

# PROTECTING THE CIVIL RIGHTS OF OUR CLIENTS

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Southeast Florida Behavioral Health Network has a policy of non-discrimination on the basis of race, color, religion, national origin, sex, age, sexual orientation, gender identity/expression, disability or status as a Vietnam Era Veteran.



# CIVIL RIGHTS VIOLATIONS

**According to Federal Law, discrimination occurs when individuals are:**

- ❖ Denied services unfairly
- ❖ Delayed from receiving services, or
- ❖ Treated differently from others

Because of their race, color, national origin, gender, age or disability.



# WHAT IS DISCRIMINATION?

- ❖ To discriminate is to make a distinction
- ❖ In relation to civil rights, this means treating one person (or a group of people) differently from others
- ❖ Discrimination can occur intentionally or by neglect, by actions or by lack of actions



Discrimination is the practice or action of treating people unfairly or differently from others based on our stereotypes and prejudice.



**Our beliefs  
and attitude  
can lead to  
discrimination**



**Stereotypes:** Beliefs based on preconceived or oversimplified generalizations about certain people or groups.

**Prejudice:** Attitudes based on a rigid and negative view of a particular group.

# TYPES OF DISCRIMINATION

- ❖ Disparate Treatment: Occurs when someone in a protected class is treated differently than others.
- ❖ Disparate Impact: Occurs when there is a discriminatory result on a protected class that results from an action or rule. Unintentional
- ❖ Reprisal/Retaliation: Is negative treatment someone feels they received due to a prior civil rights complaint by them, his/her family or known associates or for cooperating with an investigation.



# CIVIL RIGHTS

## WHAT ARE CIVIL RIGHTS?

Civil rights are the non-political rights of a citizen; the rights of personal liberty guaranteed to U.S. citizens by the 13th and 14th Amendments to the U.S. Constitution and Acts of Congress.

- ❖ Equal treatment for all applicants and beneficiaries
- ❖ Knowledge of rights and responsibilities
- ❖ Elimination of illegal barriers that prevent or deter people from receiving services and/or benefits
- ❖ Dignity and respect for all

## GOALS OF CIVIL RIGHTS

Accepting Federal funds  
requires compliance with  
civil rights rules in all  
aspects of operations.



# WHAT ARE CIVIL RIGHTS LAWS?

- Title VI – Civil Rights Act of 1964 – Race, Color, National Origin
- Title IX of the Education Amendments of 1972 – Sex/Gender
- Section 504 of the Rehabilitation Act of 1973 – Disability
- Americans with Disabilities Act – Disability
- Florida Chapter 760, FL DCF CFOP 60-10, and FL Civil Rights Act of 1992



# CLIENT RIGHTS AND LEP

## LAW AND DEFINITION OF LIMITED ENGLISH PROFICIENCY

In 2000 then President Bill Clinton signed Executive Order 13155 to ensure programs who receive federal funds provide meaningful access to individuals with limited English proficiency.

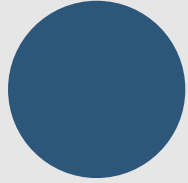
LEP refers to: those whose primary language is not English and those who have limited ability to read, speak, write, or understand English.

Some of our agency documents that are available in foreign languages include: Client Rights, Client Satisfaction Surveys, Auxiliary Aids and Services Survey.

SEFBHN's SPOC is responsible for arranging foreign language translation for consumers contacting the agency for assistance with access to services. The procedures are detailed in our Auxiliary Aids and Services Plan. SEFBHN staff will then provide assistance with linkage and appointments for assessments with one of our providers, or with another community agency that would meet the consumer's needs and/or preference.

## HOW DOES OUR AGENCY PROVIDE ACCESS TO SERVICES FOR CONSUMERS WITH LIMITED ENGLISH (LEP)?

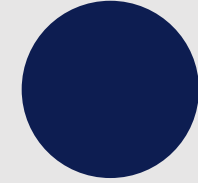
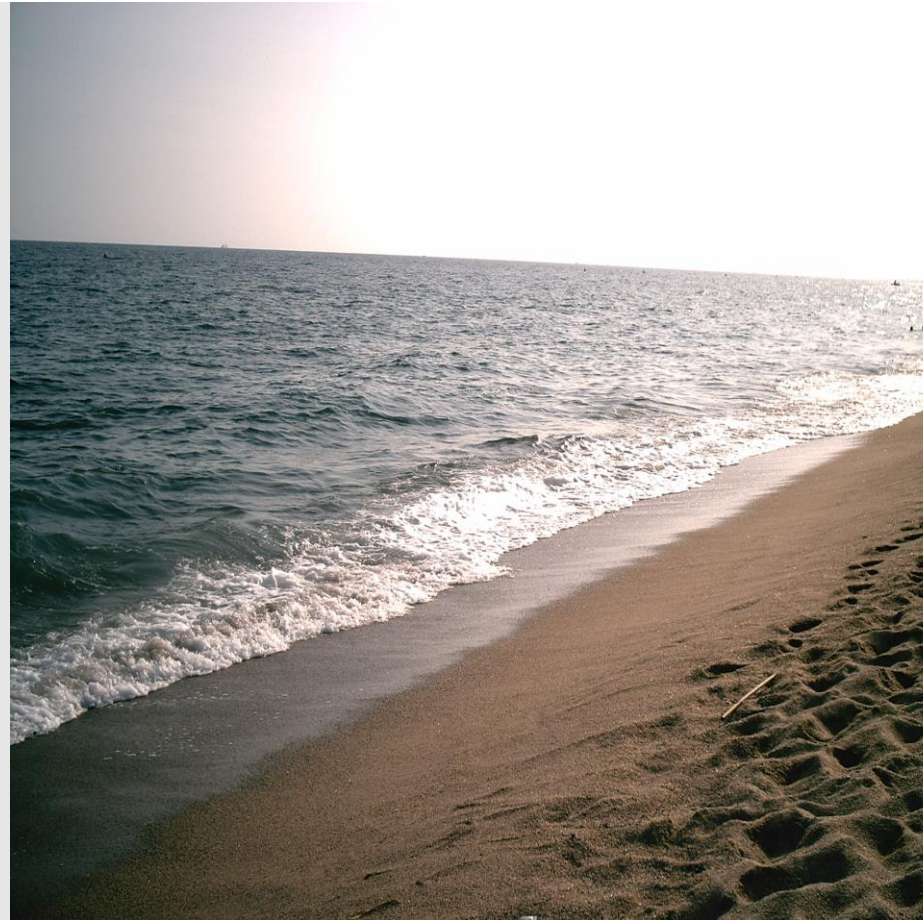
# ASSURANCES = PROMISES



In order to receive Federal funding, agencies/providers must promise that they will abide by civil rights requirements in program delivery.

The Agreements signed by State agencies, grantees, and facilities include these four promises at all levels:

- ❖ Federal & State agreements;
- ❖ State agency & institution agreements; and in sponsor & facility agreements.
- ❖ It is required language



- ❖ No discrimination based on race, color, national origin, age, sex, or disability
- ❖ Program will be operated in compliance with all nondiscrimination laws, regulations, instructions, policies, and guidelines
- ❖ Compile data, maintain records, submit reports
- ❖ Allow reviews & access

# PUBLIC NOTIFICATION

Any advertisements (like a brochure, flyer, or website) must contain our agency's non-discrimination statement and complaint procedures must be included.

You can locate our agency's non discrimination statement in several places:

- ❖ Our website
- ❖ Employee Manual
- ❖ Consumer Manual
- ❖ Our Policy Statement/Document

# PUBLIC NOTIFICATION: NON DISCRIMINATION STATEMENT

SEFBHN prohibits discrimination against its consumers, employees, and applicants for employment on the basis of race, color, national origin, age, disability, sex, sexual orientation, gender identity, religion, status as a Vietnam era veteran.

Civil Rights complaints may be directed to the SEFBHN Compliance Officer (561) 203-2485. You may also write a letter detailing the alleged discrimination and send to the compliance officer at 140 Intracoastal Pointe Drive, Suite 211 Jupiter, FL 33477 or by fax at (561) 203-2487, or by email at [civilrightscomplaint@sefbhn.org](mailto:civilrightscomplaint@sefbhn.org) Individuals who are deaf, hard of hearing, have speech disabilities, or limited English proficiency, may contact SEFBHN through the Federal Relay Service at (800) 977-8330 or Florida Relay Service at ( 711 ).

The SEFBHN Single Point of Contact may also be accessed by calling 561-203-2485, for assistance with auxiliary aids.

SEFBHN is an equal opportunity agency and employer.

You may also file a complaint with the state and federal government at the following:

Assistant Staff Director for Civil Rights 1317 Winewood Boulevard

Building 1, Room 110

Tallahassee, FL 32399-0700

850-487-1901

Executive Director

Florida Commission on Human Relations 2009 Apalachee Parkway, Suite 100

Tallahassee, FL 32301-4857

850-488-7082

US Department of Health & Human Services Office for Civil Rights

Atlanta Federal Center, Suite 3B70 61 Forsyth Street, SW

Atlanta, GA 30303-8909

404-562-7881



# KNOW YOUR RIGHTS...

## SHORT VERSION:

**“This organization is an equal opportunity agency/provider.”**

- ❖ May be used where the longer statement does not fit.
- ❖ Must be in font size no smaller than font size used in rest of publication
- ❖ Should not be used where information on rights is provided.

# CIVIL RIGHTS COMPLAINTS VS. FAIR HEARING REQUESTS

- Civil Rights complaints involve an alleged act of discrimination.

Fair Haring Requests are:

Requests made to have a judge review your case to decide if the agency was wrong in their decision to do one of the following:

- Determine Ineligibility
- Discontinue or Remove from Services/Program
- Request Money Back to the Agency

# FILING A CIVIL RIGHTS COMPLAINT

Southeast Florida Behavioral Health Network, Civil Rights Officer, 1070 East Indiantown Road, Suite 408 Jupiter, FL 33477

Complaints/grievances can also be sent via email to: [mary\\_bosco@sefbhn.org](mailto:mary_bosco@sefbhn.org)

Consumers, employees, applicants: You have 180 days from the alleged discrimination to file the complaint to the SEFBHN Civil Rights Officer, Mary Bosco.

SEFBHN Staff: You must notify the SEFBHN Compliance Officer immediately upon report of a civil rights complaint. The SEFBHN Compliance Officer then has 5 days from receipt of the complaint to report this to the state Civil Rights Office. The SEFBHN Compliance Officer will immediately notify, upon receipt of a complaint, the FL DCF Regional Office and their DCF Contract Manager.

## **Complaint Information:**

- What services were you denied and by what agency?
- What were you told was the reason you were denied services?
- What person denied you services?
- What was the date and time you were denied service?

Discrimination complaints may also be filed externally with the state and federal government:

Assistant Staff Director for Civil Rights 1317 Winewood Boulevard  
Building 1, Room 110  
Tallahassee, FL 32399-0700  
850-487-1901

## **Disability Rights Florida**

US Department of Health & Human Services Office for Civil Rights  
Atlanta Federal Center, Suite 3B70 61 Forsyth Street, SW  
Atlanta, GA 30303-8909  
404-562-7881



# CUSTOMER SERVICE TIPS

**Some important customer services functions and protocol to remember to prevent discrimination include the following:**

- Inform individuals about eligibility requirements
- Inform individuals about assessment procedures
- Inform individuals about any wait times
- Do not delay access for initial assessment
- Inform individuals about what to bring to appointments or assessments
- Inform individuals about your agency's service array
- Inform and train staff on your policy and procedures for protecting civil rights and the procedures for providing auxiliary aids to individuals who are deaf or hard of hearing and those with limited English proficiency

# THE IMPORTANCE OF DATA COLLECTION

## Why does our agency and our subcontractor agencies collect data on race and ethnicity?

Agencies who receive federal funding are required to do so in order to:

- ❖ Help us ensure parity
- ❖ Help us know who we serve so that we can better identify and meet their needs.
- ❖ Help us identify areas for improvement regarding access.

Some places our agency and our subcontractors collect this data:

- ❖ Employment Applications
- ❖ Client Registration Demographic Records

# THANK YOU

