



U.S. Department of Justice

Office of Justice Programs

Office for Civil Rights

Washington, D.C. 20531

October 4, 2012

VIA E-MAIL AND CERTIFIED MAIL

Geneva Watts
Civil Rights Compliance Staff
Hawaii Department of Human Services
P.O. Box 339
Honolulu, HI 96809-0339

Re: Compliance Review of Haw. Dep't of Human Servs. (12-OCR-0137)

Dear Ms. Watts:

The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ) is responsible for ensuring that recipients of federal financial assistance from the Office of Community Oriented Policing Services, the Office on Violence Against Women (OVW), the OJP, and OJP components comply with federal civil rights laws. As you know, recipients of federal financial assistance have an obligation not to discriminate against protected classes of people either in employment or in the delivery of services.

In carrying out the OCR's civil rights enforcement responsibilities, the OCR is conducting a broad compliance review of all state administering agencies (SAA) in accordance with federal regulation 28 C.F.R. § 42.206. The focus of this review is to determine both compliance with applicable federal civil rights laws and SAA monitoring procedures for ensuring the compliance of subrecipients with these laws. As part of that review, the OCR is evaluating the Hawaii Department of Human Services (DHS or Department) and the Office of Youth Services (OYS or Office), which is part of the DHS. Of particular interest to the OCR is the OYS' compliance with the federal regulations that the DOJ issued in January of 2004, Equal Treatment for Faith-Based Organizations, 28 C.F.R pt. 38. The regulations advise SAAs not to discriminate either in favor of or against faith-based organizations. The regulations also instruct funded faith-based organizations not to discriminate in the delivery of services or benefits based on religion or to use federal funds for inherently religious activities.

On May 18, 2012, the OCR conducted an onsite visit with the DHS in Honolulu, Hawaii, to interview management and program staff; we also provided a training program for Department representatives about the OCR and the federal civil rights laws that the OCR enforces, how the OCR enforces civil rights laws, a recipient's obligations to provide services to limited English proficient individuals, civil rights laws that affect faith-based organizations, and effective ways

to monitor subrecipient compliance with applicable civil rights obligations. The OCR would like to thank you for assisting the DOJ during its onsite visit.

In regard to the limited scope of this Compliance Review, the OCR concludes that the DHS and the OYS are not fully in compliance with the requirements of the federal civil rights laws that the OCR enforces. Specifically, we have reservations about the adequacy of the Department's and the Office's (1) guidance to subrecipients about their legal obligations regarding applicable federal civil rights laws, (2) monitoring of subgrantee compliance with their civil rights duties, (3) civil rights training for subrecipients, and (4) complaint procedures for responding to certain discrimination allegations. The following Compliance Review Report includes recommendations for improving the DHS' and the OYS' methods for monitoring the civil rights compliance of subrecipients.

Compliance Review Report: Overview and Recommendations

I. Overview

This Compliance Review Report first examines the DHS' and the OYS' procedures for monitoring whether subrecipients are meeting their obligations to comply with the federal civil rights laws that are a condition for receiving federal financial assistance. The Report then focuses on the Office's implementation of the DOJ's Equal Treatment Regulations.

A. General Monitoring Procedures to Ensure Subrecipient Compliance with Applicable Federal Civil Rights Laws

Recipients of federal financial assistance from the OJP are responsible for certifying that contractors and subrecipients under DOJ grant programs comply with applicable federal civil rights laws. In reviewing the DHS' and the OYS' general efforts to ensure subrecipients' compliance with their civil rights obligations, the OCR evaluates how the Department and the Office uses the following four tools: (1) standard assurances, (2) onsite visits and other monitoring methods, (3) training programs and technical assistance, and (4) procedures for receiving, investigating, and resolving complaints alleging employment and services discrimination.

1. Standard Assurances

The OCR examines the standard assurances that the OYS uses in connection with its administration of the following programs: (1) the Office of Juvenile Justice and Delinquency Prevention's (OJJDP) Title II Formula Grants (Title II), (2) Title V Community Prevention Grants (Title V), and (3) Juvenile Accountability Block Grants (JABG). Before the OYS disburses any funds under these programs, it requires a successful applicant to complete and return an administrative assurances document that elicits information about whether the

subrecipient (1) has written policies prohibiting discrimination that are posted and on file, (2) has policies and procedures for informing clients how to file complaints and grievances with the subrecipient, and (3) operates facilities that comply with applicable standards under the Americans with Disabilities Act. If this assurance document reveals specific deficiencies, then the OYS will withhold funds from a subrecipient until it remedies those identified problems.

In order to receive Title II, Title V, or JABG funds, a subrecipient must also agree to a grant agreement package, which contains the following provisions regarding civil rights laws:

5. Limited English Proficiency
The PROVIDER shall take reasonable steps to ensure that persons with limited English proficiency have access to the programs, services, and information those entities provide.

Contract No. DHS-12-OYS-265, State of Hawaii Contract for Health and Human Services: Competitive Purchase of Services, Attachment 1 at 4.

- O. [The PROVIDER shall] [c]ertify the following federal forms by signing and require subcontractors to sign . . . Assurance and Certification of Compliance With Regulations Regarding Civil Rights attached hereto as Attachment 2 and made a part thereof.

Id. at 6.

- 1.3 Compliance with Laws. The PROVIDER shall comply with all federal . . . laws, ordinances, codes, rules, and regulations, as the same may be amended from time to time, that in any way affect the PROVIDER's performance of this Contract, including but not limited to the laws specifically enumerated in the paragraph:

* * *

- 1.3.3 Persons with Disabilities. The PROVIDER shall implement and maintain all practices, policies, and procedures required by federal . . . law, including but not limited to the Americans with Disabilities Act (42 U.S.C. §12101, et seq.), and the Rehabilitation Act (29 U.S.C. §701, et seq.).

- 1.3.4 Nondiscrimination. No person performing work

under this Contract, including any subcontractor, employee, or agent of the PROVIDER, shall engage in any discrimination that is prohibited by any applicable federal . . . law.

* * *

- 7.1 Nondiscrimination. No person performing work under this Contract, including any subcontractor, employee, or agent of the PROVIDER, shall engage in any discrimination that is prohibited by any applicable federal . . . law.¹

Id. attach. 4 at 1-2, 11.

7. Equal Employment Opportunity Plan (EEOP). PROVIDERS who receive federal funds and have 50 or more employees shall comply with the Equal Employment Opportunity Plan requirement. PROVIDERS who receive \$25,000 or more must maintain an EEOP on file. PROVIDERS who receive \$500,000 or more, or \$1,000,000 in an 18-month period,² shall submit the comprehensive EEOP or Short Form to the following address, within 45 days of execution of this Contract:

U.S. Department of Justice
Office of Justice Programs
Office of Civil Rights
810 Seventh Street, N.W., Room 5107
Washington, D.C. 20531³

Id. attach. 5 at 2.

Also the Applicant assures and certifies that:

* * *

¹ This provision is duplicative of the immediately preceding quoted paragraph, and as such can be removed from the grant agreement.

² See *infra* note 4.

³ The OYS should revise this provision to refer to the “Office for Civil Rights” and remove the reference to “Room 5107.”

13. It will comply, and all its subcontractors will comply, with the nondiscrimination requirements of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, 42 USC 3789(d), or Victims of Crime Act (as appropriate); Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973, as amended; Subtitle A, Title II of the Education Amendments of 1972; the Age Discrimination Act of 1975; Department of Justice Non-Discrimination Regulations, 28 CFR Part 42, Subparts C, D, E, and G; and Department of Justice regulations on disability discrimination, 28 CFR Part 35 and Part 39.
14. In the event a Federal or State court or Federal or State administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin, sex, or disability against a recipient of funds, the recipient will forward a copy of the finding to the Office for Civil Rights, Office of Justice Programs.
15. It will provide an Equal Employment Opportunity Program if required to maintain one, where the application is for \$500,000 or more.

Contract No. DHS-12-OYS-265, Assurances.

Each grant agreement also includes a certification that requires a subrecipient to acknowledge the applicability of several additional civil rights requirements. In particular, the certification addresses a subrecipient's obligations (1) to refrain from discrimination in any program or activity, (2) to take reasonable steps to provide meaningful access for persons with limited English proficiency, as required by Title VI of the Civil Rights Act of 1964 and Executive Order 13166, (3) to collect appropriate data to ensure that subrecipients provide services and benefits in a nondiscriminatory fashion, and (4) to report findings of discrimination to the OYS. Finally, the certification addresses the applicability of the DOJ's equal employment opportunity plan (EEOP) requirements to a subrecipient.⁴

⁴ In addressing these obligations, the OYS seeks information regarding whether the subrecipient has received more than \$1,000,000 cumulatively in DOJ funds over an eighteen-month period. Please be aware that only recipients or subrecipients that receive a single award of \$500,000 or more are required to submit an EEOP to the OCR. Agencies that do not meet this requirement but that receive \$1,000,000 or more in cumulative funding are no longer required to submit an EEOP to the OCR. The DHS should omit all references to this inquiry in its grant agreement materials.

Contract No. DHS-12-OYS-265, Certification of Compliance with Regulations, Office for Civil Rights, Office of Justice Programs.

2. Onsite Visits and Other Monitoring Methods

The OYS relies on desk reviews and onsite visits to monitor its DOJ-funded subrecipients. The Office conducts quarterly desk reviews of reports it receives from subrecipients regarding their compliance with applicable financial and programmatic grant requirements. The OYS uses this desk review process to confirm that a subrecipient has submitted its administrative assurances document, although it does not use this mechanism to evaluate a subgrantee's current compliance with federal civil rights requirements.

The OYS relies on site visits to monitor the civil rights compliance of its subrecipients. The Office, through a juvenile justice program coordinator and a juvenile justice program specialist, visits each subrecipient twice each year. One of these visits is unannounced.⁵ During these onsite meetings, personnel review the administrative assurances that a subrecipient submitted before it received funds, as well as key provisions of the grant agreement. Through this review, the Office evaluates whether the subgrantee is in current compliance with its civil rights obligations. To further assess a subgrantee's compliance with applicable civil rights requirements, OYS personnel complete a civil rights monitoring checklist that includes questions about whether there have been findings of discrimination issued against the subrecipient during the past three years, and whether the subgrantee submitted appropriate EEOP-related information to the OYS and the OCR. The checklist also determines whether the subgrantee needs any training or technical assistance regarding applicable civil rights laws. During the OCR's onsite visit, the OCR learned that the DHS also developed checklists for ensuring that services and benefits are available to individuals who are disabled or limited English proficient. The OYS has not incorporated these checklists into its monitoring protocols.

3. Training and Technical Assistance

The OYS does not provide formal training to its subrecipients on applicable federal civil rights obligations, although it provides ongoing technical assistance to subrecipients on the DOJ's grant requirements, including those related to civil rights. While the Office does not provide a comprehensive training curriculum to subrecipients on issues involving discrimination, several other Hawaii agencies do provide training on civil rights issues, and conducted training sessions that may have included DOJ-funded subrecipients. The Disability and Communication Access

⁵ If the OYS received information about a complaint against a specific subrecipient, then it would consider the seriousness and validity of the allegations before conducting an announced or an unannounced onsite visit. Through the site visit process, the Office would determine whether the subrecipient needed to take corrective action in response to that complaint.

Board provides training and technical assistance on disability-related issues, while the Department of Health's Office of Language Access educates service providers on how to effectively interact with limited English proficient persons. The Hawaii Civil Rights Commission, which is part of the Department of Labor and Industrial Relations, provides training and technical assistance on various issues involving discrimination in employment and public accommodations. The DHS also has a robust training program, which is available on its Web site, that covers multiple civil rights topics and emphasizes the importance of avoiding discrimination in the Department's employment and services practices. Despite the availability of these training resources, the OYS has no process in place to ensure that its subrecipients benefit from them.

The Office provides technical assistance to subrecipients throughout their administration of subawards. At the inception of a subgrant, the Office reviews with each subgrantee those provisions in its grant agreement package that address civil rights issues. The OYS also conducts periodic meetings with its subrecipients that include, as part of the formal meeting agenda, a discussion of issues involving nondiscrimination obligations. At these meetings, Office personnel seek to discuss with subgrantees any issues that involve their federal civil rights compliance efforts, such as specific successes or challenges in providing services or benefits. OYS personnel are also available in person, by e-mail, and by telephone to respond to subrecipient questions about grant requirements that arise at any point during the grant cycle.

4. Complaint Procedures

In reviewing complaint procedures, the OCR evaluates those processes that are in place for individuals to pursue complaints of employment and services discrimination against the DHS, as well as complaints of employment and services discrimination against its DOJ-funded subrecipients. The Department clearly recognizes its broad obligation as both a recipient of federal financial assistance and an SAA to have in place policies that address how it responds to (1) discrimination complaints that it receives alleging prohibited discrimination in its employment and services practices, and (2) discrimination complaints that it receives alleging prohibited discrimination in its subrecipients' employment and services practices. To effectuate these obligations, the DHS developed various policy and related documents, all of which apply to the OYS, that address the importance of preventing discrimination in these contexts.⁶ In addressing civil rights complaints, the materials issued by the Department contain the following important elements:

⁶ The DHS also issued policy guidance on the importance of providing programs, services, and activities to disabled persons and limited English proficient individuals. See Policy No. 4.10.4, Access Policy – Language, Facilities and Employment Access to Support Human Services (Feb. 17, 2009).

- designating the Civil Rights Compliance Staff (CRCS) of the DHS Personnel Office as the coordinator who is responsible for overseeing the DHS' complaint process;⁷
- notifying DHS employees and beneficiaries and subrecipient employees and beneficiaries of prohibited discrimination in funded programs and activities and the DHS' policy and procedures for handling discrimination complaints;⁸
- establishing written procedures for receiving discrimination complaints from DHS beneficiaries and subgrantee employees and beneficiaries;⁹
- investigating each complaint internally or referring it to the appropriate agency, such as the EEOC or the OCR, for investigation and resolution;¹⁰
- notifying the complainant that he or she may also file a complaint with the OCR;¹¹ and
- ensuring that subrecipients notify their employees and beneficiaries of prohibited discrimination and the procedures for filing a complaint of discrimination.¹²

B. Monitoring Compliance with Faith-Based Regulations

The purpose of the Equal Treatment Regulations is to ensure that “[r]eligious organizations are eligible, on the same basis as any other organization, to participate in any [Justice] Department program for which they are otherwise eligible.” 28 C.F.R. § 38.1(a) (2012). The Regulations prohibit the DOJ and DOJ-funded recipients from discriminating either for or against an organization on the basis of the organization’s religious character or affiliation. *Id.* In

⁷ Policy No. 4.10.1, app. C at 1.

⁸ *See, e.g.*, Policy No. 4.10.1, Departmental Discrimination Complaints (July 18, 2011); Policy No. 4.10.2, Harassment Prevention (July 18, 2011); Policy No. 4.10.3, Opportunity to Participate in Programs, Services and Activities (July 9, 2009); Director’s Memorandum No. 12-01, Opportunity to Participate in Programs and Services (Jan. 5, 2012); Director’s Memorandum No. 12-02, Prevention of Discriminatory Practices (Jan. 11, 2012); DHS 050 Access Hawaii Brochure (Aug. 2011); DHS 6000 Complaint Form and Instruction Sheet; DHS 6006 Consent Release Form; ADA Notice; Nondiscrimination Multilingual Notices. All of these materials are available on the DHS’ “Civil Rights Corner” Web page (<http://hawaii.gov/dhs/main/civil-rights-corner/>).

⁹ *See generally* Policy No. 4.10.1.

¹⁰ *Id.* app. D at 1-3.

¹¹ *Id.* app. D, attach. 1 at 3-4.

¹² Policy No. 4.10.2 at 3; Policy No. 4.10.3 at 4.

evaluating the OYS' equitable treatment of faith-based organizations, the Compliance Review Report focuses on two issues: (1) the review process for making awards to applicant faith-based organizations; and (2) procedures for ensuring that funded faith-based organizations comply with applicable federal civil rights laws.

1. The Process for Making Awards to Applicant Faith-Based Organizations
 - a. Selecting DOJ-Funded Subrecipients

The OYS subawards Title II, Title V, and JABG funds.¹³ For the Title II and Title V grant programs, the Office selects subrecipients through a request for proposal (RFP) process.¹⁴ To announce the availability of grant funds, the OYS publishes a notice about the RFP in local newspapers and posts it on the Hawaii State Procurement Office Web site. The Office also provides detailed information to potential applicants about the objective scoring system that applies to each award, and encourages interested organizations to attend a presentation about the RFP process. Once applicants submit their proposals, the applications are initially reviewed by two state government employees, who provide feedback on them to the State Advisory Group (SAG), which is an advisory body that is required under the JJDP. In evaluating the applications, the SAG rates the proposals on a 100-point scale. At the end of this process, the SAG makes funding recommendations to the OYS Executive Director, who in turn makes the final award decisions.

- b. Faith-Based Organizations as Subrecipients

This section of the Report discusses the OYS' efforts to include faith-based organizations in the Title II, Title V, and JABG programs. In reviewing the inclusion of faith-based organizations in the subaward process, it is important to emphasize that these juvenile justice programs limit the ability of such groups to apply to the OJJDP or the OYS for specific funds as follows:

- **Title II Program:** Faith-based organizations are statutorily ineligible to apply directly to the OJJDP for Title II funds. *See* 42 U.S.C.A. §§ 5631-33 (West 2012). The OJJDP, however, encourages faith-based organizations to respond to requests for proposal from an SAA.

¹³ Under the Juvenile Justice and Delinquency Prevention Act of 2002 (JJDP), these grant programs require eligible nonprofit organizations to obtain federal tax exempt status under 26 U.S.C. § 501(c)(3) in order to apply for funds. In subawarding funds to nonprofit organizations, and in accordance with the JJDP, the DHS requires that such groups be exempt from taxation under federal law.

¹⁴ In the JABG grant program, there is no RFP process because funds are allocated automatically to the state (25% of funds) and Hawaii's counties (75% of funds).

- **Title V Program:** Faith-based organizations are statutorily ineligible to apply directly to the OJJDP or the OYS for Title V funds. *See id.* § 5783(a). The OJJDP, however, encourages faith-based organizations to access such funds by partnering with governmental subrecipients in developing the required local delinquency prevention plan and implementing the proposed prevention activities.
- **JABG Program:** Faith-based organizations are statutorily ineligible to apply directly to the OJJDP or the OYS for funding under the JABG program; however, section 1806 of the Omnibus Crime Control and Safe Streets Act of 1968 permits governmental subrecipients to contract with such groups to implement appropriate JABG purpose areas. *Id.* § 3796ee-6.

In fiscal years 2012 and 2013, no faith-based organizations were involved in the administration of Title II, Title V, or JABG funds in Hawaii.

2. Procedures for Ensuring that Faith-Based Organizations Comply with Applicable Civil Rights Laws

The Equal Treatment Regulations circumscribe how faith-based subrecipients may use federal financial assistance. Specifically, such subgrantees may not engage in inherently religious activities with federal funds; nor can they discriminate against potential or actual program beneficiaries on the basis of religion or religious belief. 28 C.F.R. §§ 38.2(b)(1), (d). During the OCR's site visit, an OYS representative noted that he has provided a copy of the Equal Treatment Regulations to subrecipients. While this technical assistance is helpful, the OYS does not have a formal system in place to monitor whether faith-based organizations that may receive Title II, Title V, or JABG funds would provide services consistent with the restrictions imposed by the Equal Treatment Regulations.

II. Recommendations

To strengthen their civil rights monitoring efforts, the OCR concludes that the DHS and the OYS should implement the following four recommendations: (1) modify the civil rights provisions in the OYS' grant agreement, (2) expand the OYS' civil rights monitoring protocol, (3) provide training to all DOJ subrecipients regarding their obligations to comply with federal civil rights laws, and (4) refine the DHS' policies for addressing discrimination complaints.¹⁵

¹⁵ Most of these recommendations directly relate to the Methods of Administration that the DHS will need to implement as a condition of administering fiscal year 2012 funds as an SAA under the Title II, Title V, and JABG programs. *See* Letter from M. Alston, Director, to SAA Points of Contact (Aug. 1, 2012); Other Requirements for OJP Applications, http://www.ojp.usdoj.gov/funding/other_requirements.htm (last visited Oct. 4, 2012).

A. Modify the Civil Rights Provisions in the OYS' Grant Agreement

The OYS should ensure that all DOJ subrecipients agree to grant agreement assurances that accurately reflect their federal civil rights obligations. To that end, the OCR recommends that the Office amend its grant agreement materials to include the following provisions, which would apply to all subrecipients of DOJ funding, regardless of the amount of federal financial assistance at issue:

- Recipient will comply (and will require any subgrantees or contractors to comply) with the federal nondiscrimination requirements of the Juvenile Justice and Delinquency Prevention Act of 2002 (42 U.S.C. § 5672(b)); Exec. Order No. 13279 (equal protection of the laws for faith-based and community organizations); Exec. Order No. 13559 (fundamental principles and policymaking criteria for partnerships with faith-based and other neighborhood organizations); and 28 C.F.R. pt. 38 (U.S. Department of Justice Regulations – Equal Treatment for Faith-Based Organizations).
- Recipient will designate a civil rights contact person who has lead responsibility in insuring that all applicable civil rights requirements, assurances, and conditions are met and who shall act as a liaison in all civil rights matters with the Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs and the Office for Civil Rights (OCR), Office of Justice Programs.
- Recipient will inform the public and subgrantees of affected persons' rights to file a complaint of discrimination with the OCR for investigation.

The Office may also wish to add a sentence to its grant agreement stating that, in accordance with federal civil rights laws, the subrecipient shall not retaliate against individuals for taking action or participating in action to secure rights protected by applicable civil rights laws.

B. Expand the OYS' Civil Rights Monitoring Protocol

The OYS has already developed a monitoring tool that evaluates a subrecipient's compliance with several civil rights metrics. The Office should expand this monitoring instrument to evaluate compliance with additional civil rights requirements that apply to all DOJ-funded subrecipients (e.g., whether the subrecipient has posted nondiscrimination notices as required by section 504 of the Rehabilitation Act of 1973; and whether the subrecipient has a grievance procedure and a designated coordinator as required by section 504 of the Rehabilitation Act and Title IX of the Education Amendments of 1972). In refining its monitoring tool, the OYS should also include questions that evaluate whether a subrecipient is complying with the DOJ's Equal Treatment Regulations, including the prohibitions against using federal funds to engage in inherently religious activities and discriminating against program beneficiaries on the basis of

religion. To assist the OYS in expanding its monitoring protocol, the OCR has prepared a sample Federal Civil Rights Compliance Checklist, which is enclosed for the Office's review. In strengthening its civil rights oversight of subrecipients, the OCR also encourages the OYS to adopt those checklists that are being used by other DHS components to ensure that services and benefits are accessible to disabled persons and limited English proficient individuals.

C. Provide Training to All DOJ Subrecipients Regarding Their Obligations to Comply with Federal Civil Rights Laws

The OYS should ensure, through periodic and mandatory training, that all of its subgrantees are aware of their obligations under applicable federal civil rights laws. The Office should require subrecipients to receive this training at least once during a grant cycle, whether it provides the training in person, during a teleconference, or through other means. In developing this training program, we encourage the OYS to consider the training resources that are already available through the Disability and Communication Access Board, the Office of Language Access, the Hawaii Civil Rights Commission, and the DHS. In addition, the OCR has developed training modules that explain a recipient's various civil rights obligations, and which are available at <http://www.ojp.usdoj.gov/about/ocr/assistance.htm>. The Office may wish to incorporate these videos into its own subgrantee training program. The OCR is also available to provide the Office with additional technical assistance in developing its civil rights training program.

D. Refine the DHS' Policies for Addressing Discrimination Complaints

The OCR commends the DHS for developing an extensive set of procedures for handling discrimination complaints involving its own employment and services practices, as well as those of its subrecipients. To improve its policies, we encourage the Department to make two refinements to them. First, the Department should provide additional written guidance on employee training. Specifically, the DHS should explain that it will provide training to appropriate personnel on their responsibility to refer discrimination complaints or potential discrimination issues involving the DHS or subrecipients to the CRCS as soon as the alleged discrimination comes to their attention. Second, the Department should ensure that subrecipients have procedures in place for responding to discrimination complaints that employees and beneficiaries file directly with the subrecipient. The DHS should more clearly explain that each subrecipient is required to adopt the Department's own complaint policy or to develop its own protocols for addressing alleged civil rights violations in their employment and services practices.

III. Conclusion

We find that the DHS and the OYS should implement the OCR's recommendations to ensure substantial compliance with the federal civil rights laws that the OCR enforces. On request, the OCR is available to provide technical assistance to the Department in addressing the concerns

Geneva Watts, Civil Rights Compliance Staff
Hawaii Department of Human Services
October 4, 2012
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raised in this Report. **Immediately upon receipt of this letter, we ask that a responsible DHS official contact Attorney Advisor Christopher Zubowicz to develop a timeline and goals for implementing the OCR's recommendations.**

Thank you for your cooperation and assistance during the Compliance Review process. If you have any questions, please contact Mr. Zubowicz at 202.305.9012.

Sincerely,

/s/ Michael L. Alston

Michael L. Alston
Director

Enclosure