



CDSS

WILL LIGHTBOURNE
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

May 28, 2014

Trent Rhorer, Executive Director
City & County of San Francisco
Human Services Agency
P.O Box 7988
San Francisco, CA 94120-7988

Dear Mr. Rhorer:

This letter is to advise you that the revised Corrective Action Plan submitted on May 27, 2014 in response to the results of our February 2014 Civil Rights Compliance Review is approved.

We will be monitoring the implementation of your corrective action items through your Civil Rights Coordinator. Please have your Civil Rights Coordinator provide our office with an update on corrective actions by October 10, 2014.

If you have any questions, please contact Ms. Tiffany Marsh at (916) 651-6242 or by e-mail at Tiffany.Marsh@dss.ca.gov.

Sincerely,

Original signed by Bureau Chief

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

c: Daniel Kaplan, Deputy Director Human Services Agency
Luenna Kim, Civil Rights Coordinator

bc: Mike Papin, Chief
CalFresh Policy Bureau

John Mason, Chief
Field Operations Bureau

Sysvanh Kabkeo, Chief
CalFresh Management Operations Section

Taadhimeka Haynes
Staff Services Manager I

Paul Gardes
CalFresh Policy Bureau

Thuan Nguyen
Refugee Programs Bureau

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

Andrew Riesenber
USDA Food and Nutrition Services
Supplemental Nutrition Assistance Program (SNAP)
Western Region

Jodie Berger, Regional Counsel
Legal Services of Northern California

City and County of San Francisco



Edwin Lee, Mayor

Human Services Agency

Department of Human Services

Department of Aging and Adult Services

Trent Rhorer, Executive Director

Via Regular Mail and E-Mail (Jim.Tashima@dss.ca.gov)

May 27, 2014

Jim Tashima
Chief, Civil Rights Bureau
Human Rights and Community Services Division
California Department of Social Services
744 P Street
Sacramento, California 95814

Re: City and County of San Francisco, Human Services Agency
Response to Civil Rights Compliance Review Report, February 24-28, 2014

Dear Mr. Tashima:

Attached please find our Corrective Action Plan (CAP), which addresses each deficiency and outlines our steps and timelines for corrective actions as outlined in the February 2014 Compliance Review.

Thank you for the detailed review and subsequent feedback that was provided to our Agency. We have especially appreciated working with Ms. Claudia Cabrera. She was very professional, knowledgeable, and helpful throughout the entire review.

Should you have any questions, you may contact me at (415) 557-5751.

Yours truly,

A handwritten signature in cursive script, appearing to read "Luenna Kim".

Luenna Kim
Human Resources Director
Civil Rights Coordinator

Attachments: Corrective Action Plan, February 24-28, 2014
2013 HSA Discrimination Complaint Log (updated)
Civil Rights Compliance Review Report, February 24-28, 2014

cc: Trent Rhorer, Executive Director, Human Services Agency
Daniel Kaplan, Deputy Director, Human Services Agency
Claudia Cabrera, California Department of Social Services, Civil Rights Bureau
Tiffany Marsh, California Department of Social Services, Civil Rights Bureau
Livelihood

City and County of San Francisco
Human Services Agency

Corrective Action Plan
February 24-28, 2014

A. Abbreviations

California Department of Social Services (CDSS)
Civil Rights Bureau (CRB)
Corrective Action Plan (CAP)

City and County of San Francisco (CCSF)
City and County of San Francisco, Human Services Agency (HSA/Agency)
Human Services Agency, Office of Civil Rights (OCR)

B. Dissemination of Information

No corrective actions noted

C. Facility Accessibility for Individuals with Disabilities

Facility Location: 77 Otis Street, San Francisco

Facility Element	Findings	Corrective Action
Parking	Street metered parking only. No county designated parking.	N/A
Outside Signage	Building not easily identified.	HSA will install sign directing clients to accessible building entrances. Target completion: September 30, 2014
Interview Area	It is recommended that privacy panels be installed in order to safeguard client confidentiality when discussing his/her case.	HSA will install privacy panels per recommendation. Status: Completed
	The designated, adjustable ergonomic desk located in the corner shall always have the settings adjusted with a minimum seating knee space of 27" high (CA T241122B.3) (ADA 4.32.3) p 394.	The desk has been adjusted. Staff have been reminded of the requirements and will monitor the desk height periodically. Status: Completed

Facility Location: 170 Otis Street, San Francisco

Facility Element	Findings	Corrective Action
Parking	Street metered parking only. No county designated parking.	N/A
Women's Restroom	Accessible toilet is low at 15" high.	Toilet seat will be raised to achieve a minimum height of 17". Status: Completed
	Grab bars are low at 32 ¼" high.	Grab bar will be raised to the correct height of 33". Status: Completed
	Sign on the wall is high at 64".	Sign will be lowered to 60" (measured from the floor to the center line of the sign). Target completion: June 30, 2014
Men's Restroom	Accessible toilet is low at 15" high.	Toilet seat will be raised to achieve a minimum height of 17". Status: Completed
	Grab bars are low at 32 ¼" high.	Grab bar will be raised to the correct height of 33". Status: Completed

Facility Location: 1235 Mission Street, San Francisco

Facility Element	Findings	Corrective Action
Parking	Street metered parking only. No county designated parking.	N/A
Exterior entrance	Directional signage at main entrance does not clearly indicate the direction to the accessible entrance around the corner.	HSA will install sign directing clients to accessible building entrance around the corner. Target completion: August 31, 2014
Client lobby	The accessible counter is low at 27 ½".	The client lobby area is undergoing renovation and will be brought up to code per applicable federal, state, and local laws. Target completion: August 31, 2014
Telephone	The wall mounted phones are not equipped with push button	The client lobby area will be undergoing renovation and will

	controls.	be brought up to code per applicable federal, state, and local laws. Target completion: August 31, 2014
Men's Restroom	Accessible urinal is high at 24". Toilet seat protectors are high at 44". Toilet tissue dispenser is far and located within 29".	The men's restroom is undergoing renovation and will be brought up to code per applicable federal, state, and local laws. Target completion: August 31, 2014
Women's Restroom	The accessible stall is not in working condition. See Exhibit A below.	The women's restroom is undergoing renovation and will be brought up to code per applicable federal, state, and local laws. Target completion: August 31, 2014

Facility Location: 3801 Third Street, San Francisco

Facility Element	Findings	Corrective Action
Parking	Shared parking lot in a shopping center. No county designated parking.	N/A
Elevator	Landing sign jamb on both sides of elevator indicating the floor number is high at 64".	The building is owned and operated by a private party. Landlord has been apprised of the issue and stated that they will take it into consideration during their remodel. Target completion: September 30, 2014
Second Floor Men's Restroom	There is no sign on the wall.	The building is owned and operated by a private party. Landlord has been apprised of the issue and stated that they will take it into consideration during their remodel. Target completion: September 30, 2014
Second Floor Women's Restroom	There is no sign on the wall. Soap dispenser is high at 45".	The building is owned and operated by a private party. Landlord has been apprised of the issues and stated that they

		will take it into consideration during their remodel. Target completion: September 30, 2014
First Floor Men's Restroom	Sign on door high at 65".	The building is owned and operated by a private party. Landlord has been apprised of the issue and stated that they will take it into consideration during their remodel. Target completion: September 30, 2014
First Floor Women's Restroom	Sign on door high at 63".	The building is owned and operated by a private party. Landlord has been apprised of the issue and stated that they will take it into consideration during their remodel. Target completion: September 30, 2014

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

Question/Element	Comments	Corrective Action
Language Access	It was identified in one of the program manager survey's that non-certified staff who can speak but not read a language are used as interpreters when certified bilingual staff are unavailable. San Francisco County shall inform staff of the availability of Language Line, which can be used as an alternative to qualified bilingual staff, when unavailable, to ensure that bilingual interpretive services are provided.	The Agency notified staff of the availability of Language Line, which can be used as an alternative when certified bilingual staff are unavailable. Target completion: Ongoing training

E. Documentation of Applicant/Recipient Case Records

Areas of Action	Comments	Corrective Action
Documentation if client provided own interpreter	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	The Agency notified staff of this requirement. Target completion: Ongoing training

	CWD shall document in the case record that the applicants/recipients were so informed. Div. 21-116.23	
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	The Agency notified staff of this requirement. Target completion: Ongoing training
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	The Agency notified staff of this requirement. Target completion: Ongoing training
General	San Francisco County must ensure that proper documentation is kept in the file that identifies all the required elements to ensure compliance. Div. 21-116	The Agency notified staff of this requirement. Target completion: Ongoing training

Additional Findings

During the case file review for the CalFresh program at 1235 Mission Street, San Francisco, this office location was found to be non-compliant with the requirements of Division 21-116.3, as stated “upon obtaining information that identifies an applicant/recipient as disabled, each CWD shall ensure that the case record is so documented. The CWD shall document, in writing, an applicant's/recipient's request for auxiliary aids and services.” Workers fail to document the client’s request for an accommodation. There was no documentation in CalWIN regarding the client’s accommodation plan after the client self-disclosed to the ADA social worker that they had a need for an accommodation. Current practice is for clients to get referred to speak to an ADA social worker if they identify any disability and need for accommodation on the OCR II. There was a lack of, or no communication, identified between the ADA social worker and case worker. The client’s accommodation plan is only kept with the ADA social worker and not entered into CalWIN. Furthermore, the notes reviewed from the ADA social worker only pertained to a client’s single office visit. There was no documentation regarding the duration or need for an accommodation during future contacts or office visits.

As identified by BALA, and confirmed during the site review, workers are not consistently reviewing the OCR II form with clients. The client is normally referred to speak to the ADA social worker who will then conduct an assessment and provide the requested accommodation. The lack of the social worker reviewing the form and the lack of communication between the ADA worker and case worker leads to a failure in providing an accommodation to the client. As stated in Division 21-115.42 “CWDs shall provide an opportunity for individuals with disabilities to request auxiliary aids and services of their choice. CWDs shall give primary consideration to the requests of individuals with disabilities.” San Francisco County shall ensure that both ADA

social workers and case workers document in CalWIN, in such a way that workers are able to easily identify whether or not the client needs an accommodation during their office visit or during any substantive/significant contact.

Corrective Action

The Agency is working with a consultant to provide an assessment of the Agency’s current civil rights policies and forms. The consultant will review and revise current policies and forms, evaluate current training materials, create comprehensive training outlines, and develop a detailed plan implementing policies, forms, and training. The targeted completion date of this civil rights assessment and implementation plan is June 30, 2014.

The second phase is to provide training to all Agency staff on the updated policies and forms and to update the Agency’s civil rights protocols. The target completion of the protocol update is June 30, 2015. The training will be provided on an ongoing basis.

F. Staff Development and Training

Training Area	Comments	Corrective Action
Division 21, Civil Rights Training	San Francisco 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	All new employees receive Division 21 training during a new employee orientation. HSA is in the process of developing a mandatory annual online refresher course to provide ongoing Division 21 training to all staff. Target implementation date: July 1, 2014
Cultural Awareness Training	San Francisco County shall ensure that all public contact employees receive cultural awareness training to ensure that public contact staff has an understanding of and sensitivity to the various cultural groups in the county’s population. Div. 21-117.2	All employees receive mandatory cultural competency training provided through the Agency’s Staff Development unit.
MEPA Training for Children’s Social Workers	San Francisco County shall ensure that CSW’s receive MEPA training to ensure that public contact staff has knowledge of, and properly apply the placement prohibitions contained in MEPA. 42 U.S.C. 672, 674, and 1996(b)	All new CSWs receive MEPA Training as part of the CORE Training provided by the Bay Area Academy.

G. Discrimination Complaint Procedures

Element	Comments	Corrective Action
Discrimination Process	San Francisco County 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	The Agency notified staff of the discrimination complaint process. Target completion: Ongoing training
Complaint Log	San Francisco County shall maintain a control log in which all complaints of discrimination are entered by year and date the complaint was received. Div. 21-203	HSA included a copy of its discrimination complaint log in the Civil Rights Compliance Plan submitted to CDSS on March 26, 2014. An updated copy of the complaint log will be attached to this CAP.

H. Community Input

HSA values input from the community and community-based organizations. HSA strives to provide clients with timely and meaningful access to our programs. As previously noted, HSA has contracted with a consultant to perform a civil rights needs assessment and to develop a detailed implementation plan.

Additionally, HSA's Civil Rights Access Committee, which comprises representatives from each program in the Agency, is tasked with identifying any language or disability access barriers to help improve the way we provide reasonable accommodations to our clients. All of the issues brought forth by the representatives from Bay Area Legal Aid, as well as the other findings from the February 2014 compliance review, have been presented to the Committee.