (ACSSA) 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 September 21-25, 2015. An exit interview was held on September 25, 2015, to review the preliminary findings.

The review was conducted in the following locations:

Name of Facility	Address	Programs	Non-English languages spoken by a substantial number of clients (5% or more)
Freemont Office	39155 Liberty Street, Ste. C330 Fremont, CA 94536	CalFresh/CalWORKs	Spanish, Chinese, Vietnamese, Farsi, Cambodian and Tagalog
Enterprise Office	8477 Enterprise Way Oakland, CA 94621	CalFresh	Spanish, Chinese, Vietnamese, Farsi, Cambodian and Tagalog
Oakland Main Office	401 Broadway Oakland, CA 94607	Children's Program (CPS)	Spanish, Chinese, Vietnamese, Farsi, Cambodian and Tagalog
		Call Center	
Edgewater Office	7751 Edgewater Drive Oakland, CA 94621	Program Integrity	Spanish, Chinese, Vietnamese, Farsi, Cambodian and Tagalog
N. Oakland Self Sufficiency Office	2000 San Pablo Oakland, CA,94612	State Hearings Office - Accessibility	Spanish, Chinese, Vietnamese, Farsi, Cambodian and Tagalog

II. SUMMARY OF METHODOLOGY

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

- Reviewed the 2015-2016 Civil Rights Compliance Plan submitted by the County.
- Reviewed the civil rights discrimination complaint database for a complete listing of complaints filed against the County for the last year.
- Reviewed the previous Compliance Reviews and Corrective Action Plans submitted by the county.

Headquarters and on-site review procedures included:

- Interviews of public contact staff
- Survey of program managers
- Case file reviews
- Facility inspections
- Discussion with community advocate groups. In this review the following organization(s) were contacted for feedback.

Bay Area Legal Aid
1035 Market Street, 6th Floor
San Francisco, CA 94103

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	3	1
ESC	3	3
Children Social Workers	4	3
Receptionist	4	2
Total	14	9

Program Manager Surveys

Number of surveys distributed	8
Number of surveys received	8

Reviewed Case Files

English speakers' case files reviewed	10
Non-English or limited-English speakers' case files reviewed	46
Languages of clients' cases	Spanish, Arabic, Cantonese, Farsi, Punjabi, Mandarin, Vietnamese,

Sections III through IX 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 evaluates the county's Call/Service Centers services provided to non-English speaking clients and clients with a disability.

Section XI reviews the county's compliance plan, and provides either approval of the plan as submitted, or lays out additional information to be submitted to gain approval.

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

Section XIII 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 clients by flexing/extending their hours		No		Office hours are Monday – Friday 8:30 a.m. - 5:00 p.m.
Does the county allow applications to be mailed in?	Yes			
Can applicants access services when unable to go to the office?	Yes			Clients can access online services at Benefits CalWIN, or they can request by telephone an application to be mailed.
Does the county ensure the awareness of available services for individuals in remote areas?	Yes			

Signage, posters, pamphlets	Yes	No	Some-times	Comments
Does the county use the CDSS pamphlet “Your Rights Under California Welfare Programs” (Pub 13 – 6/11)?	Yes			
Is the pamphlet distributed and explained to each client at intake and re-certification?	Yes			The Pub 13 is included in all intake and renewal application packets.
Is the current version of Pub 13 available in Arabic, Armenian Cambodian, Chinese, English, Farsi Hmong, Japanese, Korean, Lao Mien, Portuguese, Punjabi, Russian Spanish, Tagalog, Ukrainian, and Vietnamese?		No		The current version of the Pub 13 was not available at the Oakland Main Office first floor or 2 nd floor. The Pub 13 was available at the other sites in English & Spanish only.

Signage, posters, pamphlets	Yes	No	Some- times	Comments
If the PUB 13 is not displayed in all the languages available, is there a poster that indicates that the Pub 13 is available in all 18 languages?		No		Repeat Finding from 2014: At all sites visited there is no poster stating the Pub 13 is available in all 18 languages.
Was the Pub 13 available in large print (English and Spanish), CD, audiocassette and Braille?	Yes			
Were the current versions of the required posters present in the lobbies?	Yes			Repeat Finding from 2014: The Pub 86 Poster; Everyone is Different, but Equal Under the Law was present at all office sites. However, a label with the Civil Rights Coordinator's Darleen Brooks contact information was posted over and obscured the area that is important information for clients: instructing them on how to file a complaint with CDSS Public Inquiry and Response Unit.
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?		No		At, 401 Broadway, Oakland Main; the instructional and directional signage was not in threshold languages.

B. Corrective Actions

Informational Element	Corrective Action Required
Translated Pub 13	ACSSA shall ensure that the current version of the Pub 13 is available in all languages translated by CDSS and that the available translated versions are given to the clients in their primary language. Div. 21-115.2
Posters	ACSSA shall ensure that the most current version of posters on nondiscrimination provided by CDSS and USDA are prominently displayed in all waiting areas and reception rooms. Div. 21-107.211
Directional signage	ACSSA 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. Corrective Action

The space where it states: If you do not agree with an action taken by the county; (see picture below, Exhibit 1) is covered by a label with the Civil Rights Coordinator contact information. This label needs to be removed as the information should be visible for clients to read.

Exhibit 1



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

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

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

<http://www.cdss.ca.gov/civilrights/entres/forms/English/pub13.pdf>.

IV. FACILITY ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES

The Americans with Disabilities Act (ADA) requires public accommodations to provide goods and services to people with disabilities on an equal basis with the rest of the general public. The goal is to afford every individual the opportunity to benefit from the services available. The federal regulations require that architectural and communication barriers that are structural must be removed in public areas of existing facilities when their removal is readily achievable; in other words, easily accomplished and able to be carried out without much difficulty or expense.

The facility review is based on four priorities supported by the ADA regulations for planning achievable barrier removal projects. The priorities include ensuring accessible approach and entrance to the facility, access to goods and services, access to restrooms, and any other measures necessary.

Note that the references to the Americans with Disabilities Act Accessibility Guidelines (ADAAG) in the Corrective Action column refer to the federal Standards for Design. Title 24 of California Code and Regulations (T24 CCR) is also cited because there are instances when California state law is stricter than ADAAG specifications.

The county must ensure that programs and activities are readily accessible to individuals with disabilities. This includes building accessibility and availability of accessible parking as well as accessibility of public telephones and restrooms.

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

A. Findings and Corrective Actions

1. Facility Location: 39155 Liberty Street, Ste. C330, Fremont

Facility Element	Findings	Corrective Action
Parking	<p>The Center parking area in between the buildings does not have Van-accessible signage.</p> <p>All accessible spaces in this parking lot are too short - 17' length.</p> <p>On the right-side Parking area, the Van-accessible width is too narrow at 7"10" width.</p> <p>All signage on pavement for accessible parking spaces are faded. The words "NO PARKING" and the wheelchair picture are faded.</p>	<p>Signs identifying van parking spaces shall contain additional language or an additional sign with the designation "Van Accessible." (CA T24 11B-502.6) (ADA 502.6) pg. 169</p> <p>Parking space min. dimensions: 9" wide by 18" long. (CA T24 11B-502.2) (ADA 502.2) PG.174</p> <p>Car parking spaces shall be 9' wide min. and van parking spaces 12' wide min. shall be marked to define the width and shall have an adjacent access aisle complying with the "Access Aisle" heading in this section. (CA T24 11B-502.2) (ADA 502.2.) pg. 173</p> <p>The words "NO PARKING" shall be painted on the surface each access aisle. (CA T24 11B-502.3.3) pg. 176</p> <p>This notice shall be painted in white letters a min. of 12" in height and located to be visible from the adjacent vehicular way. (CA 11B-502.3.3) pg. 176</p> <p>The parking space shall be marked with an International Symbol of Accessibility...in white on a blue background - a minimum 36" wide x 36" high. (CA T24 11B-502.6.4.1) pg. 169</p>

Men's Restroom	There is no accessible signage on door.	<p>Men's toilet and bathing facilities shall be identified by an equilateral triangle, ¼" thick with edges 12" long and a vertex pointing upward. (CA T24 11B-703.7.2.6.1) pg. 310</p> <p>The triangle symbol shall contrast with the door, either light on a dark background or dark on a light background. (CA T24 11B-703.7.2.6.1) pg. 310</p> <p>The symbol shall be mounted at 58" min. and 60" max. above the finish floor or ground surface measured from the centerline of the symbol. (CA T24 11B-703.7.2.6) pg. 310</p> <p>Where a door is provided the symbol shall be mounted within 1" of the vertical centerline of the door. (CA T24 11B-703.7.2.6) pg. 310</p>
Women's Restroom	There is no accessible signage on door.	<p>Women's toilet and bathing facilities shall be identified by a circle, ¼" thick and 12" in diameter. (CA T24 11B-703.7.2.6.2) pg. 310</p> <p>The circle symbol shall contrast with the door, either light on a dark background or dark on a light background. (CA T24 11B-703.7.2.6.2) pg. 310</p> <p>The symbol shall be mounted at 58" min. and 60" max. above the finish floor or ground surface measured from the centerline of the symbol. (CA T24 11B-703.7.2.6) pg. 310</p>

		Where a door is provided the symbol shall be mounted within 1" of the vertical centerline of the door. (CA T24 11B-703.7.2.6) pg. 310
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2. Facility Location: 8477 Enterprise Way, Oakland

Facility Element	Findings	Corrective Action
Parking	The signage for "Unauthorized parking" needs to be re-located closer to entrance.	<p>An additional sign shall be posted either in a conspicuous place at each entrance to an off-street parking facility OR immediately adjacent to on-site accessible parking and visible from each parking space. (CA T24 11B-502.8) pg. 170</p> <p>The additional sign shall not be less than 17" wide x 22" high. Fig. 4 (CA T24 11B-502.8.1) pg. 170</p> <p>The additional sign shall clearly state in letters with a min. height of 1" the following: "Unauthorized vehicles parked in designated accessible spaces not displaying distinguishing placards or special license plates issued for persons with disabilities will be towed away at the owner's expense. Towed vehicles may be reclaimed at: _____ or by telephoning _____." (CA T24 11B-502.8.2) pg. 170</p> <p>Blank spaces shall be filled in with appropriate information as</p>

	<p>The words "No Parking" painted on pavement in access aisles are faded and needs to be repainted.</p>	<p>a permanent part of the sign. (CA T24 11B-502.8.2) pg. 170</p> <p>The words "NO PARKING" shall be painted on the surface each access aisle. (CA T24 11B-502.3.3) pg. 176</p> <p>This notice shall be painted in white letters a min. of 12" in height and located to be visible from the adjacent vehicular way. (CA 11B-502.3.3) pg. 176</p>
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3. Facility Location: 401 Broadway, Oakland

Facility Element	Findings	Corrective Action
Ramp to Entrance	<p>Ramp slope from sidewalk measured too steep on parts of the slope at 9.3%.</p> <p>Hand railing is located only on one side.</p>	<p>The clear width of a ramp run shall be 48" min. (CA T24 11B-405.5) (ADA 405.5) pg. 183</p> <p>Ramp runs shall have a running slope no steeper than 1:12 (8.3%). (CA T24 11B-405.2) (ADA 405.2) pg. 183</p> <p>Cross slope of ramp runs shall not be steeper than 1:48. (CA T24 11B-405.3) (ADA 405.3) pg. 183</p> <p>The rise for any ramp run shall be 30" max. (CA T24 11B-405.6) (ADA 405.6) pg. 183</p> <p>Handrails shall be provided on both sides of stairs and ramps. (CA T24 11B-505.2) (ADA 505.2) pg. 186</p>

		Handrails shall be continuous within the full length of each stair flight or ramp run. (CA T24 11B-505.3) (ADA 505.3) pg. 186
Main entrance	There was no International Sign of Accessibility (ISA), on automatic door button at entrance. Automatic door closed too quickly	In existing buildings and facilities where not all entrances comply with Section 33, Doors, Doorways and Gates, entrances complying with Section 33, Doors, Doorways and Gates shall be identified by the International Symbol of Accessibility complying with "International Symbol of Accessibility" heading in Section 57, Signs & Identification. (CA T24 11B-216.6) (ADA 216.6) pg. 28 Door closers and gate closers shall be adjusted so that from an open position of 90° degrees, the time required to move the door to a position of 12° from the latch is 5 seconds min. (CA T24 11B-404.2.8.1) (ADA 404.2.8.1) pg. 224
2 nd Floor – Children's Services	Client interview entrance is too narrow at 31" wide. Turnaround space is too narrow.	Door openings shall provide a clear width of 32" min. (CA T24 11B-404.2.3) (ADA 404.2.3)pg. 221 Where the accessible route makes a 180° turn around an element which is less than 48" wide, clear width shall be 42" min. approaching the turn, 48" min. at the turn and 42" min. leaving the turn. (CA T24 11B-403.5.2) (ADA 403.5.2) pg. 207

		<p>The turning space shall be a space of 60" diameter min. (CA T24 11B-304.3.1) (ADA 304.3.1) pg. 208</p> <p>The turning space shall be a T-shaped space within a 60" x 60" min. square with arms and base 36" wide min. (CA T24 11B-304.3.2) pg. 208</p>
Men's Restroom – 2 nd Floor	<p>Restroom door pressure is excessive at 15 lbs.</p> <p>Toilet sheet protector is too high at 43".</p>	<p>The force for pushing or pulling open a door or gate other than fire doors shall be as follows:</p> <ol style="list-style-type: none"> 1. Interior hinged doors and gates: 5 lbs. max. 2. Sliding or folding doors: 5 lbs. max. 3. Required fire doors: the minimum opening force allowable by the appropriate administrative authority, not to exceed 15 lbs. Exterior hinged doors: 5 lbs. max. (CA T24 11B-404.2.9 (1 - 4)) (ADA 404.2.9 (1 & 2)) pg. 224 <p>Where towel or sanitary napkin dispensers, waste receptacles, or other accessories are provided in toilet facilities, at least one of each type shall be located on an accessible route. (CA T24 11B-603.5) pg. 319</p> <p>All operable parts, including coin slots, shall be 40" max. above the finish floor. (CA T24 11B-603.5) pg. 319</p>
Women's Restroom 1 st Floor	Pipes under sink are not securely insulated.	Water supply and drain pipes under lavatories and sinks shall be insulated or otherwise configured to protect against

		<p>contact. (CA T24 11B-606.5) (ADA 606.5) pg. 330</p> <p>There shall be no sharp or abrasive surfaces under lavatories and sinks. (CA T24 11B-606.5) (ADA 606.5) pg. 330</p>
Women's Restroom 2 nd Floor	<p>Interior accessible route inside restroom is too narrow at 35".</p> <p>Pipes under sink are not securely insulated.</p> <p>The water closet (toilet seat) is too high at 20".</p> <p>The toilet tissue dispenser is too far from the front edge of the toilet at 20".</p>	<p>The clear width of walking surfaces shall be 36" min. (CA T24 11B-403.5.1) (ADA 403.5.1) pg. 206</p> <p>Water supply and drain pipes under lavatories and sinks shall be insulated or otherwise configured to protect against contact. (CA T24 11B-606.5) (ADA 606.5) pg. 330</p> <p>There shall be no sharp or abrasive surfaces under lavatories and sinks. (CA T24 11B-606.5) (ADA 606.5) pg. 330</p> <p>The seat height of a water closet shall be 17" min. to 19" max. measured to the top of the seat (CA T24 11B-604.4) (ADA 604.4) pg. 342</p> <p>Toilet paper dispensers shall be 7" min. and 9" max. in front of the water closet measured to the centerline of the dispenser. (CA T24 11B-604.7) (ADA 604.7) pg. 320</p>

4. Facility Location: State Hearings – 2nd FL, 2000 San Pablo Office, Oakland

Facility Element	Findings	Corrective Action
State Hearings Area	Entrance pathway leading into the State Hearings room is too narrow at 30”.	The clear width of walking surfaces shall be 36” min. (CA T24 11B-403.5.1) (ADA 403.5.1) pg. 206

A. Recommendation to State Hearings Area

There were chairs and other furniture located in the waiting area which could be rearranged to comply with the accessible pathway requirement.

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 if the forms and materials are provided by CDSS in that language, 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	Comments
Does the county identify a client's language need upon first contact? How?	Yes		Clients identify on the application SAWS2, Language Preference Form 58-05 and CalWIN system.
Does the county use a primary language form?		No	ACSSA does have a Language Preference Form 58-05; However, the form is not being utilized consistently throughout the programs. Children's Services does not utilize this form.
Does the client self-declare on this form?		No	Based on the case file review the Language Preference Form did not have the client's signature as required. Staff needs to ensure the clients sign the 58-05 upon completing the form.
Are non-English- or limited- English-speaking clients provided bilingual services?	Yes		
After it has been determined that the client is limited-English or non-English speaking, is there a county process for procuring an interpreter?	Yes		

Question	Yes	No	Comments
Does the county have a language line provider, a county interpreter list, or any other interpreter process?	Yes		ACSSA has a contract with Lionbridge Language, and they also have a Bilingual directory of staff.
Is there a delay in providing services?		No	
Are county interpreters determined to be competent?	Yes		
Does the county have adequate interpreter services?		No	Based on the review of the 2015-2016 Compliance Plan; Section VIII. Primary Language Data Statistics, Staffing and Hiring Goals there is a need to hire additional bilingual staff. Also, during interviews and the Program Manager Survey review it was mentioned there is a need for more bilingual staff.
Does the county allow minors to be interpreters? If so, under what circumstances?	Yes		In several cases reviewed it was documented that a child, son and/or daughter was used to provide interpreter services. One case was definitely a minor, and the other cases did not document adequately if it was an adult or minor child.
Does the county allow the client to provide his or her own interpreter?	Yes		

Question	Yes	No	Comments
Does the county ensure that the client-provided interpreter understands what is being interpreted for the client?		No	In the case files reviewed there was documentation that a client-provided interpreter was used, but it was not documented how the county ensures the client understood what was being interpreted.
Is the client informed of the potential problems for ineffective communication?		No	There was no documentation if the client was informed of potential problems for ineffective communication. Also, there was no Confidential Release Form in any of the case files reviewed.
Does the county use the CDSS-translated forms in the clients' primary languages?	Yes		
Is the information that is to be inserted into NOA translated into the client's primary language?	Yes		
If language to be inserted into NOA is not available, is there a procedure to ensure information translated to client's primary language?	Yes		
Does the county provide auxiliary aids and services, TDD's and other effective aids and services for persons with impaired hearing,			

Question	Yes	No	Comments
speech, vision or manual skills, including Braille material, taped text, large print materials (besides the Pub 13)?	Yes		
Does the county identify a client with a disability (physical, mental, or learning)?		No	There is no specific form to capture a client's disability in the programs reviewed.
Does the county provide reasonable accommodations to clients with a disability (physical, mental, or learning)?	Yes		There are accessible building features to assist a client with a disability. Also, staff interviewed stated they would attempt to assist a client with a disability if needed. And, one staff stated they are aware of an ADA worker located at the Hayward Office. It is not clear on the role of this ADA worker.
Does the county identify and assist the client who has learning disabilities or a client who cannot read or write?	Yes		Staff interviewed stated they would assist a client and read forms to them if needed.
Does the county offer screening for learning disabilities?	Yes		Three of the staff interviewed stated there is a screening for learning disabilities.
Is there an established process for offering screening?	Yes		However, only three staff stated they were aware there is a screening in Welfare to Work program.

Question	Yes	No	Comments
Is the client identified as having a learning disability referred for evaluation?	Yes		In the Welfare to Work.

B. Corrective Actions

Area of Findings	Corrective Actions
Bilingual Staff	ACSSA shall ensure that a sufficient number of qualified bilingual employees shall be assigned to positions and locations serving a substantial number of non-English-speaking persons. Div. 21-115.1
Effective Services	ACSSA must develop and implement a policy that identifies the process to ensure effective services to applicants and recipients who are non-English speaking or who have disabilities. Div.21-111.14
Clients who provide their own interpreter.	ACSSA shall ensure when applicants/recipients provide their own interpreter, the CWD shall ensure that the applicants/recipients are informed of the potential problems for ineffective communication. The CWD shall document in the case record that the applicants/recipients were so informed. Div. 21-116-2.223
Consent for release of information.	ACSSA shall ensure consent for the release of information shall be obtained from applicants/recipients when individuals other than CWD employees are used as interpreters and the case record shall be so documented. Div. 21-116.2.224
Use of Minors	ACSSA shall only allow the use of a minor (under the age of 18 years) to temporarily act as an interpreter under extenuating circumstances or at the specific request of the applicant/recipient. Div. 21-115.16
Learning Disabilities Screening	ACSSA must have a protocol in place for screening and evaluating participants in the CalWORKs WTW program with learning disability by trained staff. ACL No. 01-70 (02-64)

C. Recommendation

It was brought to the reviewer's attention there is a Form 90-152 Accommodation Request which is only used in the General Assistance Program. Upon review of this form this reviewer recommends that it be used across all programs. This form is drafted to capture the needs of a client who may have a disability and require reasonable accommodation and their needs.

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 Services (CPS)	CalWORKs & Employment Services	CalFresh	Program Integrity
Ethnic origin documentation	Unable to verify Children's case files. Due to lack of cooperation by program, lack of access to Case Management system and lack of staff assistance.	CalWin demographics	CalWin demographics	CalWin, FRED Form Referral sheet
Primary language documentation		Form 50-85, however it is not used consistently by staff.	Form 50-85, however it is not used consistently by staff.	CalWin, FRED Form Referral sheet
Method of providing bilingual services and documentation		CalWin case comments, however some cases there was no documentation	CalWin case comments, however some cases there was no documentation.	Case comments
Client provided own interpreter		CalWin case comments	CalWin case comments	

Documented Item	Children Services (CPS)	CalWORKs & Employment Services	CalFresh	Program Integrity
Method to inform client of potential problem using own interpreter		No documentation found in case files reviewed. However, a few staff interviewed stated they would verbally inform client.	No documentation found in case files reviewed. However, a few staff interviewed stated they would verbally inform client.	Not found in case files reviewed.
Release of information to Interpreter		No form found in case files.	No form found in case files.	Not found in case files reviewed.
Individual's acceptance or refusal of written material offered in primary language		Not found in case files.	Not found in case files.	Not found in case files.
Documentation of minor used as interpreter		Case comments were unclear if daughter or son used was a minor or adult.	Case comments were unclear if daughter or son used was a minor or adult.	One case reveals a minor was used.
Documentation of circumstances for using minor interpreter temporarily		None	None	None
Method of identifying client's disability		Case comments for ASL interpreter.	None found	None found

Documented Item	Children Services (CPS)	CalWORKs & Employment Services	CalFresh	Program Integrity
Method of providing reasonable accommodation to the client with disability		Case comments.	No documentation.	None found

A. Corrective Actions

Areas of Action	Corrective Action
Access to Child Welfare Services files were denied to reviewer.	<p>Each agency shall maintain case record documentation in sufficient detail to permit a reviewer to determine the agency's compliance with the requirements of Division 21. Div. 21-116.1</p> <p>CDSS reserves the right to interview staff, review, copy or obtain all data, records, reports, case files and other materials determined necessary in the conduct of discrimination complaint investigations and/or compliance reviews involving all agencies subject to the requirements of this division. Div. 21-103.3</p> <p>*For upcoming review September 2016, reviewer will require staff assistance including access to Case management system to review files.</p>
Documentation if client provided own interpreter	<p>When applicants/recipients provide their own interpreter, the CWD shall ensure that the applicants/recipients are informed of the potential problems for ineffective communication. The CWD shall document in the case record that the applicants/recipients were so informed. Div. 21-116.23</p>

Areas of Action	Corrective Action
Temporary use of a minor (under 18 years of age) as an interpreter	When a minor (under 18 years of age) is used as an interpreter, the CWD shall so document the circumstances requiring <u>temporary</u> use of minors in the case record. Div. 21-116.22 Only under extenuating circumstances or at the specific request of the applicant/recipient shall a CWD allow a minor (under the age of 18 years) to temporarily act as an interpreter.
Documentation of interpreter signed confidentiality statement	Consent for the release of information shall be obtained from applicants/recipients when individuals other than CWD employees are used as interpreters and the case record shall be so documented. Div. 21-116.24
Documentation of primary language	Each agency shall ensure that case record identification shows the applicant's/recipient's ethnic origin and primary language. Div. 21-201.21
Documentation that bilingual services were provided	Document the method used to provide bilingual services, e.g., assigned worker is bilingual, other bilingual employee acted as interpreter, volunteer interpreter was used, or client provided interpreter. Div. 21-116.22
General	ACSSA County must ensure that proper documentation is kept in the file that identifies all the required elements to ensure compliance. Div. 21-116

B. Recommendation

ACSSA has been working diligently to improve effective Interpretive Services. The review of the LEP Plan outlines the policies and procedures for staff to follow to assist a Limited English Proficient client. It is this reviewer's recommendation that ACSSA continue to emphasize the importance of providing timely interpretive services and documenting such interpretive services in training, staff meetings and other forms of communications. It is also recommended that ACSSA consider the use of the Form 90-

152 Accommodation Request in all programs.

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	Comments
Do employees receive continued Division 21 Training?		No	Two staff interviewees stated they had not received Civil Rights Training.
Do employees understand the county policy regarding a client's rights and procedure to file a discrimination complaint?		No	Staff interviewed is not clear on the process for directing clients when they wish to file a discrimination complaint. There is confusion among staff on the procedures.
Does the county provide employees Cultural Awareness Training?	Yes		
Do the CSW's have an understanding of Multi-Ethnic Placement Act (MEPA)?	Yes		
Do the employees seem knowledgeable about the predominant cultural groups receiving services in their area?	Yes		
Does the county provide training on how to interact with clients with disabilities (physical, mental & learning)?		No	A few staff who could not remember receiving training.

B. Corrective Actions

Training Area	Corrective Action
Division 21, Civil Rights Training	<p>ACSSA County shall ensure that employees receive Division 21 civil rights training at the time of orientation, as well as ongoing training to ensure that public contact staff has knowledge of Division 21, including familiarization with the discrimination complaint process. Div. 21-117.1</p> <p>ACSSA Civil Rights Training Module appears to have conflicting information on procedures and needs to be reevaluated for accuracy.</p>

III. 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	Findings
Can the employees easily identify the difference between a program, discrimination, and a personnel complaint?		No	Staff interviewed is not able to identify the differences between the complaints.
Did the employees know who the Civil Rights Coordinator is?		No	Two staff members did not know who the Civil Rights Coordinator was.
Did the employees know the location of the Civil Rights poster with		No	

Interview and review areas	Yes	No	Findings
information as to how and where the clients can file a discrimination complaint?			
When reviewing the complaint log with the Civil Rights Coordinator, was it complete and up to date?		No	The complaint log was not complete with the required information as required in Div. Section 21-203.21.
Is the County utilizing correct correspondence to address the final results to the complainant after the investigation is completed?		No	

B. Corrective Action

Element	Corrective Action
Discrimination Process	ACSSA shall ensure staff have knowledge of the discrimination complaint process and are able to differentiate it from other complaint processes. Div. 21-117 and 21-203
Assignment of Resources to implement this Requirements of this Division	Responsibility for the implementation of nondiscrimination requirements shall be centralized within each agency. Each agency shall designate an employee as the Civil Rights Coordinator, and shall allocate adequate personnel and resources to implement the provisions of this division and ensure nondiscrimination in the delivery of services. Methods and staff used to meet Division 21 requirements may vary from county to county. Div.21.201.1
Civil Rights Coordinator	ACSSA shall ensure that staff is knowledgeable regarding contact information of the civil rights coordinator, at minimum, where the information can be located. Div. 21-117 and 21-107.21

IX. VENDOR CONTRACTS

Counties are required to ensure contracted services with contractors, vendors, consultants, and other providers of service, who receive state or federal assistance, include the assurance of compliance agreement.

Contracts Review

Number of Contracts Reviewed	10
Number of Contracts w/Assurance of Compliance Agreement	10

X. CALL CENTER EVALUATION

County Call/Service Centers are evaluated to ensure services provided are nondiscriminatory toward non-English speaking clients and clients with a disability (physical, mental, or learning).

A. Findings from Call/Service Center site visit and interviews.

Question	Yes	No	Comments
Is the Call Center/Service Center publically accessible to clients for walk-in services?		No	
Does the Call Center/Service Center answer calls for the entire county, by district, or regional office?	Yes		The Call Center answers calls for the entire county.
Does the Call/Service Center have an Interactive Voice Response system?	Yes		
If so, does the Interactive Voice Response system have language options for all county threshold languages?	Yes		
Does the Interactive Voice Response system have an option to request free interpretive services?	Yes		

Is the Call/Service Center accessible to clients with a disability (physical, mental, or learning)?	Yes		The call center can receive calls from the California Relay, also when the call is received the staff will identify if the client has a disability need that requires a reasonable accommodation.
Does the Call/Service Center accommodate clients with a disability (physical, mental, or learning)?	Yes		Staff interviewed state they would assist the client and, if needed, seek further assistance from their Supervisor.
Are the Call/Service Center calls monitored for quality assurance?	Yes		
Does the Call/Service Center staff provide services to client's individual case?	Yes		

B. Observation

The Call Center staff was friendly and helpful to callers during my onsite visit with staff. Staff was knowledgeable and resources available for providing interpretive services.

XI. COMMUNITY INPUT

As a part of this review, and as noted in Section II, feedback was sought from Bay Area Legal Advocates. The following summarizes their observations, and will provide issues that the county management team can address to improve their operations from a civil rights perspective.

A. Major observations include:

1. Language Interpretive Services – Public contact staff in offices do not immediately offer free interpretive services. Staff should not encourage clients to use their own family member to provide interpreter services instead of acquiring the service of their own interpreter's available or Language Line.

2. Reasonable Accommodations to clients – Staff does not offer reasonable accommodations to clients who require assistance.

B. Corrective Action

1. ACSSA shall continue to provide training and reminders to public contact staff regarding the importance of the Offer of Interpretive Services.
2. Public contact staff needs to receive training on the policies and procedures to follow when a client requests a Reasonable Accommodation.

XII. CIVIL RIGHTS COMPLIANCE PLAN REVIEW AND APPROVAL

The 2015-2016 Alameda County Social Services Agency Civil Rights Compliance Plan for the period September 1, 2015 through August 31, 2016, was received on October 15, 2015.

Thank you for submitting your agency's Civil Rights Compliance Plan. Before approval, however, we are requesting the following augmentations to your plan:

- a. **Section III. Assignment of Resources** – 1. Departmental organization chart that includes and reflects the Civil Rights Coordinator placement. 2. Also, it was discovered during the on-site review and through staff interviews there are two additional roles within the department; an ADA Worker and a Client Advocate. It is requested for ACSSA to provide the duty statements and identify what are the roles and responsibilities of these positions and how they work with clients.
- b. **Section V. Services to Non-English-Speaking, Limited-English-Proficient and Disabled Applicants/Recipients** – Provide policy/procedure for when a client fails to self-identify primary language.
- c. **Section VI. Documentation of Clients' Case Records** – Provide copy of form; Consent for release of information to interpreters
- d. **Section XII. Discrimination Complaint Procedure** – Discrimination Complaint Procedure needs to be revised as it is not consistent with CDSS CRB Discrimination Guidelines.

Please submit these items with your corrective action plan for this review.

XIII. CONCLUSION

The CDSS reviewer found the Alameda County Social Services Agency staff warm, welcoming, informative and very supportive. Particular thanks to Darleen Brooks, Civil Rights Coordinator, for organizing the details of the review, and 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.

The CDSS found the Alameda County Social Services Agency in partial 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 Alameda County Social Services Agency must remedy the deficiencies identified in this report by taking corrective actions. A corrective action plan must be received by CDSS within 60 days of the date of the cover letter to this report; and the plan must include a schedule of all actions that will be taken to correct the deficiencies, and an indication of who will be responsible for implementing the corrective 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.