

OK Foster Parent Voices 2015 Report to the Legislature

Presented by:
Oklahoma Commission on Children & Youth
Oklahoma Department of Human Services, Office of Client Advocacy

Executive Summary:

In 2014, the Oklahoma Legislature began hearing concerns from foster parents about many different issues that ultimately affected the children they served. In response, the Legislature passed Senate Bill 1793. The law, which became effective November 1, 2014, authorized the Oklahoma Commission on Children and Youth (OCCY) to establish a neutral complaint system for foster parents. This legislation established a formal partnership between the OCCY and the Oklahoma Department of Human Services (OKDHS) Office of Client Advocacy (OCA) to respond to foster parents issues and compile an annual report to the Oklahoma Legislature. The OCCY and the OCA were charged with the responsibility of working together to track foster parent complaints through the grievance procedure, ensuring resolution no more than sixty days (60) after receipt of the grievance or complaint. The OKDHS hired a Foster Care Ombudsman (FCO) to manage the process and track data significant for systemic change.

The OCCY, along with the Office of Management and Enterprise Services (OMES) and the OKDHS OCA, developed the website www.okfosterparentvoices.org (Voices). Foster parents can access Voices twenty four hours a day, seven days a week.

Alerting foster parents to the new system was a high priority. The OCCY received a grant from the Oklahoma Institute for Child Advocacy (OICA) and the Casey Family Programs to notify all of Oklahoma's foster parents regarding the Voices complaint system. The OCCY mailed out notification letters to over six thousand foster parents that contained the contact information and an overview of the Voices complaint system. In addition, refrigerator magnets were included in the mailers to allow foster parents quick access to the website address and the toll free phone number. The grant funded two foster parent trainers who facilitated training sessions with foster families educating them on the complaint system and the functionality of the website. The trainings were held in Edmond, Norman, Lawton, Oklahoma City, and Tulsa. Additionally, the FCO spoke with 42 different foster parent groups across the state, making contact with over 1,100 foster parents, educating them on the system and providing them contact information. There were also multiple stories about the program on the news and radio in January 2015. Further, the OKDHS revamped their Grievance Rights forms for foster parents to reflect the new system and how foster parents can utilize it. The new form, which requires a signature of understanding by the foster parent, is presented at each new placement

Currently, the website consists of an online complaint form that can be completed by foster parents and submitted to the OCCY in real time. The simple to complete form documents the issues related to the foster parents' complaint. Also contained on the website is the Foster Parent Bill of Rights. The Foster Parent Bill of Rights established the unilateral rights of foster parents such as, being treated as a member of the child welfare team and being reimbursed for foster parent services in a

timely manner. The website became operational on November 1, 2014, and the first foster parent complaint was received on November 3, 2014. The complaints are logged into this website and then forwarded by the OCCY to the OCA for review and disposition.

Both agencies are proud to have served over 300 foster parents this year through this program, processing 312 total complaints through the website. We are excited that foster parents are using this system and view each complaint filed as an opportunity for improvement both individually and systemically.

Data from each contact with a foster parent is collected by the FCO and presented to the Child Welfare Leadership Team, OKDHS Director Ed Lake, the OCCY, and the co-neutrals on a quarterly basis. Information for both the state as well the regional levels is presented with individual reports for each Deputy Director customized for their regions of responsibility. Reports contain data relevant to promote systemic change so that Child Welfare Leadership can improve the experience of foster parents in hopes of increasing retention rates by improving overall quality and customer service.

By helping to resolve issues between staff and foster parents it helps reduce stress for the foster parent thereby increasing longevity and allows OKDHS staff the opportunity to correct systems, quality, and customer service affecting foster parents across the state. With the creation of this program, we hope to increase retention of foster parents and decrease disruption of placements for foster children.

Although we cannot always reach the resolutions sought by foster parents, this vital system has allowed foster parents a venue to seek answers, express concerns, ask questions, and most importantly, it gives Oklahoma foster parents a Voice in the system.

2015 Results:

This data is reflective of 13 months of operation as we are moving to a calendar year format for 2016. Following this executive summary is a more detailed breakdown of this information for your review.

Number of Complaints

A total of 312 complaints were filed through Ok Foster Parent Voices from November 1, 2014 through December 31, 2015. Complaints were then dispositioned into one or more of the following categories: a grievance; an investigation of retaliation/ harassment / discrimination; or a referral to another part of the OKDHS.

Of the 312 total complaints filed:

- **323 total dispositions were made (*a complaint can have multiple dispositions*)**
- **198 of the total complaints were dispositioned as a formal grievance.¹**
190 grievances were closed by December 31, 2015.
 - **183 of these grievances were resolved within 60 days (96%);²**
 - **179 of these grievances resulted in the proposed resolution being accepted by the foster parent**
 - **11 of these grievances were not resolved in favor of the complainant and were forwarded to the Office of Juvenile Justice Oversight in accordance with 10A O.S. Section 1-9-112(A)(3)(h)**
- **15 complaints were dispositioned to OCA Investigations for possible acts of retaliation/ harassment / discrimination against foster parents resulting in:**
 - **1 confirmed harassment**
 - **2 confirmed retaliation**
 - **4 not confirmed**
 - **4 currently pending**
 - **4 administratively closed and resolved through grievance process.³**
- **99 of the complaints were referred to the appropriate departments within the OKDHS for resolution, most generally to the Director's Helpline, OKDHS Legal, or OKDHS Program Review.**
 - **One of these complaints was referred to the Office of Civil Rights for investigation, resulting in a confirmation of civil rights discrimination.**

¹ In contrast, in the 14 months preceding the implementation of OK Foster Parent Voices, a total of only four grievances had been filed

² 48% of all *complaints* were resolved within 14 days, 80% were resolved in less than 30 days, and 96% of all complaints were completed within the designated 60 day time frame, resulting in quick resolution of foster parent issues and concerns.

³ Evidence uncovered in early stages of investigation rendered these complaints moot for investigation so they were resolved through the grievance process

Nature of Complaints

The OK Foster Parent Voices complaint format asks foster parents to identify the nature of their complaint based on the provisions listed in the Oklahoma Foster Parents Bill of Rights.⁴ The top three categories cited this year were:

- Action or decision of an employee of DHS or Child Placing Agency – This is a broad category that covers a gamut of issues, but generally always includes communication and customer service issues
- Removal of the child(ren) – Although the actual removal cannot be grieved, the communication and customer service surrounding this action can be the subject of a grievance. Additionally, depending on the reasons for removal, we can assist the foster parent with information on filing an objection with the courts or connecting them to the OKDHS Appeals Division.
- Financial issues – This generally includes problems getting start-up and/or training stipends, mileage reimbursement, or regular monthly stipend issues.

Program Lessons Learned in Year One

As with any new program, many things were learned during the first year. We have worked diligently to make improvements to our system for the future. One challenge encountered this year is the interchangeable use in statute of the terms “complaint” and “grievance”. By policy, every complaint does not meet criteria for grievance. Therefore, the OCA and the OCCY agreed to recognize every submission through the website as a “complaint”. A determination by the OCA is subsequently made through the intake and disposition process as to whether the “complaint” fits criteria for grievance and/or investigation as defined by statute, or if it needs resolution through another area. A complaint may meet several criteria as defined by statute which may result in a complaint with multiple dispositions. Some complaints result in multiple dispositions. In 2015, when a complaint was referred to a different department for resolution, the FCO would make the appropriate referral, provide contact information to both the complainant and receiving department, and then close out the complaint referral.

However, beginning in 2016 for quality assurance and customer service purposes, the OCA and OCCY jointly agreed that the FCO will follow-up with the foster parents after two weeks to insure that connection with the appropriate personnel has occurred. If no connection is made, the FCO will intercede to assist with the appropriate contact.

The FCO will also be revamping the data collection process to provide even more detailed and useful information for staff based on feedback from CWS Leadership and recommendations from the OCCY. Additionally, the FCO will begin tracking legislative and legal barriers foster parents may be encountering to see if laws or policies need to be modified.

⁴ See Foster Parent Bill of Rights, attached on page 14-15.

Systemic Improvements As A Result of the Program

1. One of the primary complaints filed by foster parents relates to treatment and communication by OKDHS staff toward foster families who are under investigation for allegations of child abuse or neglect of a foster child who is, or has been, in their care. Anecdotally, it appears Child Protective Services and Foster Care staff may be fearful of inadvertently saying something to compromise an investigation. Their perceived silence or failure to respond to questions posed by a foster parent during the course of an investigation can lead to confusion and anxiety on the part of the foster parent. As a result of the data collected through this program, OKDHS Child Protective Services Program Review staff will be attending a new training on how to appropriately communicate with foster parents who are being investigated. Additionally, a pamphlet written by a foster parent to foster parents explaining the investigative process, their rights, and establishment of expectations will be provided to foster parents at each investigation; in foster parent trainings; through the child placing agencies; and posted on the foster parent portal / website.
2. Through outreach and dialogue with foster parents, the FCO has determined that foster parents and foster children are often confused and anxious about the court process. To alleviate the confusion, the OCA and the OCCY are working with the Administrative Office of the Courts to develop a written communication piece that helps explain the court system, the parties to the case players in a case, and the roles and responsibilities of a foster parent in regards to court.
3. Foster parents need more training on their role as an advocate. The FCO training platform for 2016₁ will be teaching foster parents how to effectively advocate, document, and communicate with their team throughout the course of the case. Foster parents will be taught how to build credibility with their child welfare team as well as their court team through professional documentation, communication, and reporting.
4. The data also showed us that newer foster parents need more support. In 2016₁, the FCO and the Bridge Resource Unit will collaborate on the creation of a certified peer-to-peer mentor system pairing newer foster parents with accredited foster parents with more experience and knowledge of the system.
5. In 2016, data regarding the top three concerns cited by foster parents will be broken down both statewide and regionally in more detail. Targeted approaches can be implemented through additional training, education and communication in an effort to effectuate systems change and decrease the number of complaints related to these issues in the future.
6. In 2016₁, the OCCY and the OCA will work together to develop foster parent surveys in order to gain feedback and insight from foster parents to improve the system.

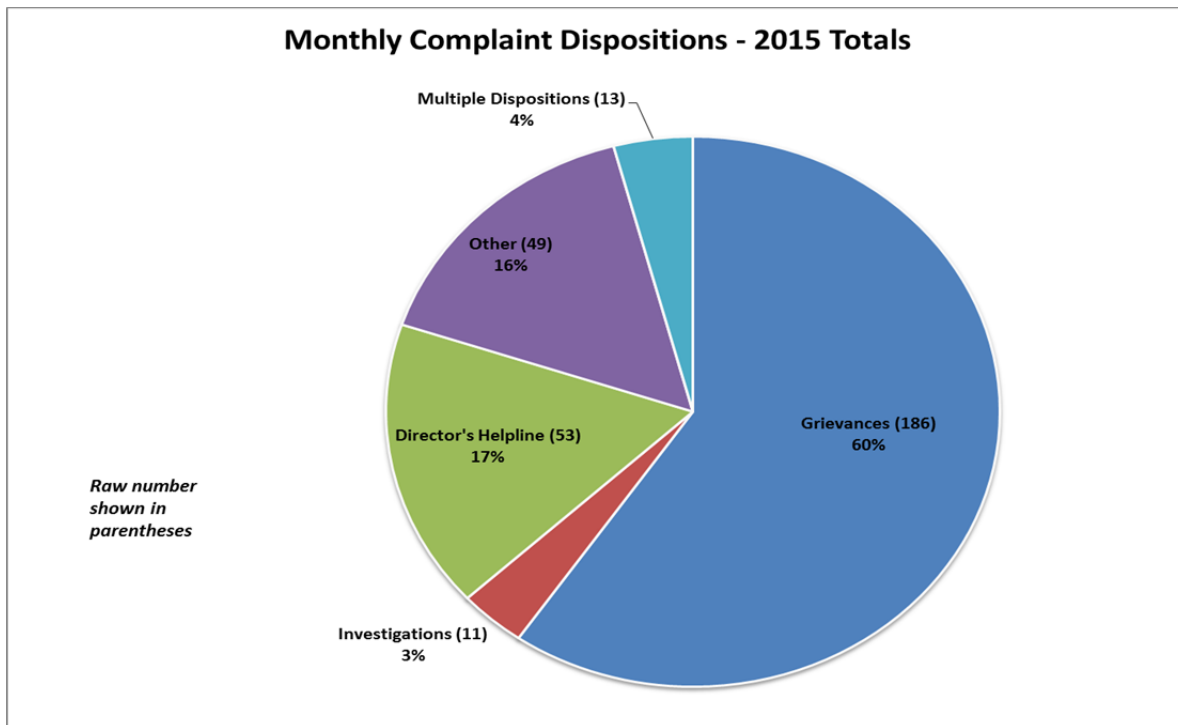
What happens when a foster parent files a complaint through www.okfosterparentvoices.org?

- At submission, the foster parent is given a tracking number and advised when they will be contacted.
- The FCO intake coordinator then contacts the foster parent by phone to introduce herself, explain the process, and obtain any additional information.
- The intake coordinator and FCO staff each case to determine appropriate disposition. If it is a grievance, the FCO then collects all of the necessary information and begins the process with the appropriate manager in Child Welfare or Bridge Resources. It should be noted that the lowest level we work with on grievances is the district director level. Most grievances are resolved with the local district directors and deputy directors.
- The foster parent then receives a letter in the mail further explaining the process, notifying the foster parent of how their complaint was dispositioned, explaining who they will be hearing from next, providing them a printed copy of their complaint and a business card of the FCO.
- If it is a complaint that has been referred to a different department, the foster parent receives a phone call explaining this and is given names and contact information for the department responsible. The foster parent will also receive a letter by mail with this same information as well as the FCO business card, in case they need any other assistance.
- For those complaints dispositioned as a grievance, the foster parent will receive a call from the local director assigned to the complaint within 3-5 business days. The goal of that conversation is for the local district director and the foster parent to work together toward a mutually acceptable resolution to the grievance.
- The local district director will then write a formal letter to the FCO outlining the proposed resolutions to the grievance. The FCO shares this letter with the foster parent and either gets their acceptance of the resolution, or helps the foster parent them navigate further steps in the grievance process.
- Once the grievance is resolved, the foster parent receives another letter by mail thanking them for using this system and another business card of the FCO should they have any other issues.

Statewide Data Samples

We collect data reflective of statewide issues as well as drilling the data down to regions, counties, and even to the individual workers named in complaints. This data is presented to the Child Welfare Leadership team, Director Lake, and the co-neutrals on a quarterly basis. Each deputy director receives customized reports which gives them the statewide data; data that compares their region to other regions across the state and data specific to their region, counties, issues, and workers. Following is a sampling of the statewide data we collect through our program to assess the needs of foster parents systemically.

Types of Complaints



Grievance: A certified foster parent can grieve any issue related to the provisions outlined in the Foster Parent Bill of Rights and/or any other issue which is not otherwise excluded by law or policy. (Please note that a grievance which is of a multiple disposition case, are not included in this number)

Directors Helpline: Foster Parents are referred to the Office of Information & Referral in the OKDHS Director's office. Generally these are complaints not filed by a foster parent or issues that are not timely per policy.

Multiple Dispositions: When a complaint submitted contains both grievable information *and* investigative information or, grievable information *and* information needing to be referred to another area.

Other: Referrals to OKDHS Legal, OKDHS Program Review (Appeals), Office of Civil Rights; complaints that are not related to DHS or foster care

Investigation: Complaint indicates possibility of foster parent retaliation, harassment or discrimination by an employee of OKDHS or child placing agency.

Who are the complaints against?

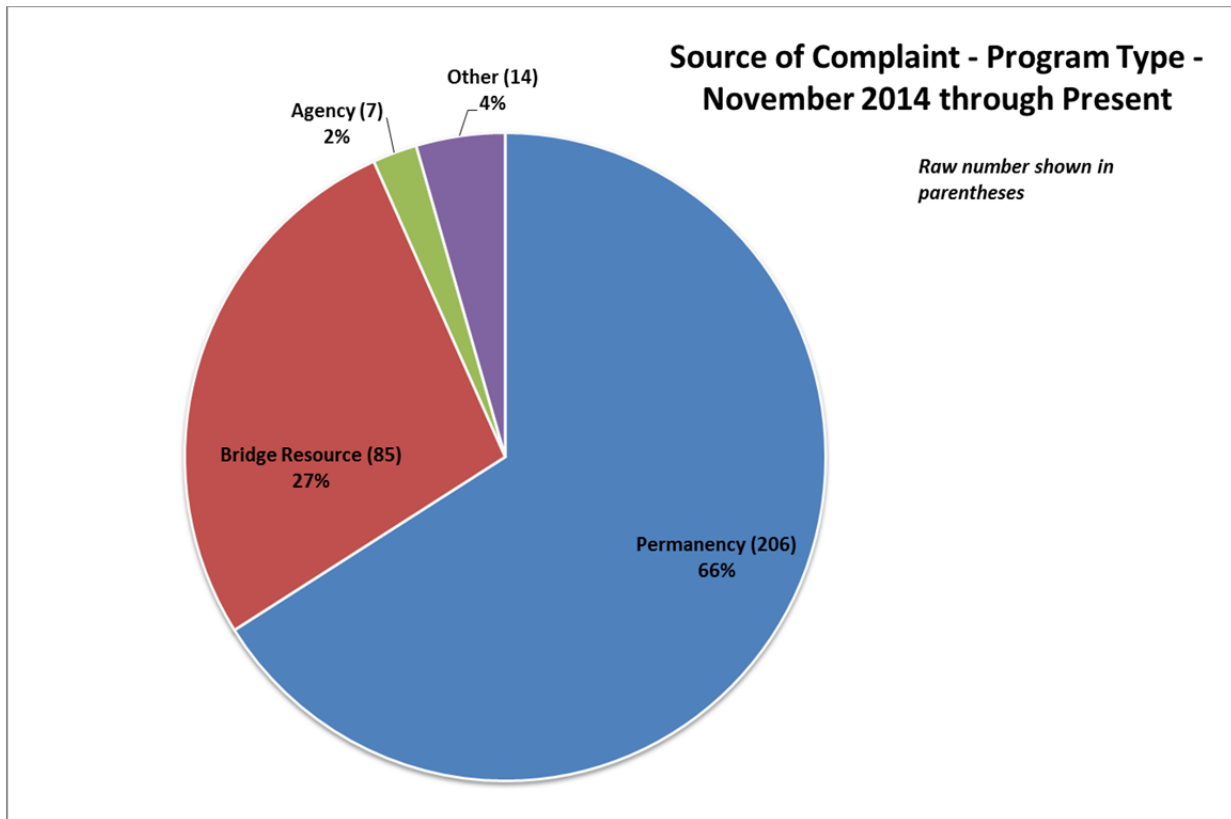
Statute allows for grievances or complaints to be filed against OKDHS employees (generally permanency planning workers or Bridge Resource workers) and / or employees of a child placing agency.

A **permanency worker** is the caseworker who handles the child's case and works with the bio parents to assist them in meeting their case goals towards permanency.

A **Bridge Resource worker** is a foster care worker who assists foster parents with paperwork, systemic issues, financial issues, approvals, etc.

A **child placing agency worker** is employed by one of the contracted child placing agencies throughout Oklahoma such as Angels, Lilyfield, TFI, Tallgrass, etc.

As you can see, the majority of complaints are against the permanency planning workers.



What regions / areas of the state are filing complaints?

Region 1: Alfalfa, Beaver, Beckham, Blaine, Canadian, Cimarron, Custer, Dewey, Ellis, Garfield, Grant, Harper, Kay, Kingfisher, Logan, Major, Noble, Osage, Pawnee, Payne, Roger Mills, Texas, Washita, Woods, Woodward

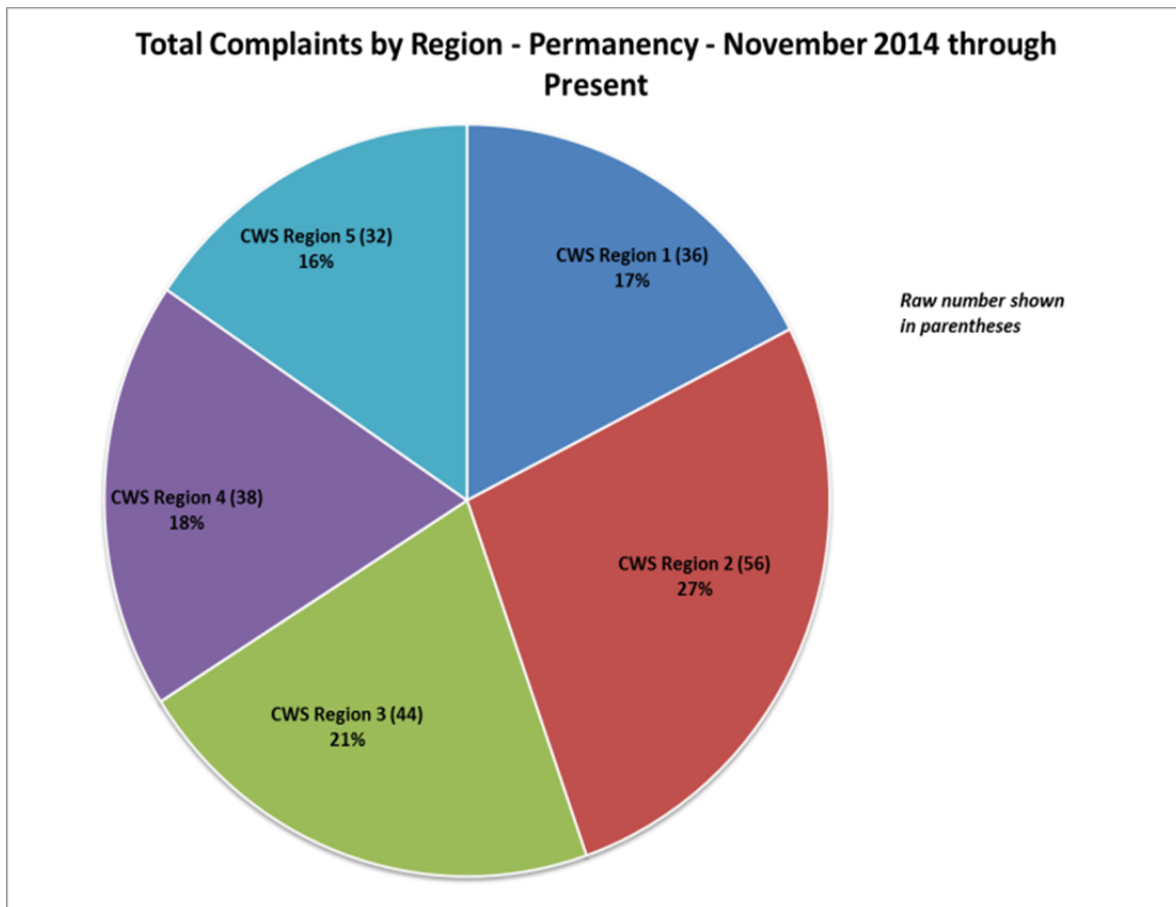
Region 2: Caddo, Carter, Cleveland, Comanche, Cotton, Garvin, Grady, Greer, Harmon, Jackson, Jefferson, Johnston, Kiowa, Lincoln, Love, Marshall, McClain, Murray, Pottawatomie, Stephens, Tillman

Region 3: Oklahoma County

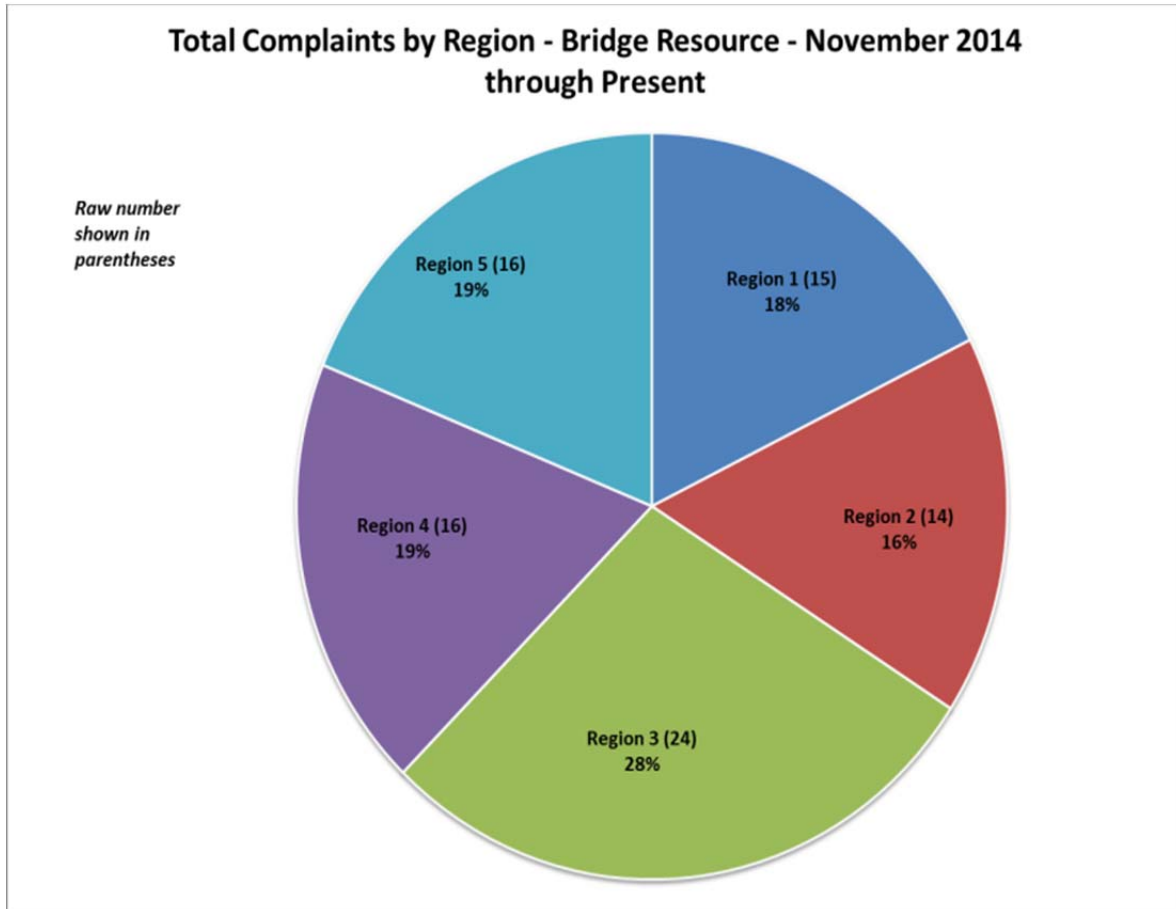
Region 4: Adair, Atoka, Bryan Cherokee, Choctaw, Coal, Creek, Haskell, Hughes, Latimer, LeFlore, McCurtain, McIntosh, Muskogee, Okfuskee, Okmulgee, Pittsburg, Pontotoc, Pushmataha, Seminole, Sequoyah, Wagoner

Region 5: Craig, Delaware, Mayes, Nowata, Ottawa, Rogers, Tulsa, Washington

This chart reflects how many complaints against permanency planning workers were reported in which region.

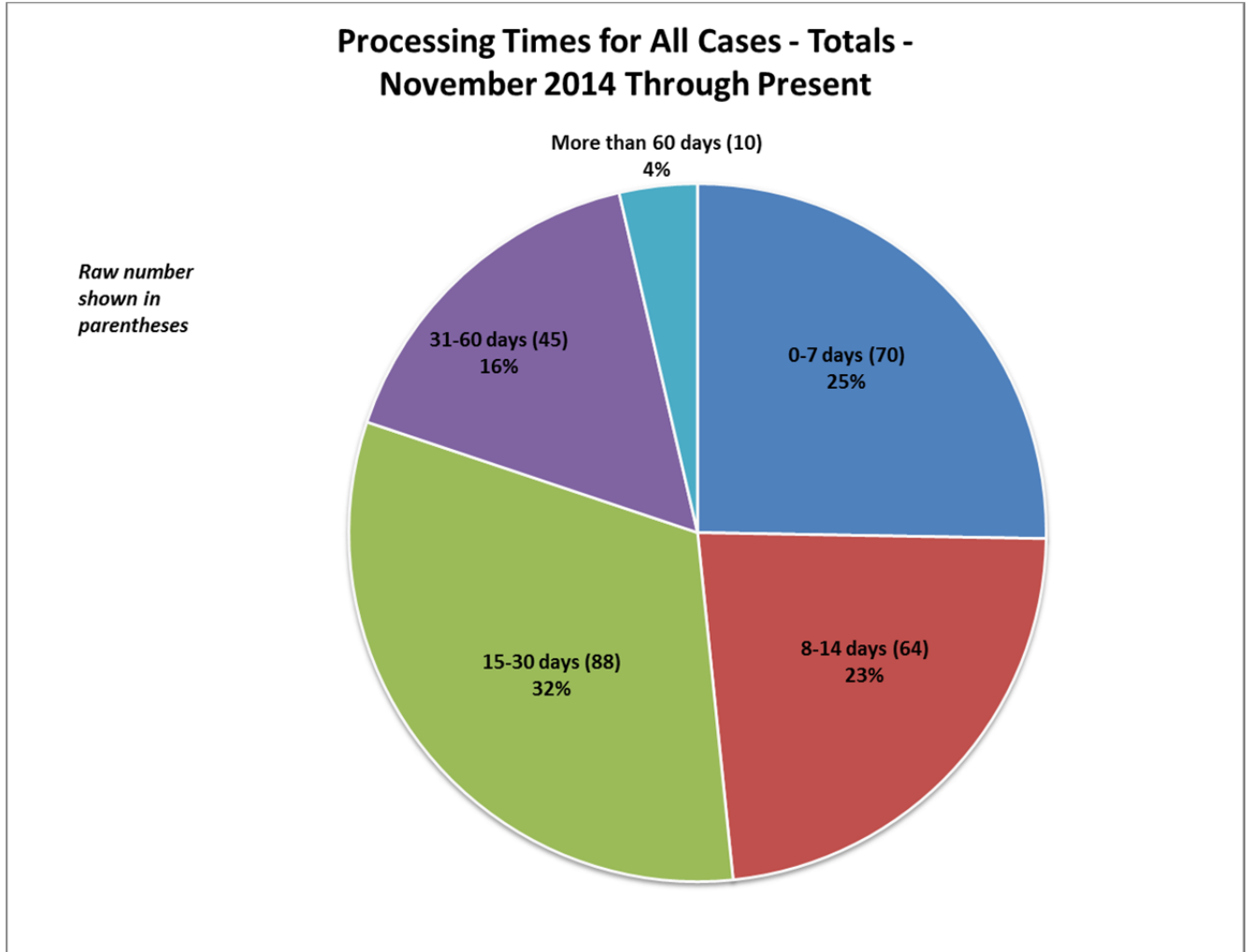


This chart is reflective of the number of complaints filed against Bridge Resource Employees by region.



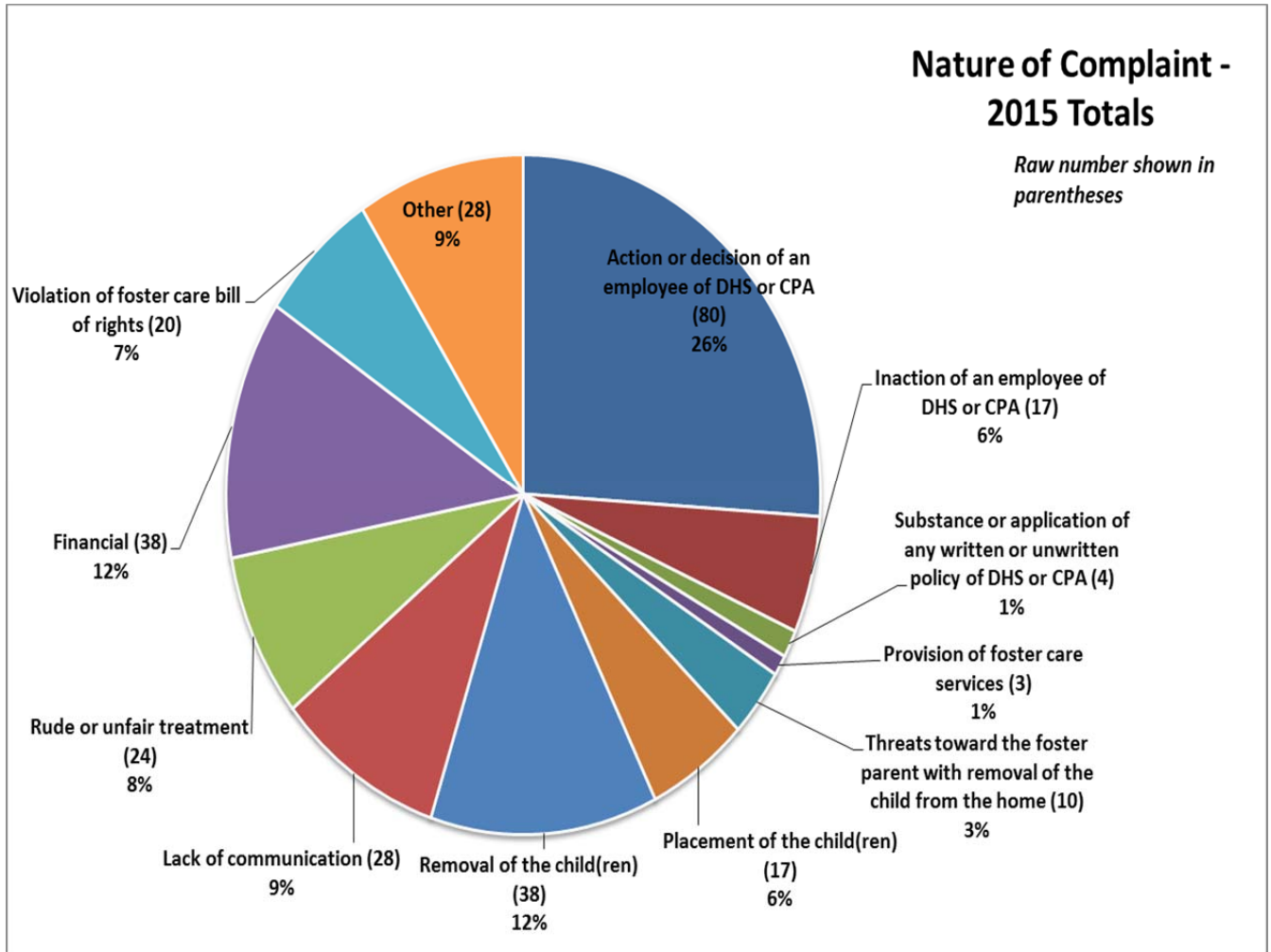
How quickly are we resolving these complaints?

By statute we are allowed 60 days to resolve a grievance or complaint. This chart is reflective of all complaints and grievances.



What is the nature of the complaints received by foster parents?

This chart shows what foster parents cited as the nature of their complaint on their submission form found at www.okfosterparentvoices.org



What Are The Foster Parents Saying. . .

Here are just a few of the positive comments we have received about the program:

- Thank you so much for everything – listening, responding, acting. I can't tell you the difference it has made. The last few weeks since calling you have truly been a blessing. I'm so glad I didn't quit!
- Thank you! I truly feel like I am part of the team since contacting you!
- I appreciate all of the support from the Ombudsman's office and appreciate that I finally feel that I am part of the treatment plan for the case. Thank you for the time and effort in resolving this matter.
- We feel like we've been heard for the first time in three years!
- Thank you for your help. I finally feel like I can breathe!
- I can't tell you what this has meant for our family. Since you have been involved, my wife has finally "come off the ledge" and is able to sleep. She feels like someone is finally listening to us and that we are being heard.
- I told all of my group not to contact you at first because you had a DHS email address, but after meeting you I have a better understanding of things and think this will be a good thing.
- No, this is not the answer we wanted to hear, but we feel like we finally got the right answer and that someone was being honest with us. We don't agree with the decision but do understand it better now. We appreciate this process.
- This is, so far, the BEST change DHS has made since the lawsuit started years ago!
- Thank you for all your help! You truly have been instrumental in starting a path to restore our confidence in the system.
- Sometimes you still don't get the outcome you want, which is what happened in our case, but I would recommend this process to any foster parent. You can trust them.
- Just gotta say how much I appreciate Oklahoma Foster Parent Voices! I have never filed a grievance and to be honest, I was nervous about it . . .but it truly is a safe venue for us to voice our concerns and get help. Three years of heartache was fixed in three days. The people in that office rock!

Oklahoma Foster Parent Bill of Rights

1. Be treated with dignity, respect, and consideration as a professional member of the child welfare team;
2. Be notified of and be given appropriate, ongoing education and continuing education and training to develop and enhance foster parenting skills;
3. Be informed about ways to contact the state agency or the child-placing agency in order to receive information and assistance to access supportive services for any child in the foster parent's care;
4. Receive timely financial reimbursement for providing foster care services;
5. Be notified of any costs or expenses for which the foster parent may be eligible for reimbursement;
6. Be provided a clear, written explanation of the individual treatment and service plan concerning the child in the foster parent's home, listing components of the plan pursuant to the provisions of the Oklahoma Children's Code;
7. Receive, at any time during which a child is placed with the foster parent, additional or necessary information that is relevant to the care of the child;
8. Be notified of scheduled review meetings, permanency planning meetings, and special staffing concerning the foster child in order to actively participate in the case planning and decision-making process regarding the child;
9. Provide input concerning the plan of services for the child and to have that input be given full consideration in the same manner as information presented by any other professional on the team;
10. Communicate with other foster parents in order to share information regarding the foster child. In particular, receive any information concerning the number of times a foster child has been moved and the reasons why, and the names and telephone numbers of the previous foster parent if the previous foster parent has authorized such release;
11. Communicate with other professionals who work with the foster child within the context of the team including, but not limited to, therapists, physicians, and teachers;
12. Be given, in a timely and consistent manner, any information regarding the child and the child's family which is pertinent to the care and needs of the child and to the making of a permanency plan for the child. Disclosure of information shall be limited to that information which is authorized by the provisions of Chapter VI of the Oklahoma Children's Code for foster parents;

13. Be given reasonable notice of any change in or addition to the services provided to the child pursuant to the child's individual treatment and service plan;

14. a. Be given written notice of:

(1) plans to terminate the placement of the child with the foster parent pursuant to Section 1-4-805 of this title, and

(2) the reasons for the changes or termination in placement.

b. The notice shall be waived only in emergency cases pursuant to Section 1-4-805 of this title;

15. Be notified by the applicable state agency in a timely and complete manner of all court hearings, including notice of the date and time of any court hearing, the name of the judge or hearing officer hearing the case, the location of the hearing, and the court docket number of the case;

16. Be informed of decisions made by the court, the state agency or the child-placing agency concerning the child;

17. Be considered as a preferred placement option when a foster child who was formerly placed with the foster parent is to reenter foster care at the same level and type of care, if that placement is consistent with the best interest of the child and other children in the home of the foster parent;

18. Be provided a fair, timely, and impartial investigation of complaints concerning the certification of the foster parent;

19. Be provided the opportunity to request and receive a fair and impartial hearing regarding decisions that affect certification retention or placement of children in the home;

20. Be allowed the right to exercise parental substitute authority;

21. Have timely access to the appeals process of the state agency and child placement agency and the right to be free from acts of harassment and retaliation by any other party when exercising the right to appeal;

22. Be given the number of the statewide toll-free Foster Parent Hotline;

23. File a grievance and be informed of the process for filing a grievance; and

24. Receive a copy of the liability insurance policy the Department of Human Services maintains for every Department-contracted foster home placement.

This report has been prepared and respectfully submitted in partnership with OKDHS and the Oklahoma Commission on Children and Youth

Kathryn Boyle Brewer
Advocate General
OKDHS, Office of Client Advocacy

Lisa Smith
Executive Director, OCCY

Lisa S. Buck
Foster Care Ombudsman
OKDHS, Office of Client Advocacy

Contact information:

For foster parents wishing to file a complaint:
www.okfosterparentvoices.org

1-866-335-9288

Lisa Buck
Foster Care Ombudsman
Lisa.Buck@okdhs.org

405-522-2783

Oklahoma Commission on Children & Youth
Lisa.Smith@occy.ok.gov

405-606-4900

OKDHS Office of Client Advocacy
Kathryn.brewer@okdhs.org

405-522-2720