



WE ARE WASHINGTON  
GOVERNMENT OF THE DISTRICT OF COLUMBIA  
DC MURIEL BOWSER, MAYOR



# Office of the Ombudsman Annual Report

Foster Youth and Foster Parent Statements of Rights and Responsibilities

**Annual Status Report 2020**

Submitted to the Council of the District of Columbia  
February 28, 2021

D.C. Child and Family Services Agency  
200 I Street SE, Washington, DC 20003 • (202) 442-6100  
[www.cfsa.dc.gov](http://www.cfsa.dc.gov) • <http://dc.mandatedreporter.org>  
[www.fosterdckids.org](http://www.fosterdckids.org) • Facebook/CFSA DC • Twitter@DCCFSA

**Contents**

- Executive Summary .....2**
  - Introduction and Overview of Concerns Received in CY 2020 ..... 2
  - Role of the Ombudsman at CFSA..... 2
  - Mission..... 2
  - What Matters Are Outside the Scope of the Office of the Ombudsman? ..... 3
  - A Note on COVID-19 ..... 3
  - Ombudsman Case Process ..... 4
- Accomplishments During CY 2020 .....5**
- Ombudsman’s Office Data ..... 6**
  - Who We Serve ..... 6
  - Complaint and Inquiry Resolution ..... 7
  - Complaint and Inquiry Themes..... 8
- Findings and Recommendations .....9**
  - Safety and Risk ..... 9
  - Case Management..... 10
  - Communication and Customer Service ..... 11
  - Services..... 12
  - Records ..... 13
  - Youth Concerns ..... 13
- Conclusion – Looking Ahead ..... 15**

## Executive Summary

### Introduction and Overview of Concerns Received in CY 2020

The 2020 Foster Youth and Foster Parent Statements of Rights and Responsibilities Annual Status Report details the findings from and resolution of complaints and inquiries (“concerns”) received by the Child and Family Services Agency’s (“CFSA”) Office of the Ombudsman (the “Ombudsman”) from youth in foster care, licensed resource parents, birth parents, and concerned parties (collectively, “complainants”).<sup>1</sup> In response to concerns relating to CFSA, the Office of the Ombudsman performs independent investigations and facilitates resolutions.

In calendar year (“CY”) 2020, the Ombudsman received 140 concerns from a range of complainants. This report details the types of issues addressed and who reported them to the Ombudsman. The Report also includes the Ombudsman’s recommendations to address observations made throughout CY 2020.

### Role of the Ombudsman at CFSA

In the context of CFSA, the role of the Ombudsman is to provide conflict resolution for issues that affect CFSA families by supplementing – though not replacing – CFSA’s formal dispute and complaint resolution channels. The Office applies the characteristics and standards discussed above to create an accountability mechanism by conducting an investigation of concerns, identifying and evaluating options for resolution, encouraging effective communication between parties, offering referrals to other resources, and consulting with CFSA management about observed issues and trends. Specifically, the Ombudsman is charged with fielding and reviewing concerns regarding the District’s child welfare system and making recommendations for internal Agency improvements or interagency systemic change.

### Mission

- Address immediate concerns relating to CFSA families.
- Act as a mechanism for early detection of emerging Agency-wide issues.
- Prevent reoccurring problems and improve existing processes by collaborating with CFSA teams and stakeholders to effect systemic changes.

---

<sup>1</sup> The District’s *Foster Youth Statement of Rights and Responsibilities Act of 2012* (D.C. Law 19-276; D.C. Official Code § 4-1303.71 *et seq.*); and the *Foster Parents Statements of Rights and Responsibilities Amendment Act of 2016* (D.C. Law 21-217; D.C. Official Code § 4-1303.81 *et seq.*) requires the submission of this annual report, which must include concerns reported by youth and licensed foster parents in addition to the outcomes of the resulting investigations.

## **What Matters Are Outside the Scope of the Office of the Ombudsman?**

Because of the informal, neutral, confidential, and independent positioning of CFSA Office of the Ombudsman, the Ombudsman does not engage in the following activities:

- Making decisions for complainants, Agency staff, or other individuals
- Offering legal advice
- Offering psychological counseling
- Participating in formal investigations or playing any role in formal judicial or administrative proceedings
- Overturning clinical decisions
- Addressing concerns that are outside of CFSA's jurisdiction

## **A Note on COVID-19**

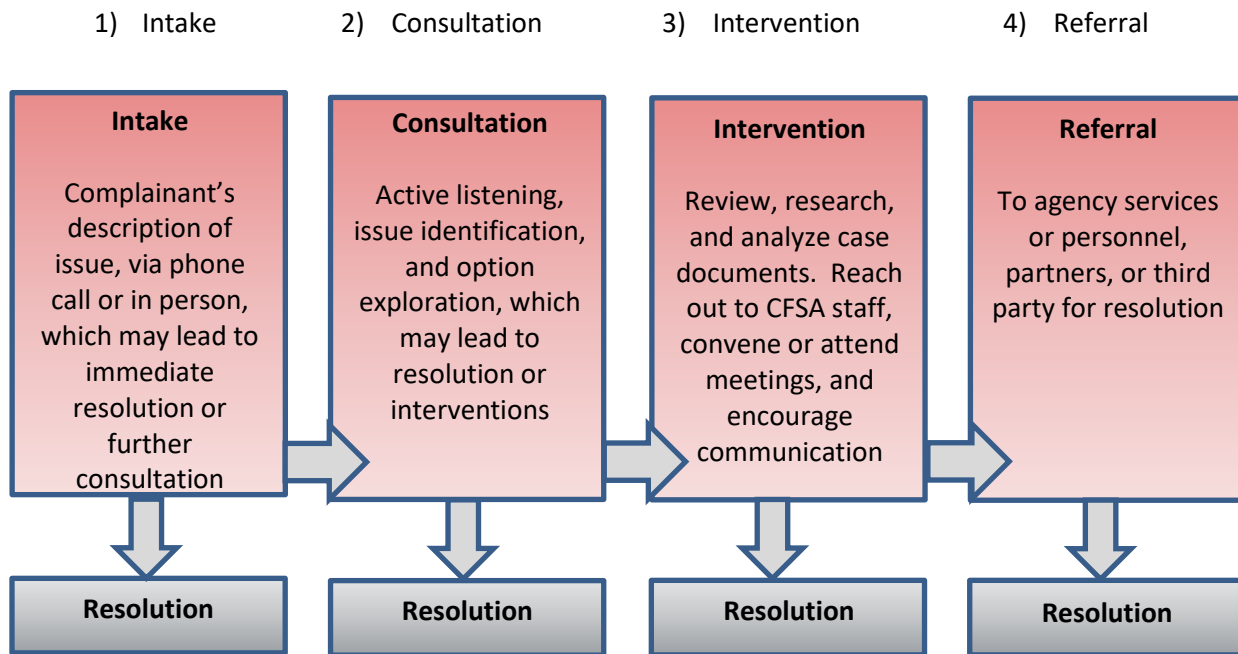
The novel coronavirus disease of 2019 ("COVID-19"), which has caused symptoms ranging from mild to severe, mass- hospitalizations, and deaths across the United States, had a huge impact on District families in CY 2020. In the time of stay home orders and closed schools, District children and families worked hard to navigate safety and well-being. Although physical distance helped prevent the spread of the virus, social distance increased isolation and stress, which trickled into many aspects of family life. The network of public services, schools, after-school programs, and health care providers that weaves together a safety net for children was significantly altered, placing a strain on the child welfare system. Despite the ongoing challenges of COVID-19, the Ombudsman worked diligently to address concerns and to support families during this difficult year.

The Ombudsman spent much of CY 2020 encouraging partnership, flexibility, and communication between complainants, CFSA staff, and service providers. COVID-19 was referenced in more than half of all complaints and inquiries received by the Ombudsman. In most cases, complainants discussed how the pandemic had compounded their previous concerns and challenges. Although COVID-19 was an exacerbating factor, it did not significantly change the types of concerns raised to the Ombudsman.

Due to the highly transmissible and pathogenic nature of the virus, CFSA had to adjust many practices through CY 2020 that affected CFSA families and complainants. The Ombudsman worked closely with CFSA staff to address issues on a case-by-case basis, and resolutions that sometimes departed from previous procedures. The Ombudsman helped families navigate the pandemic's challenges, such as coordinating safe, socially distant visitations between multiple households and identifying mental health supports for youth and families experiencing grief and loss. The Ombudsman also supported CFSA's Office of Youth Empowerment ("OYE") by encouraging older youth to make healthy decisions and abide by stay-home and social distancing protocols and assisted in identifying additional services for concerned young mothers in care. As cases of COVID-19 continue to rise, the Office of the Ombudsman will remain a resource and support for District residents and CFSA families as we navigate the unique health and safety concerns of the times.

## Ombudsman Case Process

The Ombudsman's case process<sup>2</sup> has four steps, though some may repeat, and resolution can be reached during any step of the process:



All individuals with a concern are strongly encouraged to first address concerns with their assigned social worker or CFSA contact as soon as the issue arises. If a concern has not been adequately addressed, the individual is encouraged to reach out to the managerial supervisory chain of command. If the individual still feels the concern has not been adequately addressed, then it is appropriate to seek help from the Ombudsman.

The Ombudsman receives concerns regarding youth, birth parents, and resource parents through the following pathways:

- Email: [Marianna.Abraham@dc.gov](mailto:Marianna.Abraham@dc.gov)
- Phone: (202) 722 – 2111
- Direct contact or a visit to the Ombudsman at 200 I St. SE and at CFSA's Office of Youth Empowerment when offices are open to the public

<sup>2</sup> Adapted from Washington State Office of the Education Ombudsman. (2011). *Ombudsman resource manual*.

## Accomplishments During CY 2020

- Closed 135 of 140 concerns, received in CY 2020<sup>3</sup> (32 more concerns than 2019).
- Continued to partner with the Department of Human Services' Strengthening Teens Enriching Parents Program (STEP) to provide immediate outreach and assessment to youth reported missing.
- Continued to provide relevant CFSA data to the Executive Office of the Mayor's ("EOM") Family and Survivor Support Services (formerly Community Stabilization Protocol).
- Continued working with the In-Home Services policy workgroup tasked with developing Agency policy, business processes, tip sheets, etc.
- Participated in two listening sessions hosted in early 2020 dedicated to receiving feedback from resource parents and birth parents.
- Staffed Parent Advisory Committee ("PAC") meetings attended by CFSA and the National Center for Children and Families (NCCF) resource parents, kin care providers, and community advocates.
- Worked with CFSA leadership and long-time CFSA collaborators from Foster & Adoptive Parent Advocacy Center ("FAPAC"), DC Metropolitan Foster and Adoptive Parent Association, and Parent Watch, Inc. to establish a new PAC format, mission, and membership.
- Collaborated with CFSA's Office of Planning, Policy, and Program Support ("OPPPS") to streamline the foster parent exit interview process.
- Collaborated with CFSA's Placement team and OPPPS to review and update a FAQ for foster parent licensing, as well as the youth allowance policy.
- Presented general information on CFSA's practices and hotline reporting protocols to local medical students and mental health practitioners.

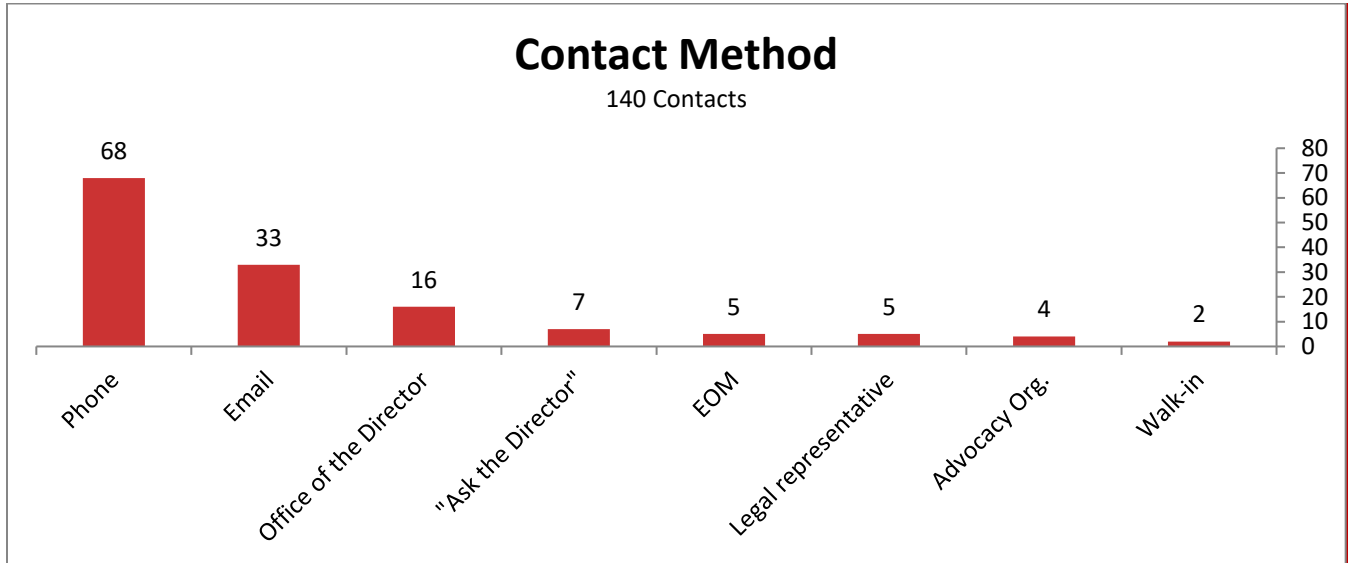


<sup>3</sup> Five concerns brought to the Ombudsman in December 2020 are still pending closure.

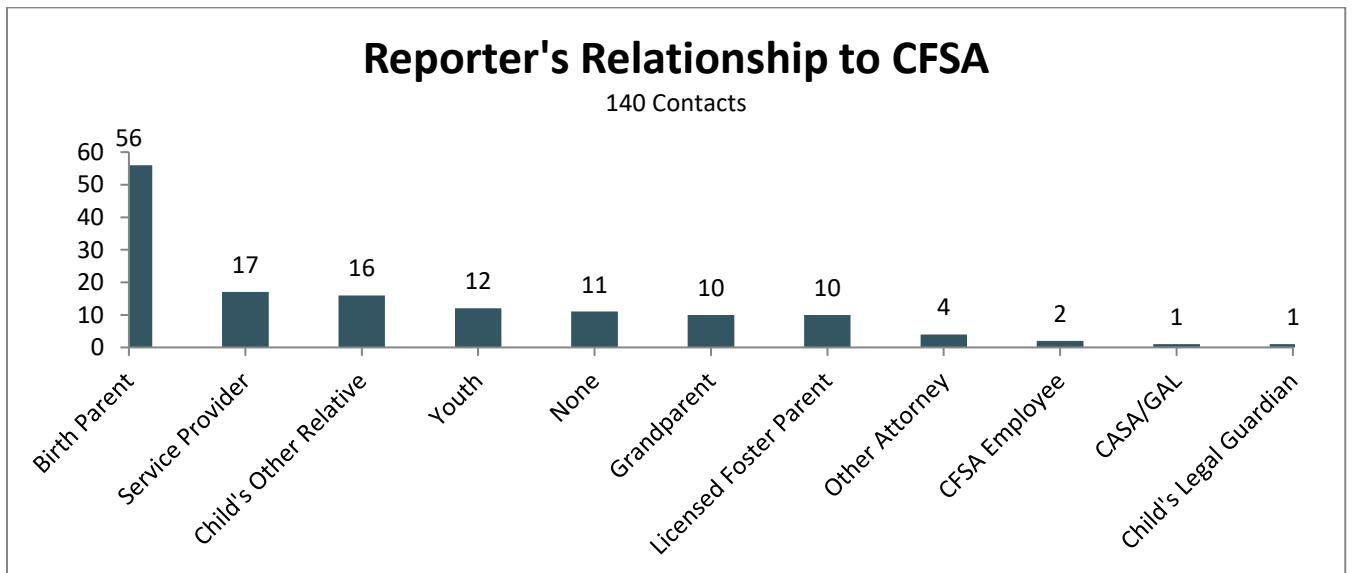
## Ombudsman's Office Data

### Who We Serve

Half of the cases (49%) received in CY 2020 began with a phone call to the Office of the Ombudsman. E-mail accounted for 24% of the concerns received and 11% of cases were referred from the Office of the Director. Other referral sources included walk-ins, the Executive Office of the Mayor or the Office of the Deputy Mayor for Health and Human Services (collectively "EOM"), the "Ask the Director" inbox, as well as legal representatives and advocacy organizations.

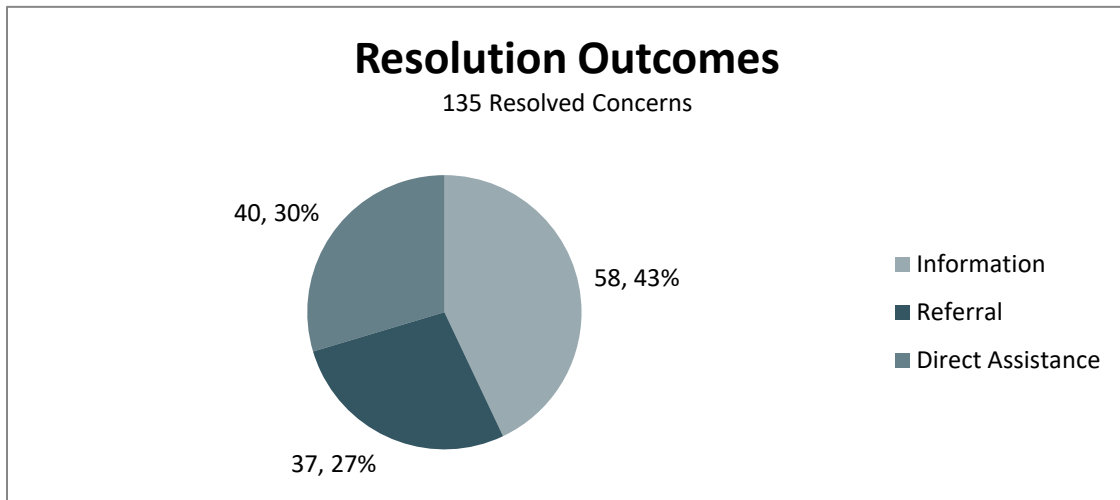


The largest percentage of complainants were birth parents (40%). A significant number of contacts were from community professionals and service providers (12%), as well as other family members (11%).



## Complaint and Inquiry Resolution

Of the 135 completed issues in CY 2020, 58 (43%) were resolved by educating the complainant on CFSA policies or by providing information that would allow the individual to make an informed decision. The Ombudsman also received 40 (30%) concerns that required direct assistance or intervention through mediation, negotiation, or the facilitation of dialogue. The remaining 37 (27%) concerns resulted in referrals to internal or external parties.

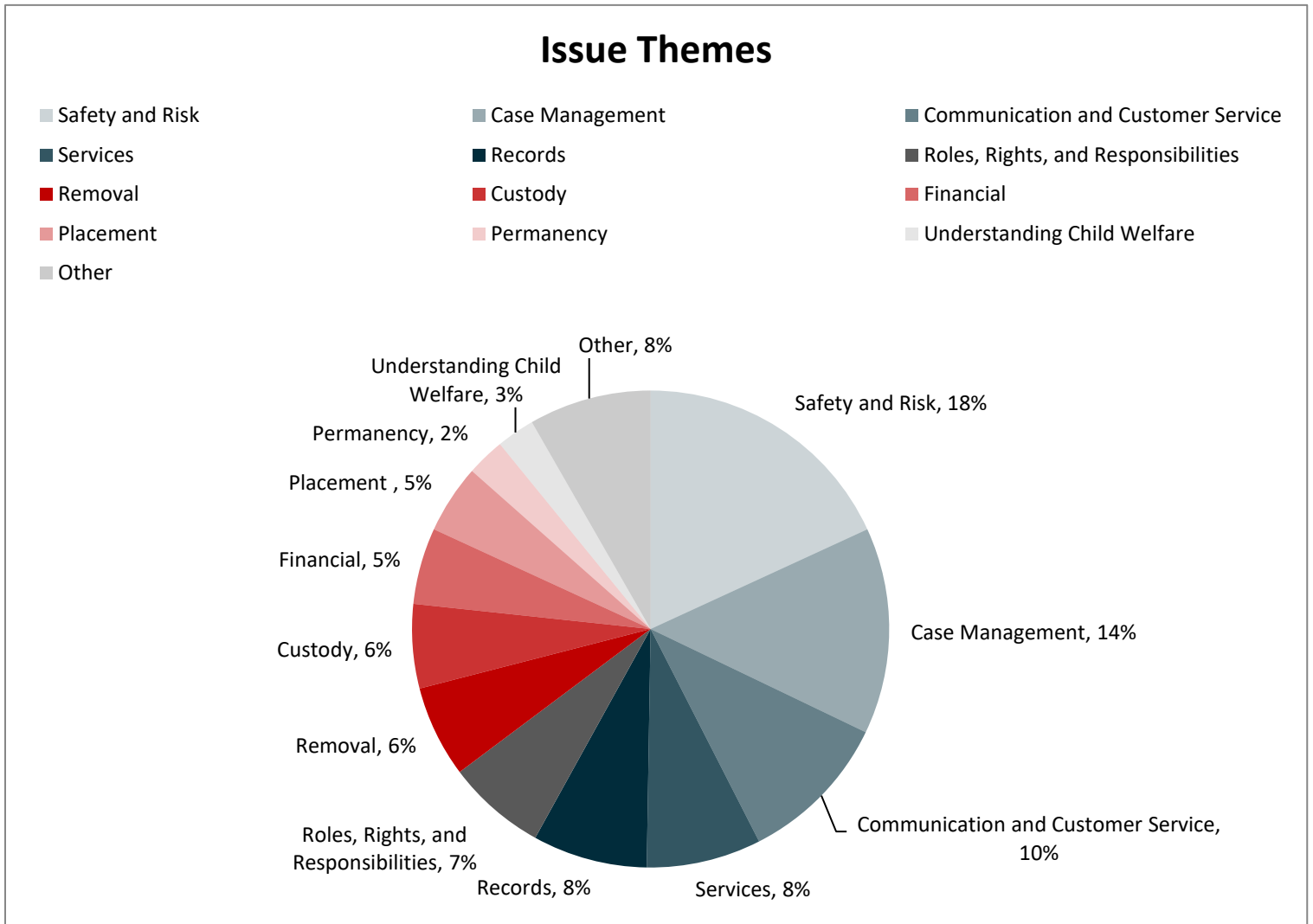




## Complaint and Inquiry Themes

There were 18 complaint and inquiry theme categories<sup>4</sup> which the Ombudsman used to track issue trends. The majority of concerns fell into five categories:

1. Safety and Risk
2. Case Management
3. Communication and Customer Service
4. Services
5. Records



Based on each of these themes, the Ombudsman makes the following findings and recommendations

<sup>4</sup> Complaint and Inquiry Themes:

Case management; Communication and customer service; Custody; Emancipation and transition from care; Fear of retaliatory behavior; Financial; Medical; Permanency or goal change; Placement; Records; Removal; Roles, rights and responsibilities; Safety and risk; Services; Teen parent; Understanding child welfare; Vetting of kin; and Visitation.

## Findings and Recommendations

### Safety and Risk

**Summary of Concern:** The increased emphasis on health and safety during the COVID-19 pandemic led to growing concerns around child safety and risk.

#### Observations:

Based on the state of the world and the ongoing global health emergency, it was no surprise that safety and risk were common themes brought to the Office of the Ombudsman throughout the year. The combination of health risks posed by COVID-19 and the related safety precautions and challenges (such as quarantine and social distancing) has brought safety to the forefront of our daily lives.

The complaints and inquiries relating to safety and risk primarily fell into one of two categories. The first category, which was also the most frequently discussed, was concerns related to child safety that had been shared with CFSA previously but that the complainant felt had not been addressed appropriately. Many of the complainants were birthparents who were concerned for their child's safety when the child was with another caregiver (often the other birth parent). These complainants were often also involved in a custody battle that augmented their concerns and assessment of the child's safety.

There were also complaints and inquiries from educators and school social workers concerned about student safety. Extended school closures due to COVID-19 left many educators feeling that some students were forced out of view and potentially into distress. In each of these cases, the Ombudsman elevated the safety concern to the case supervisor, investigative supervisor, or hotline supervisor depending on the families' Agency involvement.

The second most discussed concern relating to safety and risk was from caregivers looking for assistance with caring for youth in their home during the pandemic. In most of these cases, the concerns for the youth had been ongoing, but the elevated health risks of COVID-19 made the youth's behavior more difficult for caregivers to accommodate. In some cases, caregivers felt like an older youth could not remain in the home because they were engaging in risky and often uncontrollable behavior. In these cases, the Ombudsman referred the caregiver to a hotline supervisor to discuss their safety concerns and what a removal may mean for their family.

In addition, if the caregiver had active involvement or a history with CFSA, the Ombudsman connected with the social work team or post permanency team to discuss the concerns and identify additional supports. If the caregiver was not actively involved with CFSA, the Ombudsman collaborated with programs such as STEP (Strengthening Teens Enriching Parents) and local organizations like Sasha Bruce Youthwork to connect families to additional helpful resources.

## **Recommendations:**

- CFSA's Entry Services administration, In-Home administration, and Program Operations should circulate new practices and protocols relating to COVID-19 and update guidance documents that could assist families in need during this time of heightened concern for safety and well-being.
- CFSA should host more public engagement sessions where complainants may learn more about the child welfare system and entry points.
- CFSA's Office of Public Information and OPPPS should connect with educators, community service providers, and partners to talk about any new protocols during the COVID-19 pandemic.

## **Case Management**

**Summary of Concern:** Some complainants want to be more involved in case management and decision making particularly when it comes to investigations and removals.

### **Observations:**

All the complaints and inquiries relating to case management reflected a concern or disagreement with CFSA's clinical approach to a situation. The situations varied, as did the complainant's relationship with the Agency. Still, the Ombudsman consulted with the social work team to investigate the incident and CFSA's initial response in each case. Additionally, the Ombudsman reviewed CFSA practices and policies to determine whether the concern had been addressed appropriately or whether it needed to be elevated further. Lastly, the Ombudsman worked with CFSA staff to address recurring systemic issues and develop guidance to prevent or ease these issues in the future.

In CY 2020, complainants often felt CFSA either exaggerated or underestimated a threat to child safety. Many complainants wanted CFSA to either close an investigation or pursue it further. These complainants included birthparents, landlords, family members, service providers, and neighbors. In each instance, the Ombudsman collaborated with the social work team to encourage increased communication and understanding between the complainant and the social work team. If the complainant did not have a point of contact at CFSA, the Ombudsman shared relevant CFSA policies and information about the reporting process and CPS investigations generally.

Many concerns relating to case management and clinical decision-making were from birthparents and other family members who did not agree with CFSA's decision to either remove or not remove a child from their caregiver. For birthparents upset with the removal of a child, the Ombudsman referred them to the Fair Hearing process and talked through their options to appeal a substantiation. When it was a family member questioning why a child hadn't been removed, the Ombudsman would elevate the concerns and confer with the assigned social work team. In most of these cases, CFSA was already aware of the family member's concerns and was either working with the current caregiver to address the issue or had previously explained to the concerned family member that the concerns shared were outside the scope of child welfare. Unfortunately, the social work team was often restricted from discussing the details of a case (including remedies and services in response to complainant concerns) with a family member because of confidentiality laws and regulations.

## **Recommendations:**

- CFSA's Program Operations administration and In-Home administrations should increase clinical supervision for cases that are in transition or have stagnated. It is important for families and social work teams to feel cases are being managed well and that progress is being made, whether in the form of services or steps to meeting permanency goals.
- CFSA, generally, should increase distribution of information internally and externally regarding CFSA's responsibilities, authority, and limitations so that there is a clear, universal knowledge of CFSA's role. The Office of the Ombudsman has made similar recommendations in the past and will likely continue because information sharing is key to helping District residents understand what to expect from CFSA.
  - Continue to distribute informational pamphlets and guides that have already been created.
- CFSA's Program Operations administration should continue facilitating team meetings and family team meetings to increase trust and understanding between case stakeholders so all are aware of what is needed for positive permanency.
  - Team functioning and decision-making processes should be consistent with the principle of family-centered practice and integrated services. The Office of the Ombudsman has made this recommendation in the past and will continue to encourage a family-centered practice in the future.

## **Communication and Customer Service**

**Summary of Concern:** Some complainants reported challenges with partnering with their assigned social worker, while others felt CFSA staff were either not in touch regularly or responsive enough.

### **Observations:**

Complainants raised concerns about their belief that CFSA did not adhere to the District-wide customer service standards concerning responsiveness and communication. In many cases, the complainant felt they could not continue working with their assigned social worker, either because they felt constantly at odds with the social worker or did not work well with the social worker's communication style. The Ombudsman collaborated with the social work team to encourage increased communication and understanding between CFSA staff and the complainants to address these issues. In most cases, the social worker's supervisor was already aware of the communication challenges. In situations where the complainant refused to speak with the assigned social worker, the Ombudsman worked with the supervising social worker to identify another point of contact for the complainant to ensure regular communication between the Agency and family. Additionally, the Ombudsman suggested alternate forms of communication (such as text and email) and would facilitate dialogue between the social work team and complainant when necessary.

In some cases, complainants reached out to the Ombudsman to report they had not heard back from a social worker who, after further investigation, was no longer assigned to work with them. To address

these concerns, the Ombudsman would determine why the complainant was trying to reach their past social worker and either provide the information they were requesting or refer them to the resource they were looking for. Lastly, some complainants felt that CFSA staff were rude or did not provide regular updates on issues concerning the complainant. The Ombudsman worked towards resolving those concerns by elevating these instances to supervisors and providing information and updates to the complainant directly when possible.

### **Recommendations:**

- CFSA's Program Operations administration, In-Home administration, and Entry Services should continue to encourage timely, clear, concise, and consistent communication regarding case management and clinical decisions, particularly at times of crisis or transition. This is a recurring recommendation from the Office of the Ombudsman, as it is essential for CFSA families and partners to feel respected as valuable members of the team.
- CFSA's Child Welfare Training Academy may want to consider providing opportunities for joint training between resource parents and CFSA staff to bridge the experiential divide and establish stronger relationships between staff and stakeholders.
- CFSA's Entry Services should begin providing Agency contact information to families for follow-up after a CPS investigation is closed.
- CFSA generally should provide training on District-wide customer service standards for all external-facing staff members.

## **Services**

**Summary of Concern:** Some residents would like to request services from CFSA but are unsure of how to do so.

### **Observations:**

For the most part, complainants calling to request services fell into one of three categories: (1) CFSA families looking for more support or services; (2) Caregivers looking for post permanency support; and (3) Those with no relation to CFSA requesting services on behalf of a neighbor, family member, friend, or student. To address concerns relating to services, the Ombudsman either made requests to the assigned social work team or referred the complainant to resources that may help.

### **Recommendations:**

- CFSA's Program Operations administration, In-Home administration, and Entry Services should continue to encourage clinical staff to share a wide variety of service opportunities with families, especially during times of transition or crisis
- CFSA generally should continue to collaborate with innovative service providers to address the many unique circumstances of CFSA families.

## Records

**Summary of Concern:** Some complainants require additional historical documentation from CFSA, and some residents need assistance obtaining documentation to support a child.

### Observations:

Most of the complainants requesting records or assistance with documentation were either currently working with CFSA or had in the past. Many previous involved families wanted copies of investigative reports or CFSA history. Other inquiries came from adoptive parents, guardians, and caregivers looking for a child's birth records, identification documents, Internal Revenue Service requirements, or historical records. In most cases, the Ombudsman referred complainants to CFSA's Records Request unit within the Office of General Counsel. In other instances, the Ombudsman would share information on how to request documents such as a replacement Social Security number card, birth certificate, individual taxpayer identification number, or what was most relevant to a complainant's case.

### Recommendations:

- CFSA's Office of Public Information should enhance the Agency website to make it more user-friendly so families can easily access information and answers to questions they may have.
- CFSA's Child Protective Register and Record Request units should establish an automatic response to requests that provides confirmation that the request was received along with follow-up instructions.

## Youth Concerns

**Summary of Concern:** Some youth in care have concerns relating to finances, placement, and members of their social work team.

### Observations:

Eight youth contacted the Office of the Ombudsman this year, most, more than once. The three most common themes discussed with youth were related to comfort in their placement, the loss of belongings or money, and challenges with their assigned social worker.

Conflict within the home was the most common reason youth complainants reported feeling uncomfortable in their placement. When there was a conflict between youth and a foster parent or group home staff member, it was often due to a disagreement over house rules or recurring behavioral issues. There were also instances where youth had strained relationships with other youth living in the same foster or group home. To immediately address these concerns, the Ombudsman connected with the social work team and OYE leadership to determine whether CFSA was aware of the conflict or incident and discuss the youth's request to move to another placement. In some instances, the Ombudsman met with the social work team, guardian ad litem ("GAL"), assistant attorney general ("AAG"), and youth to determine how to stabilize an active placement.

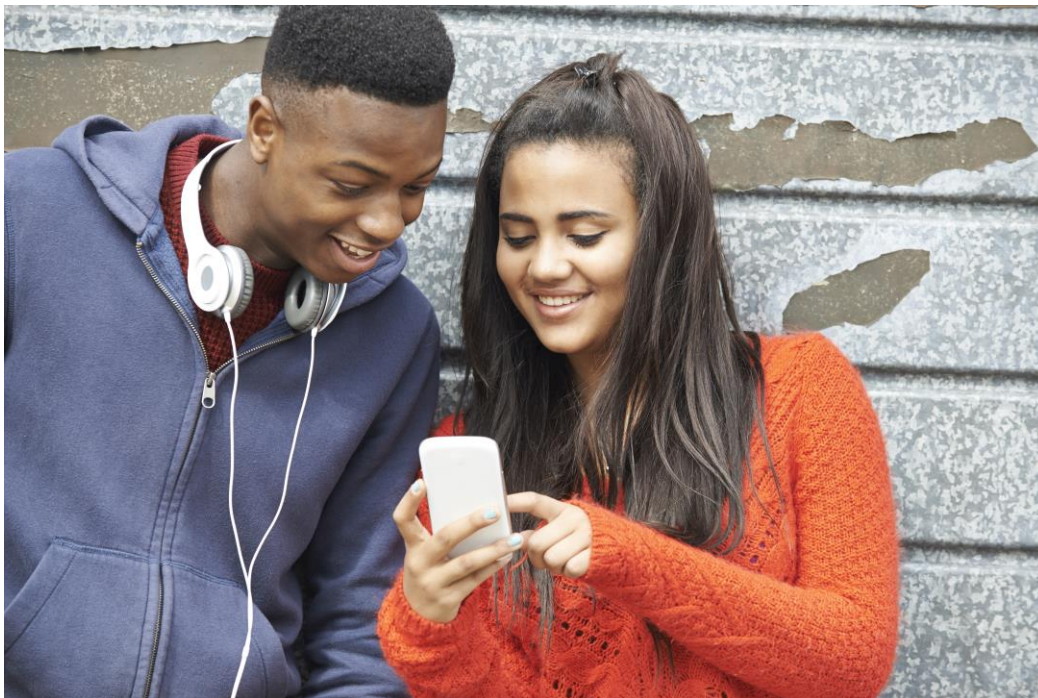
To address youth concerns relating to belongings and money, the Ombudsman worked with social work teams, CFSA's Donation Center, and private donors to support youth in obtaining belongings that had

been lost or stolen. Additionally, the Ombudsman worked with CFSA OPPPS staff to revise the Agency's allowance policy, which considers youth perspective and youth concerns.

Lastly, the Ombudsman received concerns from youth who did not want to continue working with their assigned social worker. In each of these instances, the Ombudsman discussed the youth's concern with the social worker's chain of command. In some cases, another clinician offered to speak to the youth or the team identified additional points of contact for the youth. In all these cases, the Ombudsman tried to assist youth in identifying different team members they may be able to connect with, including their GAL, mentors, service providers, and the option to continue calling the office of the Ombudsman.

**Recommendations:**

- The Office of Youth Empowerment should review policies and processes with resource providers and youth, so they understand their role in the distribution of allowance and the need for communication when withholding youth allowance.
- Youth teams (including social workers, placement providers, GAL, and AAG) should continue to encourage youth to practice social distancing and take COVID-19 health precautions seriously in order to keep themselves and the people in their home safe.



## Conclusion – Looking Ahead

In CY 2020, the Office of the Ombudsman was honored to help CFSA families and complainants identify and resolve a varied range of concerns through collaboration and partnership with CFSA administrators and staff. The year brought many unexpected challenges, but District families and CFSA staff worked hard to navigate the new normal. In CY 2021, CFSA and the Office of the Ombudsman will continue to partner with the D.C. Council on issues that support strengthening children and families in the District. Additionally, the Ombudsman will continue to remain a resource and support for families when they need it and will continue to support and improve the systems families depend on.

