

Civil Rights: Overview

Social Services Advisory Board (SSAB)

August 13, 2015

Presentation Objectives

To answer these questions:

What are “Civil Rights”?

How do they apply to applicants and recipients of social services?

How do we ensure nondiscrimination for customers of the Health and Human Services Agency?

What do HHSA’s Civil Rights policies look like in action?

Civil Rights Laws and Regulations

The Civil Rights Act of 1964 ensured nondiscrimination in federally assisted programs on basis of race, color and national origin

Subsequent legislation added protected bases and further defined requirements

- Rehabilitation Act of 1973
- Dymally-Alatorre Bilingual Services Act of 1973 (California)
- Food Stamp Act of 1977
- Americans with Disabilities Act of 1990
- And others

HHSA Civil Rights Policy

Division 21 of California Department of Social Services (CDSS), Manual of Policies and Procedures (MPP) sums up all pertinent laws

Division 21 is the basis for our HHSA Civil Rights policy

HHSA staff are required to

- make decisions based on program regulations
- Inform customers of their Civil Rights
- not treat any applicant/recipient differently based on any of the 12 protected bases of discrimination

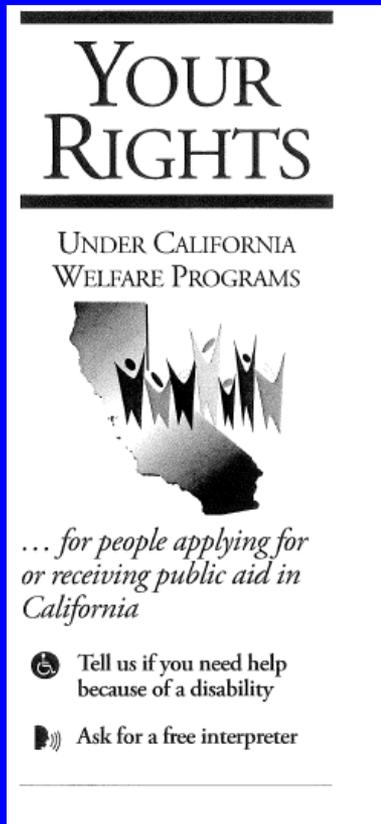
This applies to any HHSA contractor, subcontractor, or vendor providing services to HHSA clients

Civil Rights 12 Bases of Discrimination

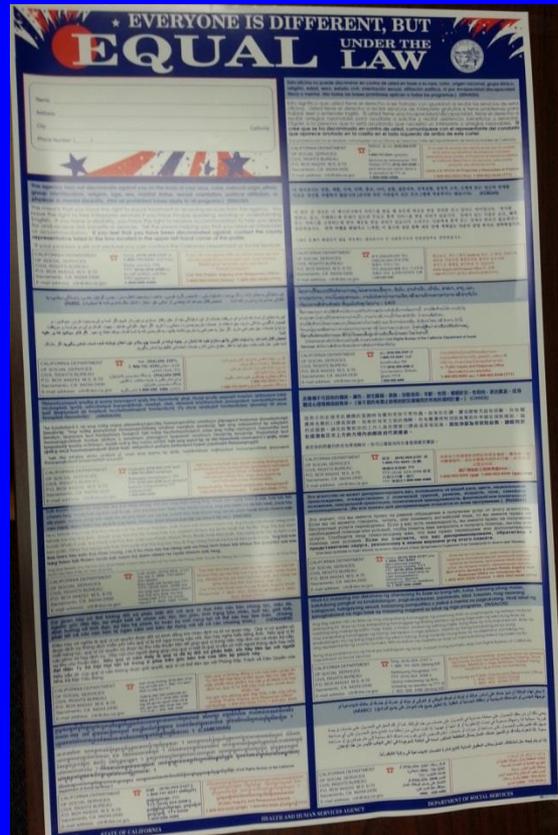
- | | |
|--|--|
| <ul style="list-style-type: none">•Race•Color•National origin•Religion•Political Affiliation•Marital Status | <ul style="list-style-type: none">•Sex•Age•Disability•Ethnic Group Identification•Sexual Orientation•Domestic Partnership |
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- “Protected groups” or “protected classes”
- Based solely on customer self-identification
- No verification of membership/affiliation required

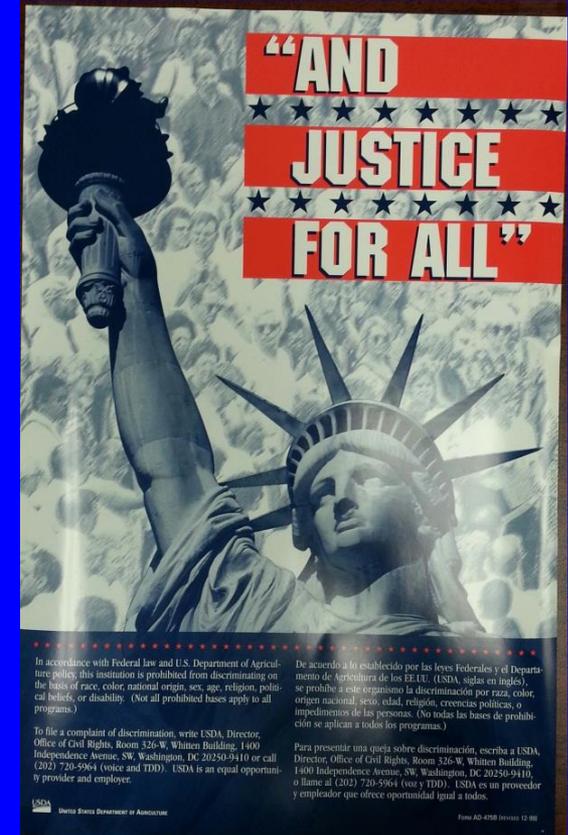
State-Mandated Pamphlet and Posters



Pub 13



Pub 86



AD-475B (USDA)

Civil Rights Complaints

To be treated as a Civil Rights (discrimination) complaint, a complainant must believe that an employee(s) of the HHSA took an action in their case or they were treated differently because of one of the 12 bases of discrimination.

The complaint must specify the:

- basis of complaint,
- identity of the staff involved, and the
- resolution being sought

Complaints can be made in writing or stated verbally by the complainant to county staff, or written from CDSS Civil Rights Bureau (CRB).

The Civil Rights Telephone Number for the public is:
(619) 515-6788

Civil Rights Staff

Jennifer C. Cooke is the Civil Rights Coordinator (CRC) for all of HHSA.

State regulations mandate that each County have a CRC.

There are Civil Rights Liaisons (CRL) in each FRC.

Child Welfare Services and Aging & Independence Services both have CRL's as well

CRL's handle CR issues and complaints to ensure resolution at the lowest level possible.

Civil Rights Training

The CR Coordinator conducts in-person Civil Rights training at The Knowledge Center (TKC) for all new HHSA staff in the Human Services Specialist (HSS) and Office Assistant (OA) positions.

Training is also available online via Learning Management System (LMS)

Refresher training is required on annual basis because San Diego is a large county

Refresher training requirements can be met by LMS training or can be scheduled in-person with CRC by FRC managers

CDSS Oversight

CDSS Civil Rights Bureau:

- **Monitors HHSA compliance with CR regulations**
- **Monitors and reviews all formal CR complaints and makes final determination on findings**
- **Accepts Civil Rights Compliance Plan prior to every Compliance Review visit**
- **Conducts Compliance Review visit approximately every 2 years**
- **Requires HHSA public contact staff to have CR training at hiring and each year thereafter**

CDSS Civil Rights Compliance Review

CDSS Civil Rights Bureau conducts regular monitoring visits to all counties

San Diego is currently reviewed every 2 years

Approximately 5 offices per visit are reviewed for facilities accessibility, dissemination of information, staff training and case file documentation compliance

Most recent visit (August 2014) resulted in no substantive findings, only minor facilities issues

State Analyst described San Diego as a model county for civil rights policies during exit interview

Language Services

Applicants/recipients who require communication in languages other than English **MUST** be provided with:

- Verbal interpretation or a Bilingual Worker who speaks their language, and
- Forms and notices in their primary language, whenever possible.

Customers must be notified that language services are provided free of charge, with no undue delay of service

Customers may provide their own interpreter, however they cannot be mandated or suggested to do so.

Minor children (under age 18) may **NOT** be used as interpreters

HHSA has several interpretation service vendors who can be called upon any time staff has a need for an interpreter

Phone interpretation can be used for on-the-spot interpretation needs

Customers with Disabilities: Reasonable Accommodations/Modifications & Auxiliary Aides:

AMERICANS WITH DISABILITIES ACT (ADA):

The Americans with Disabilities Act (ADA) states that HHSA must provide auxiliary aids and services (reasonable accommodations/modifications), to provide equal opportunity to access services/programs for person(s) with disabilities and/or impairments involving hearing, sight, speech, mobility, or mental/emotional/cognitive capabilities.

A client who states they have a disability must be reasonably accommodated; *no verification of disability is required.*

QUESTIONS?

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