

**Cuyahoga County Division of Children and Family Services
(CCDCFS)
Policy Statement**

Policy Chapter: Client Rights
Policy Number: 7.06.01
Policy Name: Agency Civil Rights Plan, Clients' Civil Rights and Complaint Procedures

Original Effective Date: 09/01/2015
Revision Date(s): 09/01/2018
Current Revision Date: 09/01/2021
Approved By: Cynthia G. Weiskittel

PURPOSE: To ensure compliance with requirements of the Ohio Revised Code (ORC), Ohio Administrative Code (OAC) and Ohio Department of the Job and Family Services (ODJFS) policies regarding county agency responsibilities to ensure services are delivered without regard to a client's race, color or national origin and to provide a process for filing and responding to complaints of alleged discriminatory acts, policies or practices.

This policy outlines the classes of individuals receiving services provided by Cuyahoga County Division of Children and Family Services (CCDCFS) which are protected against discrimination by federal legislation and fall under the investigational jurisdiction of the Ohio Department of Job and Family Services Bureau of Civil Rights (BCR) and establishes procedures for filing discrimination complaints.

SCOPE: This policy applies to all employees, clients and services of the Cuyahoga County Division of Children and Family Services.

Note: DCFS employees or job applicants who feel they have been discriminated against in their employment or in seeking employment should contact the ODJFS Bureau of Civil Rights, Ohio Civil Rights Commission or the U. S. Equal Employment Opportunities Commission.

POLICY

- A. All programs, services and benefits administered, supervised, authorized and/or participated in by the Cuyahoga County DCFS and contracted providers shall be operated in accordance with the nondiscriminatory provisions of Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975; Title IX of the Education Act of 1972;

the Omnibus Budget Reconciliation Act of 1981; the Americans with Disability Act of 1990 to Americans with Disability Act as amended; Section 1808 of the Small Business Job Protection Act (adoption); the Multi-Ethnic Placement Act of 1994 (MEPA); and the Inter-Ethnic adoption Provisions of 1996 (IEP).

- B. No person or persons shall on the basis of race, color, national origin, disability, age, sex or religion, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or service authorized by the Cuyahoga County DCFS.

POLICY IMPLEMENTATION

The Director of Cuyahoga County DCFS shall implement the Civil Rights Plan within the service area through the following methods:

- A. The Cuyahoga County DCFS shall appoint a Civil Rights Coordinator. The Civil Rights Coordinator shall be responsible for monitoring the implementation of the Civil Rights Plan for the agency, including, but not necessarily limited to:
 - 1. Attending ODJFS approved civil rights training within six months of becoming the civil rights coordinator, and attending training updates as required by ODJFS.
 - 2. Providing input to management to improve the civil rights in service delivery, and to discuss civil rights complaints, issues, and reports of compliance activities within the county agency or within county agency contractors.
 - 3. Maintaining essential compliance records and files, including client analysis data, staff training records, confidential complaint files, and reasonable accommodation requests.
 - 4. Reviewing written policies to make sure that those policies are nondiscriminatory.
 - 5. Providing technical assistance or referring staff to appropriate resources for technical assistance. Providing annual training on civil rights in service delivery to staff. New staff shall receive training as part of their initial orientation.
 - 6. Disseminating civil rights information to county agency staff and county agency contractors, vendors, beneficiaries, and other interested parties.
 - 7. Acting as civil rights liaison between ODJFS, the county agency, county agency contractors, beneficiaries, and community groups or other organizations concerning civil rights in the delivery of services.

8. Receiving and, if necessary, assisting with the writing of discrimination complaints which are filed by county agency participants, clients and beneficiaries of children and family services programs. Such complaints are then referred to the ODJFS Bureau of Civil Rights for investigation and resolution.
9. Distributing civil rights pamphlets/brochures, posters and other information pertaining to civil rights laws to appropriate agency staff, beneficiaries and interested members of the public.
10. Coordinating the response for DCFS to any formal complaints filed with ODJFS Bureau of Civil Rights or the U.S. Department of Health and Human Services, with any workers and supervisors involved with the case and the County Law Department.

COMPLAINT PROCEDURES

- A. The Cuyahoga County DCFS shall have in effect a complaint procedure which incorporates the elements of due process. The procedure follows the steps/process(es) identified below:
 1. Any person who believes that he/she, or any specific class of persons, has been subjected to unlawful discrimination on the basis of race, color, national origin, disability, age, sex or religion may file a written complaint with the agency outlining the alleged discriminatory act(s) (complaints alleging sexual harassment *need not* be reduced to writing prior to an investigation being initiated.) Written complaints are to be date stamped by the person who receives the complaint. Document receipts are to be provided to complainants who hand-deliver complaints.
 2. Complaints must be filed with the agency within 180 days of the date the alleged discriminatory act or treatment occurred.
 3. When complaints are received by the county Civil Rights Coordinator, they shall be referred to the ODJFS Bureau of Civil Rights within three (3) business days of the date of receipt. The Bureau of Civil Rights (BCR) shall conduct its inquiry and issue its Final Report within one hundred, twenty (120) days of the date of filing of the complaint.
 4. Any party dissatisfied with the BCR's Final Report will be advised of the right to file a complaint with the applicable federal agency (i.e., The U.S. Department of Health and Human Services.)
 5. No person who has filed a complaint, testified, assisted or participated in any manner in an investigation of a complaint shall be intimidated, threatened, coerced or retaliated against.

B. A CIVIL RIGHTS COMPLAINT MAY BE INITIALLY FILED BY CONTACTING ANY OF THE FOLLOWING OFFICES/INDIVIDUALS:

1. The Cuyahoga County DCFS Civil Rights Coordinator

Civil Rights Coordinator

Cuyahoga County Division of Children and Family Services

3955 Euclid Avenue

Cleveland, Ohio 44115

Telephone: (216) 432-2273

The Community Relations Department will direct the client to the current Civil Rights Coordinator.

2. The Ohio Department of Job and Family Services

Bureau of Civil Rights

30 East Broad, 30th Floor

Columbus, Ohio 43215

Telephone: (614) 644-2703

Toll Free: 1-866-227-6353

3. The United States Department of Health and Human Services, Region V

Office for Civil Rights

233 N. Michigan Avenue, Suite 240

Chicago, Illinois 60601

Telephone: (312) 886-2359

Fax: (312) 886-1807

TDD: (312) 353-5693

SEE ALSO:

- **Ohio Administrative Code**

Section: 5101:2-33-03

Section: 5101:2-48-24

Section: 5101:9-2

- **Cuyahoga County Division of Children and Family Services Policies and Procedures Manual**

Policy Section 6.03 – Adoption Department Policy / Adoption Procedures

Policy No. 6.01.10 – Multi-Ethnic Placement Act (MEPA) Monitor Policy

Policy No. 6.01.12 – Multi-Ethnic Placement Act of 1994 (MEPA) Standards of Conduct

Policy No. 10.06.10 – Responding to Concerns and/or Complaints



DISCRIMINATION IS AGAINST THE LAW!

- No person or persons shall on the basis of race, color, national origin, disability, age, sex or religion, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or service authorized by the Cuyahoga County Division of Children and Family Services.
- Any person who believes that he/she, or any specific class of persons, has been subjected to unlawful discrimination on the basis of race, color, national origin, disability, age, sex or religion may file a written complaint with the agency outlining the alleged discriminatory act(s) (complaints alleging sexual harassment *need not* be reduced to writing prior to an investigation being initiated.) Written complaints are to be date stamped by the person who receives the complaint. Document receipts are to be provided to complainants who hand-deliver complaints.
- Complaints must be filed with the agency within 180 days of the date the alleged discriminatory act or treatment occurred.
- A Civil Rights Complaint may be filed by contacting any one of the following offices:
 1. **The Cuyahoga County DCFS Civil Rights Coordinator**
Cuyahoga County Division of Children and Family Services
3955 Euclid Avenue
Cleveland, Ohio 44115
Telephone: (216) 432-2273
(The Community Relations Department will direct the client to the current Civil Rights Coordinator)
 2. **The Ohio Department of Job and Family Services**
Bureau of Civil Rights
30 East Broad, 30th Floor
Columbus, Ohio 43215
Telephone: (614) 644-2703
Toll Free: 1-866-227-6353
 3. **The United States Department of Health and Human Services, Region V**
Office for Civil Rights
233 N. Michigan Avenue, Suite 240
Chicago, Illinois 60601
Telephone: (312) 886-2359
Fax: (312) 886-1807
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