



# Office of the Ombudsman Annual Report

## Foster Youth and Foster Parent Statements of Rights and Responsibilities Annual Status Report 2018

Submitted to the Council of the District of Columbia  
February 28, 2019

D.C. Child and Family Services Agency  
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## Executive Summary

### Introduction and Overview of Concerns Received in CY 2018

The Foster Youth and Foster Parent Statements of Rights and Responsibilities Annual Status Report 2018 details the findings and resolution of complaints and inquiries (“concerns”) received by the Child and Family Services Agency’s (CFSA) Office of the Ombudsman (the “Ombudsman” or the “Office”) from youth in foster care, licensed foster parents and concerned parties (collectively, “constituents”).<sup>1</sup> The Office of the Ombudsman performs independent investigations and facilitates resolutions in response to concerns relating to CFSA.

In calendar year (“CY”) 2018, the Ombudsman received 137 concerns from a range of constituents. 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 2018.



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<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.

# **The Office of the Ombudsman for the D.C. Child and Family Services Agency (CDSA)**

## **Role of the Ombudsman at CDSA**

In the context of CDSA, the role of the Office of the Ombudsman is to provide conflict resolution for issues that affect CDSA families by supplementing – though not replacing – CDSA’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 the complaint or inquiry, identifying and evaluating options for resolution, encouraging effective communication between parties, offering referrals to other resources, and consulting with CDSA 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 CDSA constituents.
- Act as a mechanism for early detection of emerging agency-wide issues.
- Prevent reoccurring problems and improve existing processes by collaborating with CDSA teams and stakeholders to effect systemic changes.

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

Because of the informal, neutral, confidential, and independent positioning of the CDSA Ombudsman’s office, the Ombudsman does not engage in the following activities:

- Making decisions for constituents, agency staff, or other individuals.
- Offering legal advice.
- Offering psychological counseling.
- Participating in formal investigations or play any role in a formal judicial proceeding.
- Intervening in the decision-making process of clinicians.
- Addressing concerns that are outside of CDSA’s jurisdiction.

## Ombudsman Case Process

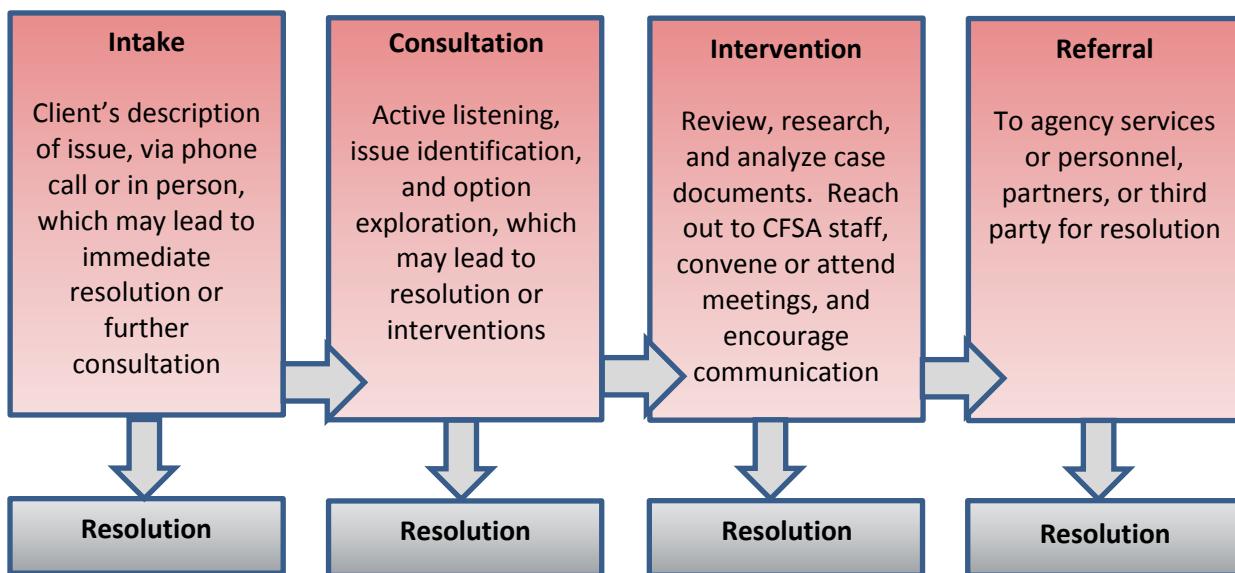
The Ombudsman's case process<sup>2</sup> has four steps, though some may repeat and resolution can be reached during any step of the process:

1) Intake

2) Consultation

3) Intervention

4) Referral



All individuals with a complaint or inquiry 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 complaints and inquiries regarding youth 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 on Wednesdays.

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

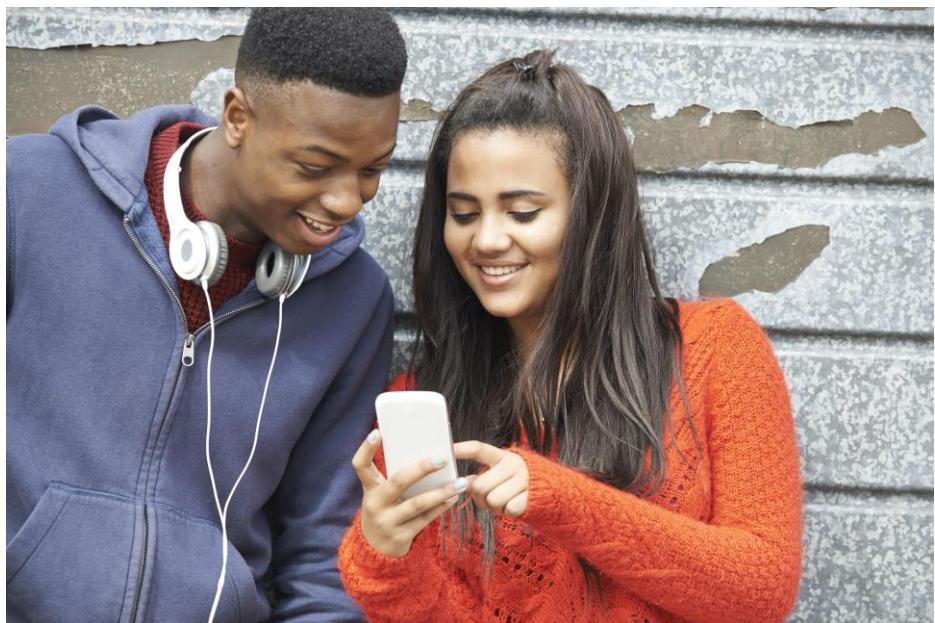
## Accomplishments During CY 2018

- Closed 136 of 137 concerns, received in CY 2018.<sup>3</sup>
- Collaborated with the Office of Planning, Policy, and Program Support (“OPPPS”) to finalize and publicize the internal Agency policy on the Office of the Ombudsman’s role and responsibilities.
- Worked to ensure constituents’ awareness and understanding of the Foster Youth Statement of Rights and Responsibilities Amendment Act by distributing and discussing CFSAs Foster Youth Bill of Rights.
- Collaborated with resource parents and CFSAs Office of the General Counsel to review and finalize the *Statement of Rights and Responsibilities of Foster Parents*. In CY 2019, each resource parent will receive a printed copy of the Statements of Rights and Responsibilities, which includes the process for reporting concerns to the Agency through the Office of the Ombudsman.
- Worked with program staff and the Agency’s Parent’s Advisory Committee to draft a resource parent exit survey to assess the foster parent experience and identify areas for Agency improvement. The exit survey will go into effect in CY 2019.
- Developed a frequently asked questions (“FAQ”) guide to strengthen CFSAs partnership with DC schools. The guide includes:
  - An explanation of CFSAs roles, rights and responsibilities;
  - General information about the purpose of school site visits and the protocols that CFSAs and school representatives should consider and observe; and
  - Answers to frequently asked questions.
- Partnered with the Department of Human Services’ Strengthening Teens Enriching Parents (STEP) Program to provide immediate outreach and assessment to youth reported missing.
- Consistently engaged with CFSAs staff to build relationships across the Agency and spread awareness of the role of the Ombudsman and the Ombudsman case process.

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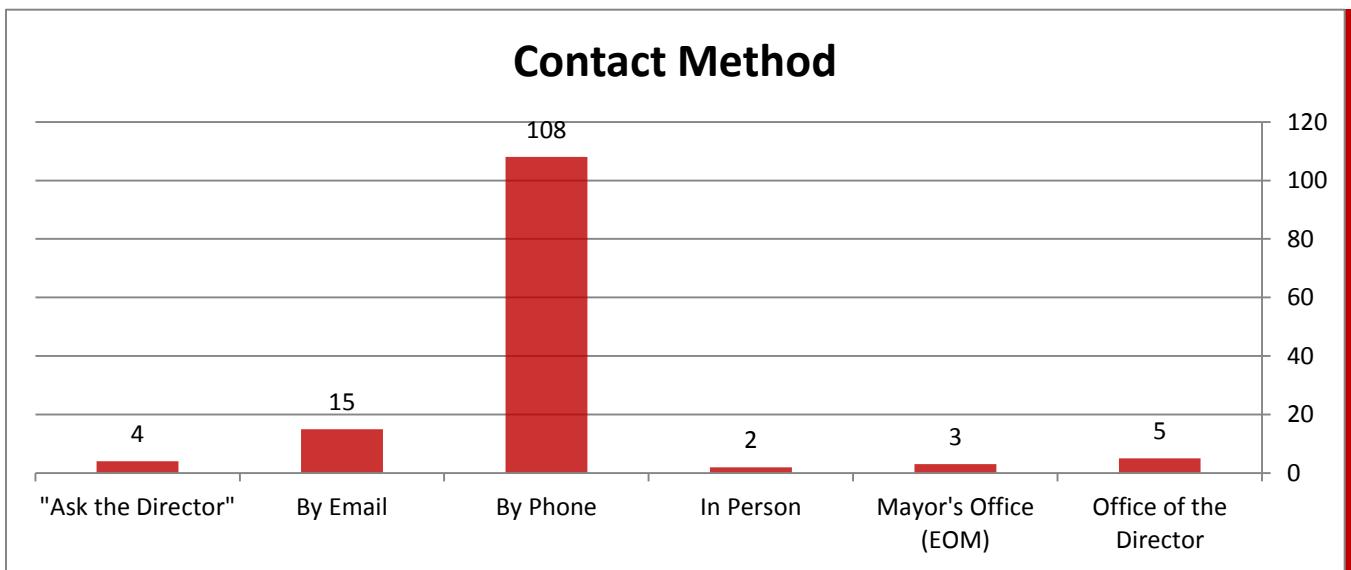
<sup>3</sup> One concern brought to the Ombudsman on December 20, 2018 is still pending closure.

## Ombudsman's Office Data

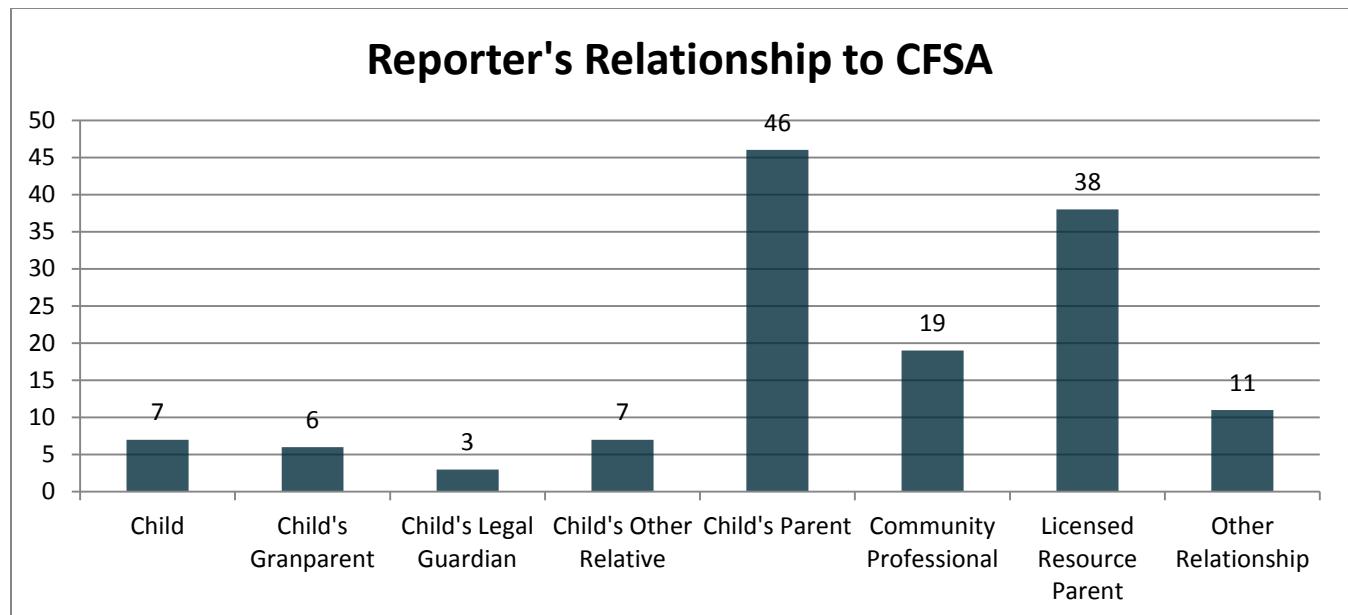


### Who We Serve

The majority of cases (80%) began with a phone call to the Office of the Ombudsman. E-mail accounted for 11% of the concerns the Office received. Other referral sources included the Office of the Director and the "Ask the Director" function on the CFSA website.

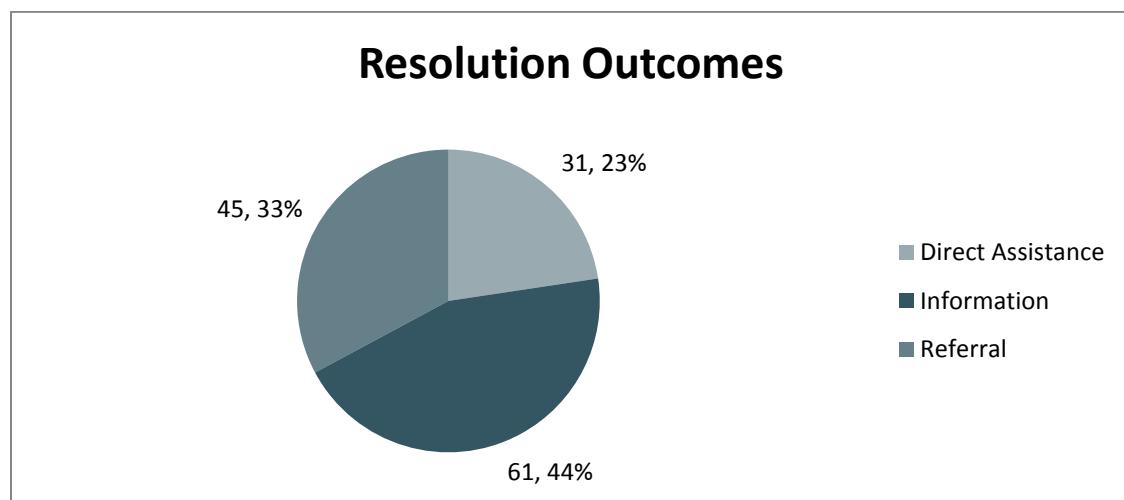


The majority of intake calls came from a child's parent (34%). A significant number of calls also came from licensed resource parents (28%) and community professionals or service providers (14%).



### Complaint and Inquiry Resolution

Of the 137 complaints and inquiries in CY 2018, 61 (49%) were resolved by educating the constituent on CFSA policies or by providing information that would allow the individual to make an informed decision. The Ombudsman also received 24 (34%) concerns that required direct assistance or intervention through mediation, negotiation, or the facilitation of dialogue. The remaining 12 (17%) concerns resulted in referrals to internal or external parties.

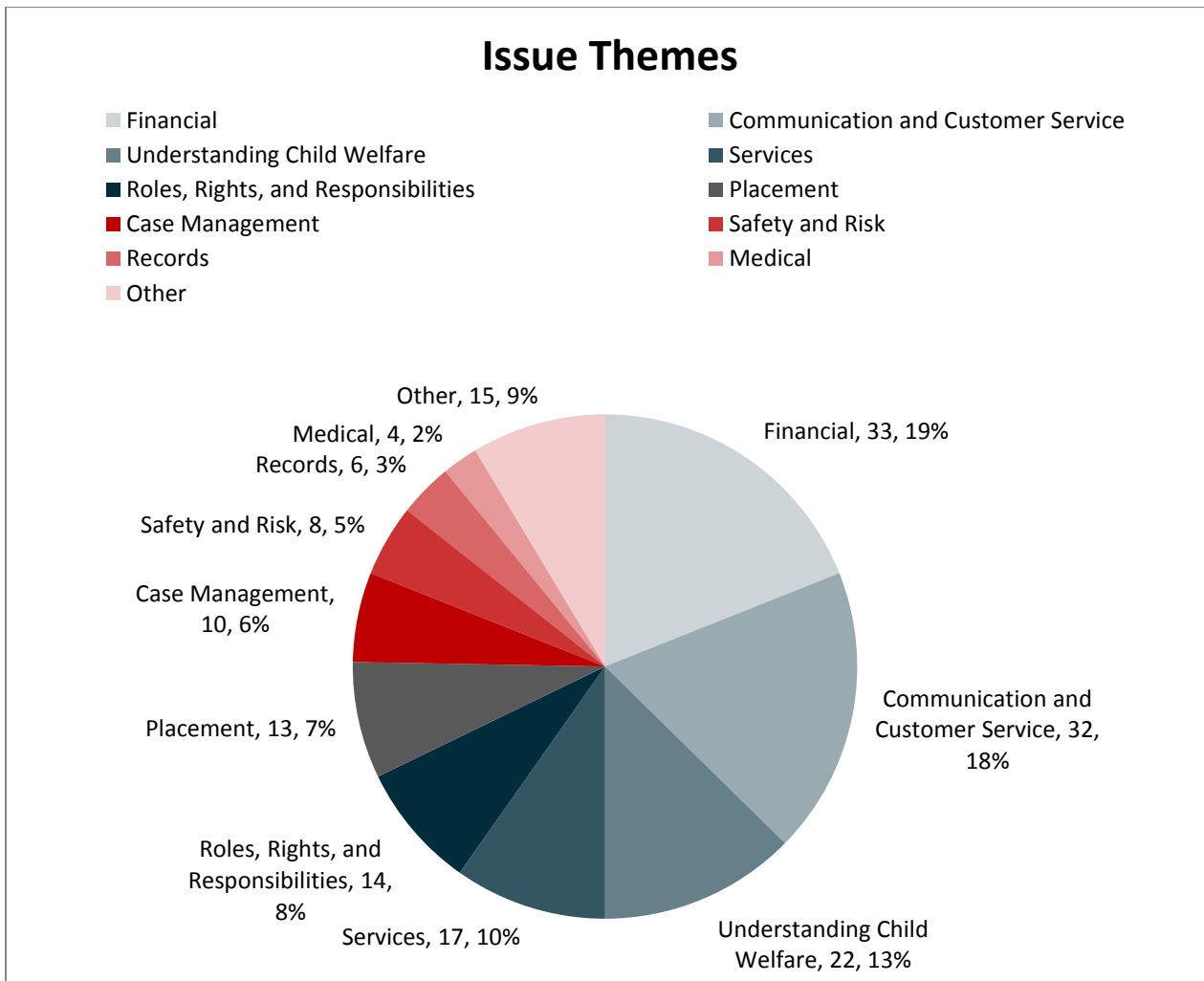


## Complaint and Inquiry Themes

There were 19 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. Financial
2. Communication and Customer Service
3. Understanding Child Welfare
4. Services
5. Roles, Rights and Responsibilities

Based on each of these themes, the Ombudsman makes the below 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; Physical care; Records; Removal; Roles, rights and responsibilities; Safety and risk; Services; Teen parent; Understanding child welfare; Vetting of kin; and Visitation.

## Findings and Recommendations



### Financial

**Summary of Concern:** There have been hiccoughs in the Temporary Safe Haven Redesign and transition from multiple Maryland private agency partners to one. In addition, clerical errors have affected a number of service providers, and CFSA policies relating to youth allowance are not always understood.

#### **Observations:**

In CY 2018, CFSA launched the Temporary Safe Haven Redesign (“TSHR”). Through a complete request for proposal process, the National Center for Children and Families (“NCCF”) was chosen as the sole provider of family-based foster care and case management for District children placed in Maryland. This year, the Ombudsman received 17 concerns about payments from NCCF resource parents. The concerns relayed that CFSA’s private partner, NCCF, was experiencing challenges ensuring that resource parent stipends were deposited in a timely manner. NCCF’s Foster and Adoptive Parent Advisory Board is partnering with their staff to provide guidance and support as NCCF works through the various changes necessitated by the TSHR. Throughout the transition process, the Ombudsman has acted as a point of contact so that NCCF resource parents have a platform to voice concerns during payment delays. It is the Ombudsman’s understanding that NCCF’s challenges have been resolved and resource providers should not experience payment delays moving forward.

The Ombudsman also received five complaints from daycare providers who had stopped receiving regular payments from CFSA. The Ombudsman was able to assist in these cases by contacting the social work team and CFSA’s finance department to determine the reason for the stopped payment. Often, the lapse in payment was due to an error in how the service was entered into CFSA’s database. The Ombudsman was able to assist in reinstating ongoing payments in all cases.

### **Recommendations:**

- Continue to monitor progress with NCCF and respond if further issues arise.
- Review financial policies with clinical staff to ensure they are aware of how and when to create payment requests to service providers in CFSAs database.

## **Communication and Customer Service**

**Summary of Concern:** There is a need to ensure regular communication during times of transition and workers sometimes have difficulty maintaining positive family engagement.

### **Observations:**

Constituents raised concerns about their belief that CFSAs did not adhere to the District-wide customer service standards concerning responsiveness and communication. Constituents specifically expressed that they did not feel the Agency viewed them as active team members and that they believed the Agency did not provide timely, clear, concise and consistent communication regarding case management and clinical decisions. The Ombudsman worked towards resolving those concerns by facilitating enhanced communication between constituents and the clinical team and serving as an intermediary between constituents and CFSAs staff. Concerns regarding communication were also elevated to CFSAs senior staff to be assessed on a case-by-case basis.

### **Recommendations:**

- Alert Program staff to the need for enhanced communication with biological families, resource parents, youth in care, and partnering service providers.
- Encourage clinical teams to work with the Agency chain of command to contact constituents directly to discuss case management and clinical decisions.
- Provide opportunities for refresher trainings to reinforce District customer service standards as necessary.

## **Understanding Child Welfare**

**Summary of Concern:** Some constituents expressed that the District of Columbia's child welfare system and certain CFSAs policies are not easily understood.

### **Observations:**

A number of inquiries to the Ombudsman's office exposed a lack of understanding of how CFSAs interacts with the community at large. The misunderstanding of the child welfare system was further complicated by inconsistent and inaccurate communication by external and internal parties to foster youth and constituents navigating the child welfare system.

There were 15 concerns relating to CFSAs investigation process. Some caregivers wanted to know why a CFSAs social worker was contacting them or what to expect during an investigation or family assessment. One recurring complaint in investigations of child abuse or neglect involved caregivers' lack of awareness that the Agency's clinical teams have the authority to interview youth without the caregiver's presence, knowledge, or express consent. As a result, the Ombudsman received numerous

complaints and inquiries concerning clinicians meeting with youth and making decisions based on statements made outside of the caregiver's presence. The Ombudsman was able to resolve many concerns by educating parties on District of Columbia law and CFSAs policy.

Many constituents wanted to know why their report to CFSAs hotline did not result in an investigation. They were under the impression that all reports automatically lead to CFSAs involvement. The Ombudsman was able to address these inquiries by sharing the legal definitions of child abuse and neglect as stated in D.C. Code § 16-2301 and by explaining CFSAs screening process for reports to the hotline.

Additional inquiries related to the differences in open investigations and open cases, as well as inquiries about post-permanency support by adoptive parents and guardians. In each of these cases, the Ombudsman shared information regarding CFSAs practices, as well as resources and referrals for additional information. In addition, CFSAs enhanced the resource parent monthly newsletter to include a FAQ section that addresses common misconceptions about policy and practice, and incorporates questions posed by resource parents themselves.

#### **Recommendations:**

- Continue to distribute informational pamphlets and guides that have already been created.

## **Services**

**Summary of Concern:** Service providers and constituents are eager for more information about how they can partner with and utilize the services of CFSAs.

#### **Observations:**

There were 17 inquiries to the Ombudsman related to services. Some inquiries were from service providers interested in partnering with CFSAs such as youth groups, churches, and nonprofits. Multiple inquiries came from resource parents caring for teens interested in CFSAs matched savings program. In each of those cases, the Ombudsman made a referral to the appropriate CFSAs staff member to address the inquiries.

Nearly half of the inquiries were from CFSAs clients looking for additional services. In these cases, the Ombudsman contacted the assigned social work team to determine whether CFSAs could accommodate the request. The Ombudsman also made referrals to CFSAs PEER Support Unit, which provides parenting support, advocacy and coaching to birth parents as they navigate the family court and child welfare systems.

#### **Recommendations:**

- Create materials for CFSAs website that share how service providers may partner with CFSAs.
- Encourage clinical staff to share a wide variety of service opportunities with constituents.

## **Roles Rights and Responsibilities**

**Summary of Concern:** CFSA's jurisdiction and authority are unclear or poorly communicated.

### **Observations:**

A total of 14 complaints and inquiries reported to the Ombudsman were due to a lack of understanding of an individual's role, rights and responsibilities as they relate to the child welfare system. In many cases, there was a general misunderstanding of CFSA, its limitations and parameters, and its various partnerships throughout the District of Columbia. In particular, our public education partners struggled to understand their responsibility as mandated reporters and as safe spaces for children and youth to be interviewed by CFSA investigators. As a result of those frequent inquiries, working with program staff, the Ombudsman developed a FAQ guide to strengthen CFSA's partnership with DC schools.

Additional issues regarding CFSA's administrative role appear to stem from the fact that Agency representatives who are highly specialized in areas of practice sometimes lacked universal knowledge of CFSA's jurisdiction and authority. To resolve those concerns, the Ombudsman researched policies and educated parties in an effort to enhance their global knowledge of Agency policies, procedures, and operations.

### **Recommendations:**

- Embed an introduction about CFSA's jurisdiction, authority, and limitations into its mandated reporter training.
- Increase distribution of information internally and externally regarding CFSA's child welfare jurisdiction, authority and limitations so that there is a clear universal knowledge of child welfare.

## **Youth Concerns**

**Summary of Concern:** Some youth in care have concerns regarding their placements and allowance.

The Ombudsman received multiple calls from foster youth who had inquiries or complaints relating to their placement. All concerns regarding placement were immediately addressed with the social work team and often resulted in meetings with Guardian ad Litem, resource parents, and group home staff. In every instance that the Ombudsman was contacted for concerns about placement, the child in care was a move to an alternative placement.

Additionally, there were concerns made by foster youth relating to resource providers withholding personal allowance. Those concerns were the result of differing understandings of an Agency policy, which authorizes resource providers to withhold allowance when a youth's eligibility criteria are not satisfied on a monthly basis. The Ombudsman counseled several youth and resource providers concerning CFSA's policy and the importance of clear and regular communications regarding personal allowance, withholdings, and the reasons for withholdings. In addition, the Ombudsman participated in a review of a Youth Personal Allowance Survey created by OPPPS. The survey is set to be distributed to resource providers, youth, Guardian ad Litem, support workers, and advocates in CY 2019. Once the

survey results are analyzed, CFSA will convene a workgroup to propose amendments to the Youth Personal Allowance Policy, which will likely have a positive effect on the number of inquiries to the Ombudsman that relate to youth allowance.

**Recommendations:**

- 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.

## Conclusion – Looking Ahead

In CY 2018, the Office of the Ombudsman was honored to help CFSA constituents identify and resolve a varied range of concerns through collaboration and partnership with CFSA administrators and staff. In CY 2019, the Office of the Ombudsman will continue to increase outreach to meet its goal for CFSA youth, birth families, and resource parents to be aware of the Office and how to access services.

