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ARNOLD SCHWARZENEGGER
GOVERNOR

June 22, 2010

Cecilia Espinola, Director
Santa Cruz County Human Services Department
1000 Emeline Avenue
Santa Cruz, CA 95060

Dear Ms. Cecilia Espinola:

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 Santa Cruz County Human Services Department. 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: Joyce A. Germain, Civil Rights Coordinator

Chris Webb-Curtis, Branch Chief, CDSS Supplemental Nutrition Assistance Program
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**CIVIL RIGHTS COMPLIANCE REVIEW REPORT
FOR
COUNTY OF SANTA CRUZ
Conducted November 2 – 4, 2009**

**California Department of Social Services
Human Rights and Community Services Division
Civil Rights Bureau
744 P Street, M.S. 8-16-70
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Reviewer

Cindy S. Guzman

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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 Santa Cruz Department of Social Services 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 November 2 - 4, 2009. An exit interview was held on November 5, 2009 to review the findings.

The review was conducted in the following locations:

Address	Programs	Non-English languages spoken by a substantial number of clients (5% or more)
1020 Emeline Avenue, Santa Cruz, CA 95060	Non Assistance Food Stamps and CaWORKS	Spanish
1400 Emeline Avenue, Santa Cruz, CA 95060	Children's Protective Services /Adult Protective Services	Spanish
119 W Beach Street Watsonville, CA	Non Assistance Food Stamps and CaWORKS	Spanish

II. SUMMARY OF METHODOLOGY

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

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

Headquarters and on-site review procedures included:

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

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

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

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

Interviews Conducted of Public Contact Staff

Classifications	Total	Bilingual
Eligibility Workers	8	5
Children Social Workers	1	0
Adult Program Workers	2	2
Receptionist/Screeners	3	3
Total	14	10

Program Manager Surveys

Number of surveys distributed	4
Number of surveys received	4

Reviewed Case Files

English speakers' case files reviewed	32
Non-English or limited-English speakers' case files reviewed	04
Languages of clients' cases	Spanish, Chinese, Cantonese

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

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			Hours are 8 AM to 5 PM with a 24-hour application drop-off box. Applications can be mailed in, and special arrangements can be made if needed.
Does the county have extended hours to accommodate clients?	X			Extended hours are available for CPS and there is an on-call social worker to response to urgent situations 7 days a week, 24 hours a day. For other services it is on a case-by-case and by pre-arrangement.
Can applicants access services when they cannot go to the office?	X			Applicants can call the Benefits Call Center or any of the Application Centers and submit an application by phone.
Does the county ensure the awareness of available services for individuals in remote areas?	X			The county ensures awareness through partnerships with the Davenport Resource Center, Mountain Community Resource Center and other community organizations.

Signage, posters, pamphlets	Yes	No	Some-times	Comments
Does the county use the CDSS pamphlet "Your Rights Under California Welfare Programs" (Pub 13)?	X			Pub 13 is distributed and explained to each client at initial contact and at renewal.
Is the pamphlet distributed and explained to each client at intake and re-certification?	X			
Was the current version of Pub 13 available in English, 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			Staff interviewed, were aware of posters location with the Civil Rights Coordinator's name and address.
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			Signage was available in English and Spanish.

B. Corrective Actions/None

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.

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: 1020 Emeline Avenue, Santa Cruz, CA 95060

Facility Element	Findings	Corrective Action
Main entrance	Force to open entrance doors too excessive at 9 lbs.	Force to open doors, exterior and interior is 5 pounds maximum (CA T24 1133B.2.5, ADA 4.13.11(2)(a) & (b)) p. 195

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

Facility Location: 1400 Emeline Avenue, Santa Cruz, CA 95060

The 1400 Emeline Avenue Facility was found to be in compliance with the Title 24, California Code of Regulations (T24 CCR) and ADAAG.

Facility Location: 119 W. Beach Street, Watsonville, CA 95076

Facility Element	Findings	Corrective Action
Parking	No ISA Sign at far left handicapped space nearest to the entrance.	<p>Each parking space for persons with disabilities shall be identified by a reflectorized sign permanently posted adjacent to and visible from each stall or space, consisting of the International Symbol of Accessibility in white on dark blue background.</p> <p>The sign shall be 70 sq. In. min. and when in a path of travel, shall be posted at a height of 80" min. from the bottom of the sign to the finished grade. CA T24 1129B.5 (ADA 4.6.4)</p> <p>Sign height shall be 80" minimum from bottom of sign to top of finish grade. (CA T24 1129B.5, ADA 4.6.5) p. 133</p> <p>Wall signage shall be centered 36" minimum above grade, ground, or sidewalk at the interior end of space. (CA T24 1129B.5) p. 133</p>

Water fountain	Water fountain spout is too high at 37 ½”.	The spout is located within 6” of the front edge and 36” of the floor. The water stream is parallel to the front edge of the fountain. (CA T24 1115B.2.1.5.3, ADA 4.15.2) p. 213
Men’s Restroom	Sink counter is too high at 36”.	Sink is mounted with a counter or rim no higher than 34”. (ADA 4.24.2 & 4.19.2) pp 311, 267
Women’s Restroom	Sink counter is too high at 36”.	Sink is mounted with a counter or rim no higher than 34”. (ADA 4.24.2 & 4.19.2) pp 311, 267
	Toilet tissue dispenser is located too far away at 16” from the front edge of toilet.	Toilet tissues dispensers are located on the wall within 12” of front edge of toilet seat. (CA T24 1115B.9.3) pp 275, 269

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 is 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			During initial screening the client is asked about language preference. County also uses the "I speak cards",
Does the county use a primary language form?	X			County uses the Well 8106 Form.
Does the client self-declare on this form?	X			Client completes form and self-declares on this form.
Are non-English- or limited- English-speaking clients provided bilingual services?	X			Clients are provided services through bilingual staff and/or through the AT& T Language Line for interpreter services.
After it has been determined that the client is limited-English or non-English speaking, is there a county process for	X			County has bilingual staff available. For languages not available through bilingual staff, county uses AT & T Language Line for interpreter services.

Question	Yes	No	Some-times	Comments
procuring an 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			
Are county interpreters determined to be competent?	X			County interpreters are determined to be competent through certified exams.
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			The client and interpreter must sign a confidentiality 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			

Question	Yes	No	Some-times	Comments
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			The county provides auxiliary aids and services by using the TDD/TTY, large print, video and by reading and explaining materials to them.
Does the county identify and assist the client who has learning disabilities or a client who cannot read or write?	X			The county reads and explains material to the client.
Does the county offer screening for learning disabilities?	X			
Is there an established process for offering screening?	X			The county has a contract with the Adult Schools for the screening of learning disabilities.
Is the client identified as having a learning disability referred for evaluation?	X			Clients are referred to the Adult School.

B. Corrective Actions/None

VI. DOCUMENTATION OF APPLICANT/RECIPIENT CASE RECORDS

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

A. Findings from Case File Reviews and Staff Interviews

Documented Item	Children's Services	Adult Programs	CalWORKs	Non-Assisted Food Stamps
Ethnic origin documentation	Police Report, ERR and Court Documents.	Case comments, Adult Referral Form and IHSS reassessment summary.	SAWS 1	SAWS 1
Primary language documentation	Emergency Form and SAWS 1	Well 8106 Form and SAWS 1	Well 8106 Form and SAWS 1	Well 8106 Form, Well 5098 Form, and SAWS 1
Method of providing bilingual services and documentation	Case comments, court documents and/or also case assigned to bilingual worker.	Case comments, court documents and/or also case assigned to bilingual worker.	Case comments, court documents and/or also case assigned to bilingual worker.	Case comments, court documents and/or also case assigned to bilingual worker.
Client provided own interpreter	No documentation observed in case samples.	No documentation observed in case samples.	No documentation observed in case samples.	No documentation observed in case samples.
Method to inform client of potential problem using own interpreter	Well 8106 Form	Well 8106 Form	Well 8106 Form	Well 8106 Form
Release of information to Interpreter	Well 8106	Well 8106	Well 8106	Well 8106
Individual's acceptance or refusal of written material offered in primary language	Well 8106 Form	Well 8106 Form	Well 8106 Form	Well 8106 Form
Documentation of minor used as interpreter	No documentation observed in case samples	No documentation observed in case samples	No documentation observed in case samples	No documentation observed in case samples
Documentation of	No	No	No	No

Documented Item	Children's Services	Adult Programs	CalWORKs	Non-Assisted Food Stamps
circumstances for using minor interpreter temporarily	documentation observed in case samples	documentation observed in case samples	documentation observed in case samples	documentation observed in case samples
Translated notice of actions (NOA) contain translated inserts	Yes, Spanish	Yes, Spanish	Yes, Spanish	Yes, Spanish
Method of identifying client's disability	Clients disability identified on the Statement of Facts Form	Clients disability identified in Doctor Reports	Clients disability identified on the Statement of Facts Form	Clients disability identified on the Statement of Facts Form
Method of documenting a client's request for auxiliary aids and services	Case files have stickers on them stating specific language and auxiliary aids and services needs.	Case files have stickers on them stating specific language and auxiliary aids and services needs.	Case files have stickers on them stating specific language and auxiliary aids and services needs.	Case files have stickers on them stating specific language and auxiliary aids and services needs.

B. Corrective Actions/None

VII. STAFF DEVELOPMENT AND TRAINING

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

A. Findings

Interview questions	Yes	No	Some-times	Comments
Do employees receive	X			

continued Division 21 Training?				
Do employees understand the county policy regarding a client's rights and procedure to file a discrimination complaint?	X			During the telephone interviews, the workers were able to identify the difference between a program complaint, personnel complaint a discrimination complaint, and the county policy procedures to file a discrimination complaint.
Does the county provide employees Cultural Awareness Training?	X			
Do the CSW's have an understanding of MEPA (Multi-Ethnic Placement Act)?	X			
Do the employees seem knowledgeable about the predominant cultural groups receiving services in their area?	X			

B. Corrective Actions/None

VIII. DISCRIMINATION COMPLAINT PROCEDURES

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

A. Findings from Staff Interviews and Program Manager Surveys

Interview and review areas	Yes	No	Some-times	Findings
Can the employees easily	X			During the telephone

Interview and review areas	Yes	No	Some-times	Findings
identify the difference between a program, discrimination, and a personnel complaint?				interviews, the workers were able to identify the difference between a program complaint, personnel complaint and a discrimination complaint
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			
When reviewing the complaint log with the Civil Rights Coordinator, was it complete and up to date?	X			

B. Corrective Action/None

IX. CONCLUSION

The CDSS would like to acknowledge and thank Joyce Germain, Civil Rights Coordinator, and Kevin Fitzgerald, Facilities Manager, for their assistance and cooperation during the review.

The CDSS found the Santa Cruz County Human Resources Agency staff to be professional and very service oriented.

The Santa Cruz County Human Services Agency was in substantial compliance with CDSS Division 21 Regulations, and other applicable state and federal laws with some exceptions.

The Santa Cruz County 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 deficiencies 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.