



Civil Rights Department

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During Mental Health Awareness Month, Civil Rights Department Mediation Results in \$230K+ Settlement for Former Social Work Student

Settlement requires Los Angeles County, CSU Northridge, and UC Berkeley to update their policies to protect future social work students from discrimination on the basis of mental health

SACRAMENTO – During Mental Health Awareness Month, the California Civil Rights Department (CRD) today announced a more than \$230,000 mediated settlement for a former California State University Northridge (CSUN) social work student as a result of alleged mental health discrimination. According to a complaint filed with CRD, the former student was allegedly forced out of a federally funded scholarship program after responding to intrusive pre-employment mental health questions required by the Los Angeles County Department of Children and Family Services (DCFS) for an internship and not given an opportunity to obtain a reasonable accommodation. In addition to monetary compensation, the settlement requires DCFS, CSUN, and University of California Berkeley (UCB), the institution that currently hosts the scholarship program, to update their policies to protect future social work students from discrimination on the basis of mental health.

“Everyone deserves an equal opportunity to learn and make a living,” **said CRD Director Kevin Kish.** “People with disabilities, whether they are physical or involve mental health, have the right to reasonable accommodations at work, in school internships, and in all government-funded services. I’m grateful for the willingness of our partners to make the changes necessary to prevent this from happening in the future and I applaud the student who spoke out. It takes real courage to come forward and make your voice heard. During Mental Health Awareness Month, it’s crucial we remind people they aren’t alone.”

The scholarship program, administered through the California Social Work Education Center (CalSWEC), provides qualified students with a yearly stipend and guaranteed employment after completion of an accredited educational program. In 2023, CRD received a complaint alleging that DCFS, CSUN, and UCB failed to engage in a required reasonable accommodation process with respect to a mandatory internship through CalSWEC and that the underlying pre-employment screening questions asked by DCFS for the internship were impermissible and non-job related. As a result, the former student allegedly lost an \$18,500-a-year stipend, was forced out of CalSWEC, had to pay back over \$10,000 in stipend funds that already been received, and had to complete the degree without the financial support offered through CalSWEC. The complainant was also allegedly not informed about a

petition process that could have waived repayment obligations due to disability. Under California law, employers and many other entities must explore reasonable accommodations prior to rejecting people with disabilities for a job or internship or denying them full and equal access to a government-funded program. In addition, the Fair Employment and Housing Act limits mental or physical disability questions employers may ask to those that are job related and consistent with business necessity.

Pursuant to its statutory authority, CRD investigated the complaint and provided for an opportunity for the involved entities to voluntarily resolve the matter through mediation with the department's [Dispute Resolution Division](#). The division operates within CRD to provide free, neutral mediation services to help parties resolve disputes and address discrimination complaints. Each year, the division resolves hundreds of complaints, resulting in policy changes and millions of dollars in direct relief to impacted Californians.

As part of the settlement, DCFS, CSUN, and UCB will each take a range of corrective actions, including to:

- Confirm it has ended the use of the pre-employment/post-offer medical exam for CalSWEC internships and reconsider its use for all DCFS employees.
- Provide students clear information about how to submit a petition for waiver of tuition repayment obligations on the basis of disability, including prior to having students agree to repay their stipend.
- Create an internal process to acknowledge receipt of the petition for waiver information and a protocol to individually document options discussed with students if they cannot complete program requirements due to disability.
- Take steps to ensure a designated point of contact across all CalSWEC programs to provide support for disability accommodation requests.
- Provide guidance to clarify that it is also the obligation of participating schools to identify reasonable accommodations, not just the student.
- Pay \$215,000 in compensation for alleged harms to the complainant.
- Forgive or reimburse the complainant for the remaining CalSWEC stipend amount of \$18,500.

If you or someone you know has been the victim of employment discrimination, CRD may be able to assist you through its complaint process. General information about CRD's complaint process and how to file a complaint is available [here](#). Additional information regarding protections against employment discrimination is available [here](#).

The settlement was mediated by Attorney IV Mediator Angela E. Oh. The matter was supported by Attorney IV Jennifer Sperling in CRD's Legal Division and investigated by CRD's Enforcement Division.

A copy of the settlement is available [here](#).

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The California Civil Rights Department (CRD) is the state agency charged with enforcing California's civil rights laws. CRD's mission is to protect the people of California from unlawful discrimination in employment, housing, public accommodations, and state-funded programs and activities, and from hate violence and human trafficking. For more information, visit calcivilrights.ca.gov.

