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OFFICE FOR CIVIL RIGHTS

JUL 25 1969

Colonel Clifton M. Craig
Commissioner
State Department of Social Services
P.O. Box 2599
Raleigh, North Carolina 27602

Dear Colonel Craig:

This is the final report on the results of the Title VI Review of the North Carolina State Department of Social Services conducted December 2-18, 1968, by Regional Social and Rehabilitation Service, Public Health Service and Office for Civil Rights staff, and discussed with you and your staff on May 19, 1969.

The cooperation and support given by you and your staff in the preparation for the review, in carrying it forward, and in looking ahead to the next steps to be taken toward achievement of full compliance are very much appreciated. While the findings and recommendations of the review tend to emphasize areas in need of attention, it is obvious that you and your staff have been serving the minority group constituency well in many ways. We are confident that you will be able to make the changes and develop the procedures which will yield equal opportunity for all persons served by agencies under your direction.

As a means of assisting you in carrying out your overall Title VI responsibilities, we have assigned two staff members, Mr. Thomas F. Beddow and Mrs. Billie Glover, to work directly with you and other North Carolina State Health and Social Services agencies. They will be available to you and your staff to provide technical assistance and consultation, as well as to assist you in maintaining a continuing evaluation of the compliance aspects of your program. These services will, of course, be offered in close coordination with the Regional Office of Social and Rehabilitation Service.

The findings of the North Carolina State Agency Review, as related to the State Department of Social Services, are as follow:

1. The State Agency in its State Plan Transmittal #1, dated March 2, 1965, identified three areas of noncompliance with Title VI: (1) The assignment of Negro supervisory specialists to nursing homes and homes for the aged which are operated by and patronized by Negroes only; (2) Caseload assignments in child welfare made solely on the basis of race and day care purchased from facilities which are segregated and serve only one race; (3) Twenty-four counties employed Negro case-workers and assigned these workers only to Negro caseloads. The State Agency responded by telegram on July 22, 1965, with reference to these three exceptions that on the basis of compliance statements signed by county directors the State Agency knows "of no areas of noncompliance at county welfare level." Nevertheless in Wake County and New Hanover County it was stated during the review that desegregation of caseloads actually occurred during October 1968, and this has not yet been wholly accomplished since there are still workers who carry either one-race caseloads, or caseloads with only one or two white clients with the rest Negroes. In Pitt County, the two Negro homemakers have had six Negro and no white cases, nine Negro and one white case respectively. The State Agency lacks a procedure for assuring itself that the areas of noncompliance which existed in 1965 have been corrected. It is also clear that compliance statements do not suffice.
2. The State Agency has relied on compliance statements from hospitals, child-caring institutions, maternity homes, facilities for the mentally retarded, and boarding schools as a means of determining compliance. There has been no provision for on-site reviews.
3. County welfare departments have been delegated responsibility by the State Agency for securing compliance from homes for the aged, nursing homes, and facilities from which day care is purchased. The State Agency has compiled lists of such facilities reported to be in compliance, but there

has been no provision for on-site reviews, and no method for the State Agency to assure itself that all facilities used by the county departments are, in fact, in compliance.

4. A civil rights review of local departments was conducted in July 1968. A questionnaire was used as the basis for evaluating the compliance of local departments with Title VI. Neither the review process nor the questionnaire provided adequate means of evaluating the compliance status of local departments, and the procedure, as well as the responsibility for evaluating the local departments, was informal. The review and the questionnaire did not provide a means of evaluating caseload assignments, of analyzing the handling of cases or the comparing of processing time for Negro, white and Indian cases, or comparing the quality of case handling for white and minority clients.
5. The State Agency offers training to State Agency staff, county staff, etc., with Title VI approached as "a codification of the Agency's philosophy regarding the dignity of the individual." Responses of staff members in direct service interviews show that this has not been sufficient to provide information on what Title VI requires in order to achieve a delivery of agency services without discrimination on the basis of race, color, or national origin. Many staff members are unfamiliar with the content of the State Agency's civil rights releases and forms. Most workers do not know that they have responsibility for observing and reporting instances of discrimination in the treatment of clients in vendor facilities. Few staff members recall having been instructed in the procedures for complaint handling. Many do not know that both the State Agency and the Federal Government provide avenues for handling complaints.
6. Some county agency staff members do not understand the proper procedure by which a client may make, or be assisted in making a Title VI complaint, as distinguished from an appeal.
7. Some county agency staff members report that there are continuing problems in the use of courtesy titles.

Although meetings have been held to remind staff members of the importance of using courtesy titles, and a special effort is made to use courtesy titles for a period of time, the staff members gradually drop the courtesy titles again.

8. In case reading in all four counties reviewed it was found that specifically for AFDC but also for most other categories the time required to process white cases from application to first payment is significantly less than the time required to process Negro cases.

Wake AFDC	white-20 days	Negro-60½ days
Lincoln AFDC	white-33 days	Negro-55 days
New Hanover AFDC	white-28 days	Negro-38 days
Pitt AFDC	white-25 days	Negro-43 days

9. In case reading in all four counties reviewed it was found that the quality of case handling is less adequate for the Negro cases than for the white cases as judged by the proportion of cases in which readers noted either deviation from standards or examples of handling adverse to the client's interest.

Proportion of Cases with Adverse Handling:

Wake	white 0%	Negro 27.7%
Lincoln	white 8.3%	Negro 50.0%
New Hanover	white 12.3%	Negro 34.3%
Pitt	white 17.6%	Negro 32.2%

10. As a general observation from interviews with county agency staff members, the Negro workers are less satisfied than the white workers with the effectiveness of Title VI compliance efforts with applicants, clients, vendors, and staff. The small number of Negro workers employed and feelings about chances for promotions are mentioned.

In Wake County Welfare Department, the one Negro clerical worker employed since 1960 is not asked to serve as receptionist whereas all white clerical workers take their turn at receptionist duty.

11. In Pitt County a vendor, the Bethel Clinic, was found to have separate entrances and separate waiting rooms used on a segregated basis.

12. In Lincoln County a complaint was made in regard to Gordon Crowell Memorial Hospital that all Negro patients are placed in the hall and in one wing. A review of records for the month of November, and a 15-day census tended to confirm the substance of this complaint.
13. Negro children are being sent only to the Central Orphanage of North Carolina, while white children are utilizing all existing institutions within the State with the exception of the Central Orphanage of North Carolina.
14. Four nursing or rest homes were visited: One, an ECF, was well integrated. A second, not an ECF, had 15 Negro and 27 white patients but no biracial occupancy at any time, and no public notice of an open policy; a third had 41 white welfare patients and no Negro patients; the fourth, a rest home, had 31 Negro patients, 29 of them on welfare.

Certain recommendations evolved from these findings, and in conference with you and your staff on May 27, 1969, agreements were reached.

1. Recommendations Necessary for Compliance with Title VI of the Civil Rights Act of 1964:

- a. The North Carolina Department of Social Services should take steps to assure itself and the Office for Civil Rights that all future referrals and acceptances of children to child-caring institutions are made without regard to race, color or national origin.
- b. The North Carolina Department of Social Services should take steps to assure itself and the Office for Civil Rights that all local departments of public welfare reevaluate the placement of all children for whom they have legal custody who are presently being cared for in Central State Orphanage at Oxford, North Carolina. If a child is presently at that institution because of the child's race, then that child should now be referred to and placed in the institution in which he or she would have been placed had he or she not been a Negro.

- c. The State Agency should review and correct the examples of noncompliance observed at Bethel Clinic in Pitt County which has separate entrances and waiting rooms used on a segregated basis; at Gordon Crowell Hospital in Lincoln County where a complaint was received that Negro patients are placed in the hall and in one wing and at the Wake County Department of Public Welfare where a Negro typist is not assigned to receptionist duty as white typists are.
- d. The State Agency should develop a procedure for the periodic review of Title VI compliance of county departments, including study of comparative processing time for white and Negro applicants, comparative analysis of quality of case handling for white, Negro, and Indian clients, and analysis of case assignments for white and Negro staff members. The State Agency should seek ways to utilize its data processing capability to monitor the delivery of services to clients to determine that there are no inequities based on considerations of race. The procedures should include written reports available for periodic review by Regional Office for Civil Rights and Regional Social and Rehabilitation Service representatives.
- e. The State Agency should develop a procedure, with assigned staff responsibility for periodic on-site reviews on Title VI to assure the continuing compliance of hospitals, child-caring institutions, maternity homes, boarding schools, as well as facilities from which day care is purchased. This may be done by the State Agency or by contractual arrangement with other State Agencies. The State Agency in either case retains compliance responsibility and the results of such periodic on-site reviews should be available for review by Regional Office for Civil Rights staff and Regional Social and Rehabilitation Service representatives.

AGREEMENT: The State Agency, within 60 days, would submit plans to accomplish the foregoing recommendations.

2. Recommendations for a More Effective Compliance Program

- a. Employment of a full-time Civil Rights Coordinator whose duties would include:

1. Maintaining regular contact with all components of the Department of Social Services to assist management in these components with respect to all Title VI functions and responsibilities.
 2. Developing methods for maintaining continued compliance for staff, vendors, and other agencies as appropriate.
 3. Developing written material concerning Title VI to be distributed to staff, clients, news media, and others as appropriate.
 4. Maintaining liaison with his counterpart or counterparts in other State agencies, city and county agencies, other organizations, and with the Office for Civil Rights, Department of Health, Education, and Welfare, Region III.
- b. It is recommended that the North Carolina Department of Social Services implement a more effective Equal Employment Program throughout the Department.
 - c. The State Agency should develop a broader program for Title VI training for new staff and existing staff at all levels, State and local, to make sure that all staff members not only understand the provisions of Title VI, and the procedures for complaint handling, but also the problems of attitude and working relationships which have the effect of discrimination in slower and less adequate case handling for minority group clients.
 - d. The North Carolina Department of Social Services should instruct all local departments of public welfare that, when a client's file indicates the services of a nursing home or extended care facility are needed, the caseworker is to assist the client in selecting such facility and the selection and referral should be made without regard to race, color, or national origin.

✓ **AGREEMENT:** The State Agency, within 60 days, would advise of decisions reached on each of the above recommendations describing means of implementation and showing time schedules for accomplishment.

Colonel Clifton M. Craig

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Our entire staff, and particularly the members assigned to work directly with your Agency, will be available to assist in carrying forward the tasks arising from these agreements and evaluation of the results.

Sincerely yours,

Eloise Severinson, Ph. D.
Regional Civil Rights Director