

**INTERNAL
COMMUNICATION FORM
DEPARTMENT OF HUMAN SERVICES**

Suspense

Subject: DHS Self-Evaluation and Compliance Plan
Extended Through December 31, 2022

Originator: G. Watts/x64955
HR/CRCS

To: SODAs, EDs, Commissions From: HR

Date: 12/10/20

Memo No. 1


In 2019, the department's Self-Evaluation and Compliance Plan was extended through December 31, 2020. Because of uncertainties related to provisions of the Affordable Care Act and other anticipated changes, no changes to the plan are recommended at this time.

Therefore, the 2016-2019 Self-Evaluation and Compliance Plan is extended through December 31, 2022. Should changes be in effect prior to December 31, 2022, an addendum will be provided.

DHS offices and contract monitors should continue to use the attached checklist until further notice. This checklist – completed annually and retained for three years – is helpful in responding to funding agencies and in providing materials in response to civil rights audits.

The complete Self-Evaluation and Compliance Plan with the checklist as Appendix H can also be found at <http://humanservices.hawaii.gov> in the Civil Rights Corner.

If there are any questions, please contact Geneva Watts at DHSCivilRightsBox@dhs.hawaii.gov or call (808) 586-4955.



HR

Attachment: Title VI Civil Rights Compliance Checklist (Appendix H)

ASSESSMENT AREA	YES	NO	N/A
<u>National Origin - Language Access</u>			
1. Has DHS conducted an <u>assessment of language needs</u> of its general or eligible population in each local service area (number of LEP individuals, languages spoken and/or linguistically-isolated households)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
a. If so, what data sources were used:			
Census/American Community Survey	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
School Data	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Labor Market Information	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community Organizations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Utilization data	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (Specify): _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMMENTS: _____			
2. Has DHS conducted an <u>assessment of its capacity to serve</u> its LEP populations?			
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
a. Can we identify languages spoken by DHS staff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Is there a way to measure proficiency level of multilingual staff:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Is multilingual staff assigned according to ongoing community language needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMMENTS: _____			
<u>Implementing a Language Access Plan</u>			
3. Evaluating clients' first interaction with DHS:			
a. Are there multilingual signs easily visible at reception areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Are there pictorial signs for low literacy/illiterate LEP clients easily visible at reception areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Is frontline staff multilingual?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Are multilingual telephone lines available to clients at each office?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Is DHS' website multilingual?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Is DHS' website accessible/compliant?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. Has DHS partnered with community-based organizations to inform them about linguistic accessibility of <u>each</u> program?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Tracking clients' language preferences:			
a. Is there a mechanism to track language preferences of LEP individuals over time?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. If so, does DHS' tracking mechanism enable LEP individuals to receive communications and services in their native languages?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Determining whether there are sufficient numbers of multilingual staff:			
a. Are there procedures for assessing and certifying individual staff language skills?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Are there policies for aligning multilingual staff skills with LEP program needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**TITLE VI CIVIL RIGHTS COMPLIANCE CHECKLIST
PRELIMINARY AND ONGOING SELF-ASSESSMENT**
Department of Human Services

APPENDIX H

ASSESSMENT AREA	YES	NO	N/A
c. Is multilingual staff culturally competent?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Has DHS developed clear compensation and retention policies for multilingual staff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Has DHS participated in recruitment programs for multilingual staff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Are language navigators available in most offices?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Obtaining competent and qualified interpreters:			
a. Are DHS interpreters fluent in both languages and familiar with relevant vocabulary?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Do DHS interpreters possess the appropriate skills for the particular context?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Do DHS interpreters understand applicable ethical principles?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Are DHS interpreters culturally competent?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Are there procedures to ensure that DHS interpreters are available in a timely manner?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Have DHS interpreters read and signed the Code of Ethics?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Training DHS Staff:			
a. Is DHS staff trained in DHS policies and procedures for obtaining language assistance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Is all staff trained to interact with LEP individuals and their interpreters?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Does staff receive training in cultural competence?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Is DHS staff trained on complaint procedures for LEP clients alleging discrimination on the basis of national origin?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Are staff language access trainings scheduled at regular intervals to update staff knowledge and include new employees?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Are annual site visits conducted?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Translating Written Documents:			
a. Are there procedures in place for identifying vital documents?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Are there procedures in place for ensuring that translations are accurate and understood by target populations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Is there a mechanism to track and update translated documents?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Has DHS created a plan to disseminate vital translated documents internally?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Has DHS created a plan to disseminate vital translated documents to the broader public?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMMENTS: _____			
<u>Evaluating DHS' Language Access Plan</u>			
9. Ongoing Monitoring, Feedback and Improvement:			
a. Is DHS staff dedicated to monitoring or providing technical assistance to Language Access Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Are evaluations scheduled at regular intervals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Does DHS solicit feedback from community-based organizations on a regular basis?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Does DHS survey its LEP clients on a regular basis?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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ASSESSMENT AREA	YES	NO	N/A
<p>10. Ongoing Data Collection:</p> <p>a. Are DHS staff and contractors dedicated to collecting program data? <input type="checkbox"/></p> <p>b. Do DHS and its contractors collect data on the number of LEP individuals served? <input type="checkbox"/></p> <p>c. Do DHS and its contractors collect demographic data on LEP individuals served or number of encounters? <input type="checkbox"/></p> <p>d. Do DHS and its contractors monitor how much is spent on its LEP plan? <input type="checkbox"/></p> <p>11. Is there a <u>Task Force or Oversight Committee</u> that assists DHS in monitoring and implementing the Language Access Plan? <input type="checkbox"/></p> <p>COMMENTS: _____</p>			
<p>Resolving Complaints</p> <p>12. Establishing Complaint Procedures:</p> <p>a. Has DHS developed procedures for investigating complaints alleging discrimination on the basis of national origin? <input type="checkbox"/></p> <p>b. Are complaint procedures translated and accessible to LEP clients? Posted signs at intake areas <input type="checkbox"/> Resource areas <input type="checkbox"/> Client file <input type="checkbox"/> Written notices <input type="checkbox"/> Explained during orientation/intake <input type="checkbox"/> Other (Specify) _____ <input type="checkbox"/></p> <p>COMMENTS: _____</p>			
<p>Conducting Ongoing Outreach to LEP Residents</p> <p>13. Has DHS and its contractors established partnerships with community-based or advocacy organizations to increase LEP participation? <input type="checkbox"/></p> <p>14. Has DHS established partnerships with community-based or advocacy organizations to advertise multilingual employment opportunities? <input type="checkbox"/></p> <p>15. Has DHS publicized its program(s) through ethnic media? <input type="checkbox"/></p> <p>COMMENTS: _____</p>			
<p>Building External and Internal Support for Equal Access Policies</p> <p>16. Are there funds dedicated to providing language access services at DHS? <input type="checkbox"/></p> <p>17. Is middle and senior management aware of and dedicated to providing language access to LEP individuals? <input type="checkbox"/></p> <p>COMMENTS: _____</p>			

ASSESSMENT AREA	YES	NO	N/A
<p>Complying with Rehabilitation Act of 1973 - <u>Disability</u> Discrimination</p> <p>18. DHS has more than 50 employees and receives DOJ funding of \$25,000 or more. Has DHS and its contractors taken the following actions?</p> <p>a. Adopted grievance procedures that incorporate due process standards and provide for prompt and equitable resolution of complaints alleging violation of DOJ regulations implementing Section 504 of the Rehabilitation Act of 1973, found in 28 C.F.R., Part 42, Subpart G., which prohibits discrimination on the basis of a disability in employment practices and in delivery of services?</p> <p>b. Designated a person to coordinate compliance with the prohibitions against disability discrimination contained in 28 C.F.R., Part 42, Subpart G.?</p> <p>c. Notified participants, beneficiaries, employees, applicants, and others that DHS and its contractors do not discriminate on the basis of disability?</p> <p>COMMENTS: _____</p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>
<p>Complying with Title IX of the Education Amendments of 1972 - <u>Sex</u> Discrimination</p> <p>19. DHS operates an education program or activity. Has DHS and its contractors:</p> <p>a. Adopted grievance procedures that provide for prompt and equitable resolution of complaints alleging violation of DOJ regulations implementing Title IX of the Education Amendments of 1972, found at 28 C.F.R., Part 54, which prohibits discrimination on the basis of sex?</p> <p>b. Designated a person to coordinate compliance with the prohibitions against sex discrimination contained in 28 C.F.R., Part 54?</p> <p>c. Notified applicants for admission and employment, employees, students, parents, others that DHS and its contractors do not discriminate on the basis of sex in its educational programs and activities?</p> <p>COMMENTS: _____</p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>
<p>Complying with Faith-Based Organization Funding Provisions - <u>Religious</u> Activities</p> <p>20. When DHS or its contractors provide for or conduct activities as part of their programs and services, do they do the following?</p> <p>a. Provide services to everyone regardless of religion or religious belief?</p> <p>b. Ensure that they do not use federal funds to conduct inherently religious activities, such as prayer, religious instruction, or proselytization, and that such activities are kept separate in time or place from federally-funded activities?</p> <p>c. Ensure that participation in religious activities is voluntary for beneficiaries of federally-funded programs?</p> <p>COMMENTS: _____</p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>

**TITLE VI CIVIL RIGHTS COMPLIANCE CHECKLIST
 PRELIMINARY AND ONGOING SELF-ASSESSMENT
 Department of Human Services**

APPENDIX H

ASSESSMENT AREA	YES	NO	N/A
21. Contact information for person(s) responsible for completing this Self-Assessment:			
Last Name	_____		
First Name	_____		
Street Address	_____		
City, State, Zip Code	_____		
Mailing Address: (If Different From Above)	_____		
Telephone Number	_____		
Fax Number	_____		
E-Mail Address	_____		
	_____		_____
	Signature		Date

POLICIES, PROCEDURES, PROCESS COMPLIANCE - MONITORING CONTRACTORS

Contract Number _____ Total Award Amount _____

Contract Period _____ Date _____

Contractor Name & Address _____

1. Do DHS and its contractors have written policies or procedures in place for notifying program beneficiaries how to file complaints alleging discrimination with the HCRC, EEOC and OCR? YES
 NO
 N/A

2. How does DHS and its contractors notify program participants and beneficiaries that they do not discriminate on the basis of race, color, national origin, religion, sex, disability, and age in the delivery of services?

COMMENTS: _____

3. How do DHS and its contractors notify employees that they do not discriminate on the basis of race, color, national origin, religion, sex, and disability in employment practices?

COMMENTS: _____

4. Has DHS complied with the requirements to submit to the appropriate OCR any findings of discrimination against DHS or its contractors issued by a federal or state court or federal or state administrative agency on the basis of race, color, religion, national origin, or sex? YES
 NO
 N/A

5. Do DHS and its contractors conduct any training for their employees on the requirements under federal civil rights laws? YES
 NO
 N/A

6. Do DHS and its contractors need any civil rights training or technical assistance regarding its duties to comply with applicable civil rights laws: YES
 NO
 N/A

7. What steps have DHS and its contractors taken to provide meaningful access to its programs and activities to persons who have limited English proficiency (LEP)?

COMMENTS: _____

POLICIES, PROCEDURES, PROCESS COMPLIANCE - MONITORING CONTRACTORS (CONTINUED)

8. Do DHS and its contractors have a written policy on providing language access services to LEP persons? YES
 NO
 N/A

Please provide below contact information for person responsible for submitting any findings of discrimination to the appropriate Office of Civil Rights (OCR):

- a. WATTS, D. Geneva Phone: (808) 586-4955
Civil Rights Compliance Officer Fax: (808) 586-4990
Department of Human Services E-Mail: gwatts@dhs.hawaii.gov
P. O. Box 339
Honolulu, Hawaii 96809-0339

9. DHS has more than 50 employees and receives DOJ funding of \$25,000 or more. Has DHS and its contractors taken the following actions:
- a. Adopted grievance procedures that incorporate due process standards and provide for prompt and equitable resolution of complaints alleging violation of DOJ regulations implementing Section 504 of the Rehabilitation Act of 1973, found at 28 C.F.R. Part 42, Subpart G., which prohibits discrimination on the basis of a disability in employment practices and in delivery of services? YES
 NO
 N/A
- b. Designated a person to coordinate compliance with the prohibitions against disability discrimination contained in 28 C.F.R. Part 42, Subpart G? YES
 NO
 N/A
- c. Notified participants, beneficiaries, employees, applicants, and others that DHS and its contractors do not discriminate on the basis of disability? YES
 NO
 N/A

10. DHS operates an education program or activity. Has DHS and its contractors:
- a. Adopted grievance procedures that provide for prompt and equitable resolution of complaints alleging violation of DOJ regulations implementing Title IX of the Education Amendments of 1972, found at 28 C.F.R, Part 54, which prohibits discrimination on the basis of sex? YES
 NO
 N/A
- b. Designated a person to coordinate compliance with the prohibitions against sex discrimination contained in 28 C.F.R. Part 54? YES
 NO
 N/A

POLICIES, PROCEDURES, PROCESS COMPLIANCE - MONITORING CONTRACTORS (CONTINUED)

- c. Notified applicants for admission and employment, employees, students, parents, and others that DHS and its contractors do not discriminate on the basis of sex in its educational programs and activities? YES
 NO
 N/A

11. When DHS or its contractors provide for or conducts activities as part of its programs or services, does DHS or its contracts do the following:

- a. Provide services to everyone regardless of religion or religious belief? YES
 NO
 N/A

- b. Ensure that DHS and its contractors do not use federal funds to conduct inherently religious activities, such as prayer, religious instruction, or proselytization, and that such activities are kept separate in time or place from federally-funded activities? YES
 NO
 N/A

- c. Ensure that participation in religious activities is voluntary for beneficiaries of federally-funded programs? YES
 NO
 N/A

Comments: _____

Beginning and End Dates of Next Evaluation Period: _____

Goals for Next Evaluation Period: _____

POLICIES, PROCEDURES, PROCESS COMPLIANCE - MONITORING CONTRACTORS (CONTINUED)

Comments About Goals: _____

12. During this monitoring period has DHS and its contractors submitted a current Equal Employment Opportunity Plan (EEOP) in accordance with 28 C.F. R., section 42.301-308? YES
 NO
 N/A

13. Has DHS and its contractor submitted an EEOP Short form to the Office of Civil rights, if required by 28 C.F.R., Section 42.301-308? YES
 NO
 N/A

a. If DHS or its contractors are not required to submit an EEOP Short Form to the appropriate OCR, have they submitted a certification form to the OCR claiming a partial or complete exemption from the EEOP requirements? YES
 NO
 N/A

b. If DHS or its contractors prepared an EEOP Short form, on what date did DHS or its contractor prepare it? YES
 NO
 N/A

Comments: _____

POLICIES, PROCEDURES, PROCESS COMPLIANCE - MONITORING CONTRACTORS (CONTINUED)

14. Please provide the contact information for the person responsible for completing this checklist:

Last Name

First Name

Street Address

City, State, Zip Code

Mailing Address

(If Different From Above)

Telephone Number

E-mail Address

Monitor Signature

Date