



CDSS

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DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY  
**DEPARTMENT OF SOCIAL SERVICES**  
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EDMUND G. BROWN JR.  
GOVERNOR

March 9, 2012

Suzanne Nobles, Director  
Yuba County Health & Human Services Department  
5730 Packard Avenue  
Marysville, CA 95901

Dear Ms. Nobles:

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 September 28 – 30, 2011. 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 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 becomes a public document as well.

If you need technical assistance in the development of your CAP, please feel free to contact the Civil Rights Bureau at (916) 654-2107. You may also contact us by e-mail at [crb@dss.ca.gov](mailto:crb@dss.ca.gov).

Sincerely,

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

Enclosure

c: Erma Thurman, Civil Rights Coordinator

Linda Patterson, Branch Chief  
CDSS CalFresh Program

Mike Papin, Chief  
CalFresh Policy Bureau

Marlene Fleming, Chief  
Field Operations Bureau

Brian Tam, Chief  
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USDA Food and Nutrition Services  
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Legal Services of Northern California

**CIVIL RIGHTS COMPLIANCE REVIEW REPORT  
FOR  
Yuba County Health & Human Services Department  
Conducted on September 28 – 30, 2011**

**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**

**Cindy 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 Yuba County Health & Human Services Department 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 28 - 29, 2011. An exit interview was held on September 30, 2011 to review the preliminary findings.

The review was conducted in the following locations:

<b>Name of Facility</b>	<b>Address</b>	<b>Programs</b>	<b>Non-English languages spoken by a substantial number of clients (5% or more)</b>
Main Office	5730 Packard Avenue, Suite 100 Marysville, CA	CalWORKs, CalFresh, Adult Protective Services.	Spanish Hmong
Main Office/ Children's Lobby Entrance	5730 Packard Avenue, Suite 100 Marysville, CA	Child Welfare Services	Spanish Hmong

### II. SUMMARY OF METHODOLOGY

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

- Reviewed the April 1, 2010 through March 31, 2011 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 inspection

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

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

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

#### Interviews Conducted of Public Contact Staff

<b>Classifications</b>	<b>Total</b>	<b>Bilingual</b>
Eligibility Workers	2	1
Children Social Workers	1	0
Adult Program Workers	1	1
Receptionist/Screeners	3	0
<b>Total</b>	<b>7</b>	<b>2</b>

An additional two interviews were scheduled but were not conducted due to staff unavailability.

#### Program Manager Surveys

Number of surveys distributed	1
Number of surveys received	5

#### Reviewed Case Files

English speakers' case files reviewed	36
Non-English or limited-English speakers' case files reviewed	15
Languages of clients' cases	Spanish, Hmong

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 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 X of the report is reserved for a declaration of overall compliance.

### III. DISSEMINATION OF INFORMATION

Counties are required to disseminate information about program or program changes and about how applicants and recipients are protected by the CDSS regulations (Division 21). This dissemination should occur through outreach and information to all applicants, recipients, community organizations, and other interested persons, including non- and limited-English speakers and those with impaired hearing or vision or other disabling conditions.

#### A. Findings

<b>Access to Services, Information and Outreach</b>	<b>Yes</b>	<b>No</b>	<b>Some-times</b>	<b>Comments</b>
Does the county accommodate working clients by flexing their hours or allowing applications to be mailed in?	<b>X</b>			Applications can be mailed in.
Does the county have extended hours to accommodate clients?	<b>X</b>			CalWORKs, WTW, CalFresh accommodates working participants with appointments before 8:00 a.m., during the lunch hour, and after 5:00 p.m. There is 24 hour coverage for APS & CPS emergencies,
Can applicants access services when they cannot go to the office?	<b>X</b>			Applicants can access services through telephone, Mail, home visits or through an authorized representative.
Does the county ensure the	<b>X</b>			The county provides

awareness of available services for individuals in remote areas?				information through community based organizations; they participate in community events, and use local media to enable and enhance awareness of various programs.
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<b>Signage, posters, pamphlets</b>	<b>Yes</b>	<b>No</b>	<b>Some-times</b>	<b>Comments</b>
Does the county use the CDSS pamphlet "Your Rights Under California Welfare Programs" (Pub 13 – 6/11)?	X			
Is the pamphlet distributed and explained to each client at intake and re-certification?	X			
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, Ukranian, Vietnamese?	X			
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?	X			The county does a good job in displaying the Pub 13.
Was the Pub 13 available in large print (English and Spanish), 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	X			



<b>Signage, posters, pamphlets</b>	<b>Yes</b>	<b>No</b>	<b>Some-times</b>	<b>Comments</b>
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?			<b>X</b>	Not all instructional and directional Signs posted near entrance were translated into appropriate languages. The signs were: Timesheets & Status Reports; No food & Drink; No pets except service dogs.

### **B. Corrective Actions**

<b>Informational Element</b>	<b>Corrective Action Required</b>
Directional signage	Yuba County Health & Human Services Department 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

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.dss.cahwnet.gov/civilrights/YourRights\\_498.htm](http://www.dss.cahwnet.gov/civilrights/YourRights_498.htm).

#### **IV. FACILITY ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES**

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

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

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

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

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

#### **A. Findings and Corrective Actions**

**1. Facility Location:** 5730 Packard Avenue, Suite 100 (Main Lobby Entrance), Marysville, CA

<b>Facility Element</b>	<b>Findings</b>	<b>Corrective Action</b>
Outside signage	Not all Directional and Informational Signage available in threshold languages: Timesheets & Status Reports; No food & Drink; No pets except	Div 21.107-212

	service dogs.	
Men's Restroom	Door Pressure too high 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 201  Force to open fire door, minimum allowable not to exceed 15 pounds maximum. (CA T24 1133B.2.5, ADA 4.13.11(1)) p 201
Women's Restroom	Door Pressure too high 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 201  Force to open fire door, minimum allowable not to exceed 15 pounds maximum. (CA T24 1133B.2.5, ADA 4.13.11(1)) p 201

## A. Findings and Corrective Actions

**2. Facility Location:** 5730 Packard Avenue, Suite 100 (Children's Lobby Entrance), Marysville, CA

Facility Element	Findings	Corrective Action
Outside signage	Not all Directional and Informational Signage available in threshold languages: Timesheets & Status Reports; No food & Drink; No pets except service dogs.	Div 21.107-212
Unisex (Left) Restroom	Door Pressure too high at 15 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 201

		Force to open fire door, minimum allowable not to exceed 15 pounds maximum. (CA T24 1133B.2.5, ADA 4.13.11(1)) p 201
Unisex (Right) Restroom	Door Pressure too high at 11 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 201  Force to open fire door, minimum allowable not to exceed 15 pounds maximum. (CA T24 1133B.2.5, ADA 4.13.11(1)) p 201

#### **V. PROVISION FOR SERVICES TO APPLICANTS AND RECIPIENTS WHO ARE NON-ENGLISH-SPEAKING OR WHO HAVE DISABILITIES**

Counties are required by Division 21 to ensure that effective bilingual/interpretive services are provided to serve the needs of the non-English-speaking population and individuals with disabilities without undue delays. Counties are required to collect data on primary language and ethnic origin of applicants/recipients (identification of primary language must be done by the applicant/recipient).

Using this information, a county may determine 1) the number of public contact staff necessary to provide bilingual services, 2) the manner in which they can best provide interpreter services without bilingual staff and 3) the language needs of individual applicants/recipients. Counties must employ an appropriate number of certified bilingual public contact employees in each program and/or location that serves a substantial number of non-English-speaking persons. In offices where bilingual staff are not required because non-English-speaking persons do not represent a substantial number, counties must provide effective bilingual services through interpreter or other means.

Counties must also provide auxiliary aids and services, including Braille material, taped text, qualified interpreters, large print materials, telecommunication devices for the deaf (TDD's), and other effective aids and services for persons with impaired hearing, speech, vision or manual skills. In addition, they must ensure that written materials be available in individuals' primary languages when the forms and materials are provided by CDSS, and that information inserted in notices of action (NOA) be in the individuals' primary language.

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

Question	Yes	No	Some-times	Comments
Does the county identify a client's language need upon first contact? How?	X			Client self identifies their ethnic origin, race and primary language on the "Documentation of Language Preference" Form 438.
Does the county use a primary language form?	X			The "Documentation of Language Preference" form 438.
Does the client self-declare on this form?	X			Client self identifies their ethnic origin, race and primary language on the "Documentation of Language Preference" form 438.
Are non-English- or limited- English-speaking clients provided bilingual services?	X			Clients are provided with bilingual services and assigned to a bilingual case worker.
After it has been determined that the client is limited-English or non-English speaking, is there a county process for procuring an interpreter?	X			
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			Yuba County has a language line provider and a county interpreter list.
Are county interpreters determined to be competent?	X			
Does the county have adequate interpreter	X			

Question	Yes	No	Some-times	Comments
services?				
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			
Does the county ensure that the client-provided interpreter understands what is being interpreted for the client?	X			Workers explain to the client there could be a miscommunication by using their own interpreter.
Does the county use the CDSS-translated forms in the clients' primary languages?	X			
Is the information that is to be inserted into NOA translated into the client's primary language?	X			
Does the county provide auxiliary aids and services, TDD's and other effective aids and services for persons with impaired hearing, speech, vision or manual skills, including Braille material, taped text, large print materials (besides the Pub 13)?	X			The department has a contract with NorCal Center on Deafness. Braille material, taped text, large print materials, magnifying page plates, and the California telephone relay services are used when needed.  Request for auxiliary aids/services are made on the "Auxiliary Services/Disability Accommodations" form.
Does the county identify and assist the client who	X			Learning disability is documented in the case

Question	Yes	No	Some-times	Comments
has learning disabilities or a client who cannot read or write?				narrative. County workers help client by reading and/or explaining to them if needed.
Does the county offer screening for learning disabilities?	X			The county has a process in place where clients may opt to be screened or tested for learning disabilities.
Is there an established process for offering screening?	X			

**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 (IHSS & APS)	CalWORKs & Employment Services	Non-Assistance CalFresh
Ethnic origin documentation	Initial ER Referral; Suspected Child Abuse Report (SCAR) Form.	SOC 293	SAWS 1; individual demographics.	SAWS 1 YCHHSD-438
Primary language documentation	Initial ER Referral; YCHHSD-438	SOC 293	SAWS 1	SAWS 1 YCHHSD-438
Method of providing bilingual services and documentation	Children's Services case files had one case file where	Adult Programs case files noted specific	Assigned bilingual case worker, or bilingual	Assigned bilingual case worker, or bilingual

<b>Documented Item</b>	<b>Children's Services</b>	<b>Adult Programs (IHSS &amp; APS)</b>	<b>CalWORKs &amp; Employment Services</b>	<b>Non-Assistance CalFresh</b>
	good documentation on an ASL interpreter was used. Bilingual interpreters noted on initial forms. Some cases were hard to find who the interpreter was, and how the bilingual services were met.	information on how bilingual services were met. Assigned bilingual case worker, or bilingual services used were found noted in case notes	services used were found noted in case notes.	services used were found noted in case notes.
Client provided own interpreter	None found in case file samples.	None found in case file samples.	None found in case file samples.	None found in case file samples.
Method to inform client of potential problem using own interpreter	None found in case file samples.	Found Statement Regarding Own Interpreter Form in case file.	Found Statement Regarding Own Interpreter Form in case file.	Found Statement Regarding Own Interpreter Form in case file.
Release of information to Interpreter	Interpreter form would be signed. Did not find in case samples.	Found Interpreter form signed.	Found Interpreter form signed.	Found Interpreter form signed.
Individual's acceptance or refusal of written material offered in primary language	None found in sample cases.	None found in sample cases.	None found in sample cases.	None found in sample cases.
Documentation of minor used as interpreter	None found in sample cases.	None found in sample cases.	None found in sample cases.	None found in sample cases.



<b>Documented Item</b>	<b>Children's Services</b>	<b>Adult Programs (IHSS &amp; APS)</b>	<b>CalWORKs &amp; Employment Services</b>	<b>Non-Assistance CalFresh</b>
Documentation of circumstances for using minor interpreter temporarily	None found in sample cases.	None found in sample cases.	None found in sample cases.	None found in sample cases.
Translated notice of actions (NOA) contain translated inserts	Yes	Yes	Yes	Yes
Method of identifying client's disability	Noted in Initial ER Referral	Noted in Emergency Form	Noted in Statement of Facts/SAWS 2	Noted in Statement of Facts/SAWS 2
Method of documenting a client's request for auxiliary aids and services	None found in sample cases.	None found in sample cases.	None found in sample cases.	None found in sample cases.

**B. Corrective Actions**

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.

**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**

<b>Interview questions</b>	<b>Yes</b>	<b>No</b>	<b>Some-</b>	<b>Comments</b>
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			times	
Do employees receive continued Division 21 Training?	X			UC Davis provides the Division 21 Training.
Do employees understand the county policy regarding a client's rights and procedure to file a discrimination complaint?	X			
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**

<b>Interview and review areas</b>	<b>Yes</b>	<b>No</b>	<b>Some-times</b>	<b>Findings</b>
Can the employees easily identify the difference between a program, discrimination, and a personnel complaint?	<b>X</b>			
Did the employees know who the Civil Rights Coordinator is?	<b>X</b>			
Did the employees know the location of the Civil Rights poster showing where the clients can file a discrimination complaint?	<b>X</b>			
When reviewing the complaint log with the Civil Rights Coordinator, was it complete and up to date?	<b>X</b>			

**B. Corrective Action  
None**

**IX. CIVIL RIGHTS COMPLIANCE PLAN REVIEW AND APPROVAL**

The Yuba County Health & Human Services Department Civil Rights Compliance Plan for the period April 1, 2010 through March 31, 2011, was received on January 2010. It is approved as submitted.

## **X. CONCLUSION**

The CDSS reviewer found the Yuba County Health & Human Services Department staff warm, welcoming, informative and very supportive. Particular thanks to Erma Thurman, Civil Rights Coordinator, for organizing the details of the review and for her assistance with the facility review. All who assisted in with the facility review and case file reviews were very helpful.

The CDSS found the Yuba County Health & Human Services Department in substantial 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 Yuba County Health & Human Services Department 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.