

Civil Rights Requirements

(Revised 12/20/2019)

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Forms

The following forms are referenced in this file:

- [PUB. 13](#) Your Rights
- 20-46 Language Needs Determination
- 20-49 Civil Rights- Interpreter Confidentiality Agreement
Ombudsperson Brochure

Additional information

Refer to the following PM files for additional information:

- Language Appropriate Services
- Interpreters for Court Hearings.

Protective basis of discrimination

In accordance with State and Federal laws regarding [Civil Rights](#), no person may discriminate against any other person on the basis of one of more of the following protective bases of discrimination:

1. Age
 2. Ancestry
 3. Color
 4. Disability
 5. Domestic Partnership
 6. Ethnic Group
 7. Gender Expression
 8. Gender Identification
 9. Genetic Information
 10. Marital Status
 11. Medical Condition
 12. National Origin
 13. Political Affiliation
 14. Race
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Protective basis of discrimination (cont.)

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15. Religious Beliefs
 16. Sex
 17. Sexual Orientation.

Civil Rights posters and pamphlets are located in public areas of all CWS buildings.

Clients with disabilities

Upon obtaining information that identifies a client as disabled, the SW must document, in writing, the client's request for auxiliary aids and services, and that the auxiliary aids and services were provided to the disabled client when requested.

Auxiliary aids and services for clients with disabilities (including large print materials, Braille, and auditory aids) are available through the [CWS Civil Rights Liaison](#) or [HHSA Civil Rights Coordinator](#). Staff should consult with the Liaison or Coordinator immediately when there is a need to accommodate clients with these needs.

SW responsibilities

SWs will inform clients (the parent/caregiver), regardless where they reside, of their civil rights **upon initial contact, and as the need arises**. The IS/IRS SW, the CI/CARE SW (if law enforcement has brought the child into custody), and other case-carrying SW (if client has still not received civil rights forms), will give each client the following forms upon initial contact (or mail/email to the client, if face-to-face contact is not made with the client) and document that the following forms have been provided to the client, in CWS/CMS contact notebook:

- PUB 13 - "Your Rights" pamphlet
- HHSA 20-46 - "Language Needs Determination"
- HHSA 20-49 – "Civil Rights-Interpreters Confidentiality Agreement"
- The Ombudsperson brochure.

SWs will also:

- Explain to the client the right to have language appropriate services and information.
- Document/update each client's primary language* on the ID page of the Client Notebook (see Language Appropriate Services).
- Narrate in Contact Notebook how communication was accomplished **each time** contact is undertaken with a non-English speaking client when the SW or other service provider (e.g., PHN, therapist, in-home homemaker, etc.) is not designated as bilingual in the client's primary language.
- The term "primary language" means the client's preferred or self-determined language for oral and written communication. Staff may refer to the CDSS [Manual of Policies and Procedures Section 21:201-211](#) for further explanation.

Refer to Language Appropriate Services for more information on services and interpreters.

SW staff may refer the client to the [CWS Civil Rights Liaison](#) at (858) 616-5880, if the individual wishes to file a civil rights complaint.

Your rights

The “Your Rights Under California Welfare Programs Pamphlet” (PUB 13) is available in languages below. Click [here](#) for PUB 13 in additional languages or contact the [CWS Civil Rights Liaison](#). SWs will explain the client’s civil rights when this pamphlet is handed to them. The brochure is available in the following languages:

- [English](#)
- [Arabic](#)
- [Armenian](#)
- [Cambodian](#)
- [Chinese](#)
- [Farsi](#)
- [Hmong](#)
- [Japanese](#)
- [Korean](#)
- [Laotian](#)
- [Mien](#)
- [Portuguese](#)
- [Punjabi](#)
- [Russian](#)
- [Spanish](#)
- [Tagalog](#)
- [Ukrainian](#)
- [Vietnamese](#)

NOTE: Print this two-page document on legal-size paper (landscape). Shrinking this document to letter-size will shrink the text size, which will be difficult for some clients to see/read.

PUB 13 is available in audio for the following languages:

- [English](#)
- [Mandarin](#)
- [Russian](#)
- [Spanish](#)
- [Vietnamese](#)

Language Needs Determination

Language Needs Determination (HHSA 20-46 form) is vital for documenting the offer, acceptance, or refusal of interpretative service to ensure the client’s primary language needs are met. SWs will:

- Ensure two-sided form is completed and signed by the client.
 - Inform the client of their rights to have language appropriate services and information.
 - Complete the HHSA 20-46 form during this first contact with the family, **regardless of the family’s language(s)** and document it in the Contact Notebook.
 - Document the reason for the client’s refusal, or unable to complete the form, complete it on behalf of the client and document the reason.
 - File the completed HHSA 20-46 form in the hard file, under the Services Tab [L6].
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Interpreters

The SW will provide language-appropriate services at each contact with a client:

- Persons under the age of 18 and/or family members are **NOT** to be used as interpreters, except in emergency situations when there is threat to health and safety.
- Forms must be provided in the client's primary language when available, or document that the form has been translated in the client's primary language.

NOTE: Once the client has requested oral and written communications in a non-English language, the request also applies to subsequent communications.

The SW will document in how bilingual services were provided for non-English speaking clients the CWS/CMS Contact Notebook:

- Whether a [HHSA bilingual staff](#) or contract vendor's interpreter was used as an interpreter, it must be documented in the file for each occurrence.

When a non-HHSA staff is providing interpretation for the client:

- Require the client and **all** non-HHSA bilingual staff to sign the HHSA 20-49 form to document the client's consent for release of information.
 - Each time, put one copy in case file under Services Tab [L6], and the second copy goes to the client.

NOTE: Contracted vendors' interpreters are excluded from this requirement. Law enforcement personnel may be excluded from this requirement.

Inform clients that CWS can provide free interpretative services, and about potential interpretation errors that could be caused by using their own interpreter, and document it.

CWS Civil Rights Liaison

CWS Civil Rights Liaison, [Melinda Verbon](#), can be contacted at (858) 616-5880, MS W473. CWS Civil Rights Liaison's duties may include, but not limited to:

- Act as a liaison between CWS and HHSA Civil Rights Coordinator (CRC)
 - Answer questions from CWS staff
 - Ensure non-discrimination in the delivery of services to clients and the public
 - Investigate all client complaints of discriminatory treatment
 - Respond to CRC on all civil rights complaints and resolutions or non-resolution
 - Conduct a full investigation when a resolution is not possible.
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HHSA Civil Rights Coordinator

Health and Human Services Agency Civil Rights Coordinator (HHSA CRC), [Jennifer Campos](#), can be contacted at (619) 515-6788, MS W414. HHSA Civil Rights Coordinator's duties may include, but not limited to:

- Prepare the Agency's annual Civil Rights Compliance Review
 - Coordinate and respond to Civil Rights Compliance Review
 - Work with Agency Civil Rights Liaisons to resolve complaints
 - Ensure complaints are responded to in timeframes required by regulations
 - Investigate complaints
 - Liaison with the [California Department of Social Services Civil Rights Bureau](#) and federal compliance agencies.
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The Multiethnic Placement Act (MEPA)

In 1994, The Multiethnic Placement Act ([MEPA](#)) became a Federal law, which governs the manner in which title IV-B/IV-E agencies make placement decisions that involve race, color, and national origin, also referred to as "RCNO."

[Title VI](#) of the Civil Rights Act of 1964 prohibits discrimination on the basis of RCNO by recipients of federal financial assistance. Agencies cannot categorically deny any person the opportunity to foster or adopt on the basis of RCNO.

Alignment with SET Values

This file aligns with SET [Value 1](#) "Relationships with Children, Youth and Families Are the Foundation" by recognizing and appreciating the family's culture.
