

Oklahoma Foster Parent Voices
& Foster Youth Matters

FY 2021

ANNUAL REPORT



OKLAHOMA
COMMISSION ON
CHILDREN AND YOUTH
Office of Juvenile System Oversight



OKLAHOMA
Human Services
Office of Client Advocacy

EXECUTIVE SUMMARY

“ Fiscal year 2021 brought numerous challenges to the Foster Parent Grievance Program and the Youth Grievance Program. Nevertheless, both programs continued to operate successfully.



In November 2014, the Oklahoma Department of Human Services (OKDHS) Office of Client Advocacy (OCA) developed a grievance program to address issues that Oklahoma foster parents have with OKDHS employees or with child-placing agency employees. The Foster Parent Grievance program, which operates in partnership with the Oklahoma Commission of Children and Youth (OCCY) Office of Juvenile System Oversight (OJSO), has processed approximately 1,500 foster parent complaints.

In November 2018, OCA developed a grievance system for children being served by Child Welfare Services (CWS). Since the Youth Grievance Program's creation, OCA has processed approximately 1,000 complaints filed by (or on behalf of) children being served by CWS. This includes youth in facilities as well as from children in home-based placements. OCA and OCCY collect data on those complaints, identify systemic issues in child welfare services, and prepare an annual report for the Oklahoma State Legislature. OCA also conducts investigations of claims of retaliation, harassment, or discrimination against foster parents and children being served by CWS.

Fiscal year 2021 (FY2021) brought numerous challenges to the Foster Parent Grievance Program and the Youth Grievance Program, as OKDHS attempted to adjust to the changes created by the COVID-19 pandemic. Nevertheless, both programs continued to operate successfully.

During FY 2021, the Foster Parent Voices website, which is the portal for the Foster Parent Grievance Program, received 201 complaints – 151 were dispositioned as grievances (an 8% increase from the prior fiscal year). The Foster Youth Matters website, which is the portal for the Youth Grievance Program, took in 410 complaints – 356 were dispositioned as grievances (a 7% increase from the prior fiscal year). Five complaints received by the foster parent program met criteria for retaliation investigations.

Both in the Foster Parent Grievance Program and the Youth Grievance Program, issues with staff were the most cited reasons for filing complaints. Foster parent complaints were more frequently concerned with OKDHS employees, while the youth grievances more commonly revolved around the actions of facility staff. Both programs resolved a majority of the complaints received.



HISTORY OF THE PROGRAMS

“ As of June 30, 2021, the Foster Parent Grievance Program has received approximately 1,500 complaints. The Youth Grievance Program, has received approximately 1,000 complaints.

In 2014, the legislature passed Senate Bill (SB) 1793 which created the Foster Parent Grievance Program. The bill was necessary to create a complaint/resolution process outside of the local OKDHS offices. Prior to passage, complaints would be worked by employees in the same office the complaint was about. SB 1793 created a grievance program with objectivity and fairness.

The law went into effect on November 1, 2014 and required OCCY and OCA to work in partnership to create a grievance system for foster parents, to identify systemic issues in the child welfare system, and prepare an annual report to the legislature (10A O.S. §1-9-112). The Foster Care Ombudsman (FCO), who is housed in OCA, is responsible for administering the Foster Parent Grievance Program, processing the data, providing training to internal and external stakeholders, and acting as an informal liaison between foster parents and CWS. Foster parents can file complaints through the Foster Parent Voices website at www.okfosterparentvoices.org. From the time of its inception through June 30, 2021, the Foster Parent Grievance Program has received approximately 1,500 complaints.

In 2018, inspired by the success of the Foster Parent Grievance Program and similar programs for children served by CWS in other states, the legislature passed House Bill (HB) 2552, which went into effect on November 1, 2018. HB 2552 called for the creation of a grievance program to enforce the rights of children being served by CWS (10A O.S. §1-9-112). The Youth Grievance Program, which is also housed in OCA, is administered by the Program Supervisor for the OCA Grievance Unit. In addition to administering the program, the Grievance Unit Program Supervisor is responsible for collecting program data, assisting with the identification of systemic issues in the child welfare system, and providing training to internal and external stakeholders. Complaints can be made by (or on behalf of) children being served by CWS – regardless of their placement at www.okfosteryouthmatters.org. From the time the program was found through June 30, 2021, it received approximately 1,000 complaints.

FOSTER PARENT GRIEVANCE PROGRAM

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As of June 30, 2021, the Foster Parent Grievance Program has received approximately 1,500 complaints.

YOUTH GRIEVANCE PROGRAM

Inspired by the success of the Foster Parent Grievance Program, the legislature passed House Bill (HB) 2552, which went into effect on November 1, 2018.



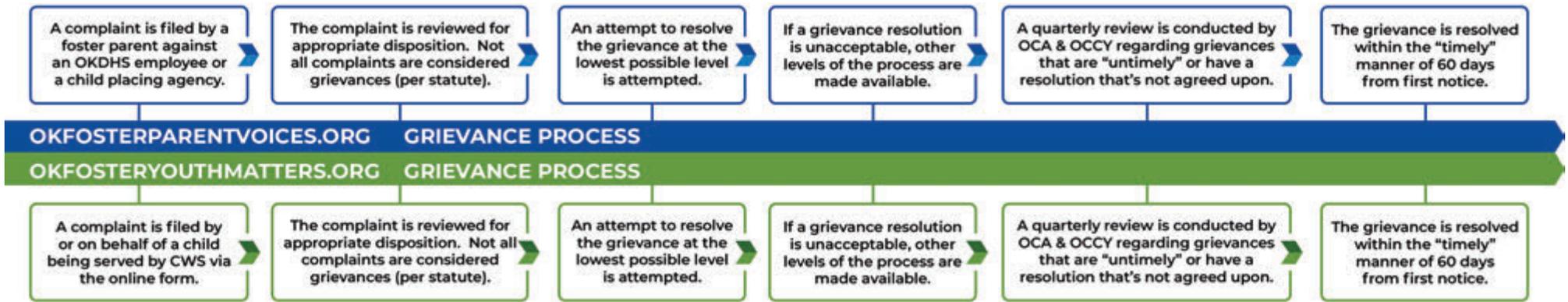
HB 2552 called for the creation of a Youth Grievance Program to enforce the rights of children being served by CWS (10A O.S. §1-9-112).



From the time the Youth Grievance Program was founded, as of June 30, 2021, it has received approximately 1,000 complaints.



THE GRIEVANCE AND RETALIATION INVESTIGATION PROCESSES



If a foster parent wishes to file a complaint against an OKDHS worker or an employee of a child placing agency, they complete the online form located at www.okfosterparentvoices.org. A complaint can be filed by (or on behalf of) a child being served by CWS by completing the online form at www.okfosteryouthmatters.org. Children placed in facilities are able to file via paper form, which is placed in a lock box awaiting resolution by the local grievance coordinator (LGC). When a complaint is received it is first reviewed for appropriate disposition. Not all complaints involve issues that are grievances per statute.

When a complaint involves an issue that is a grievance, and it has not been resolved informally, the FCO or Grievance Unit Program Supervisor collaborates with CWS to resolve grievances at the lowest possible level. This allows access to impartial arbitration by management within the central office (10A O.S. §1-9-120). If the person who filed the grievance does not consider a proposed resolution to be acceptable, multiple levels of review are available to them. A grievance is not considered resolved until the resolution is accepted or until all levels of the grievance process have been exhausted. A grievance is considered resolved as “timely,” when it is resolved within 60 days of the date a complaint was received. (10A O.S. §1-9-120).

OCA and OCCY meet quarterly to review both grievance systems. Grievances that are closed “untimely” or with the resolution not agreed upon by the foster parent or child being served by CWS are reviewed to identify barriers or areas of improvement.

A foster parent or child being served by CWS is protected from retaliation by OKDHS or child placing agency employees (10A O.S. §1-9-120) in situations where a grievance is filed and the grievant has indicated they believe they have been retaliated against after they provided information to a state official or OKDHS employee, or testified or otherwise participated in an investigation against OKDHS. These occurrences are referred for a retaliation investigation. The OCA Investigation Unit is responsible for conducting investigations on retaliation claims. If the allegations of retaliation are substantiated against a CWS worker, OCA informs CWS leadership and the foster parent or child being served by CWS. Similar to grievances, investigations need to be completed within 60 days of filing in order to be considered “timely”.

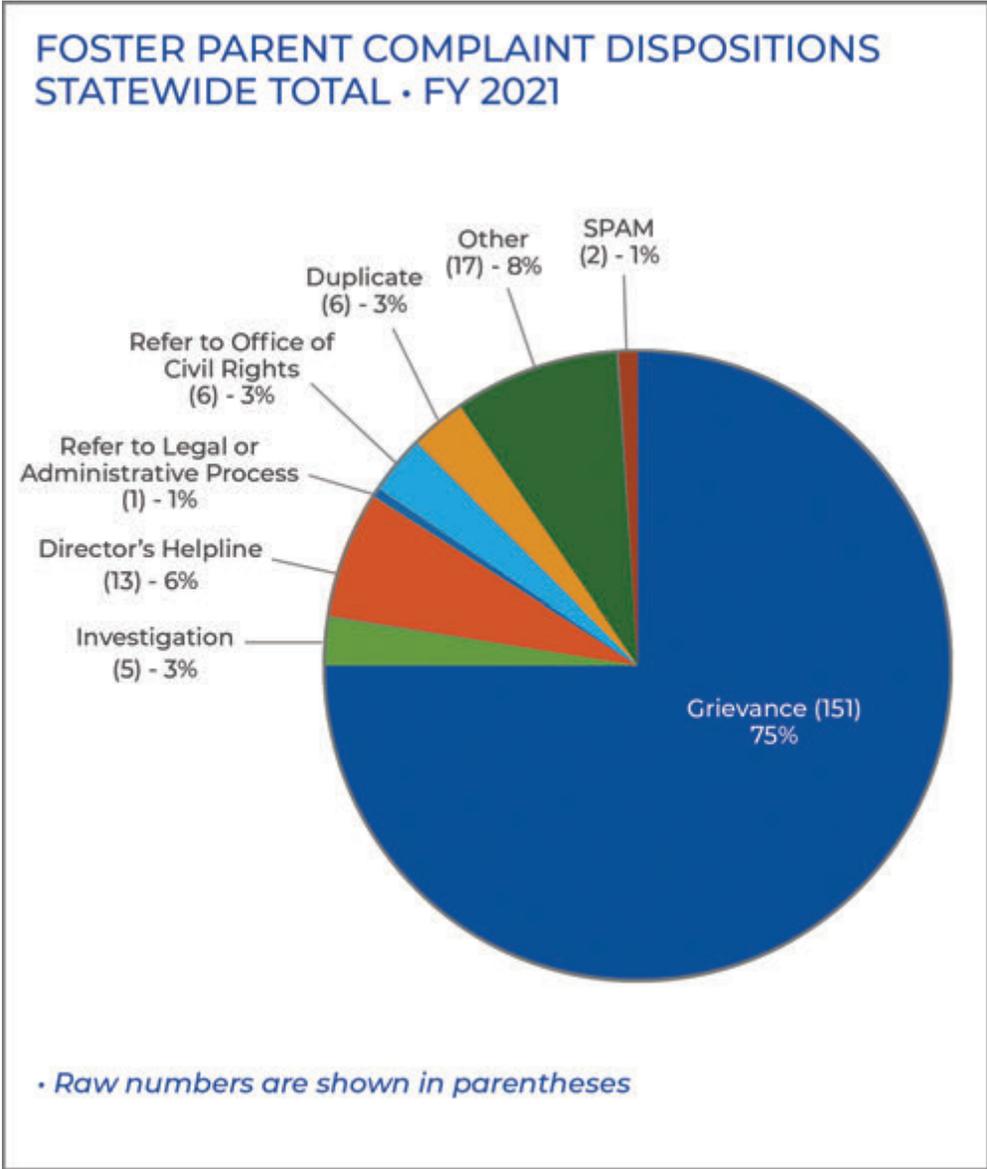


NUMBER OF COMPLAINTS

From July 1, 2020 through June 30, 2021, foster parents filed 201 complaints. Of those complaints, 151 (or 75%) were processed as grievances, and five (or 3%) were sent for investigation. This is a modest increase from both FY 2019 (122) and FY 2020 (140). For a complaint to be considered a grievance, it must be related to an action or inaction of OKDHS, or child-placing-agency personnel. Grievances can include the application of a policy to foster care services or a violation of the foster parent bill of rights. To be deemed a grievance, a complaint cannot deal with an issue that is excluded from the FCO's purview by law or policy.

When a foster parent complaint is not a grievance, the FCO determines where it should be referred. Of the non-grievable complaints received, twenty (or 10% of the total received) were referred to the Director's Helpline or another part of OKDHS. The Other category includes both those complaints that were not resolvable by any part of the agency and those that should initially have been filed with the Foster Youth Grievance program. The collection of this portion of the data has been changed for FY 2022. Complaints referred to the Youth Grievance Program will be tracked as a separate metric. Finally, only 2 spam complaints were received, which is a significant reduction from FY 2020, when over one hundred spam complaints were received.

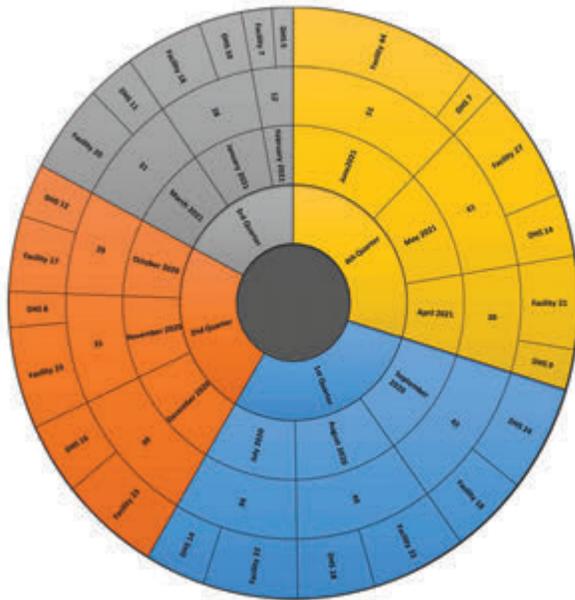
“ For a complaint to be considered a grievance, it must be related to an action or inaction of OKDHS, or child-placing-agency personnel. Grievances can include the application of a policy to foster care services or a violation of the foster parent bill of rights.



NUMBER OF COMPLAINTS

From July 1, 2020 to June 30, 2021, a total of 410 complaints were received by the OCA Youth Grievance program. These were filed by or on behalf of youth served by CWS. Of the complaints filed, 262 were filed by youth placed in DHS contracted facilities, and they related to facility issues. The remaining 148 complaints were related to OKDHS issues.

Of the complaints filed, 87% were processed as grievances. Of the 356 grievances handled by the Youth Grievance program, 118 dealt with OKDHS issues and 238 were facility grievances. Of the complaints deemed non-grievable, 44% were referred either to the Statewide Abuse and Neglect Hotline or another OKDHS division for assistance. The chart breaking down these numbers is broken down to provide both the yearly and monthly totals for each category.



OCA Statewide Youth Grievances by Month and Disposition July - June 2021																										
Month	1st Quarter						2nd Quarter						3rd Quarter						4th Quarter						Totals	
	July 2020	August 2020	September 2020	October 2020	November 2020	December 2020	January 2021	February 2021	March 2021	April 2021	May 2021	June 2021														
Grand Total	36	40	42	29	31	39	28	12	31	30	41	51	410													
Complaint Focus	DHS	Facility	DHS	Facility	DHS	Facility	DHS	Facility	DHS	Facility	DHS	Facility	DHS	Facility	DHS	Facility	DHS	Facility	DHS	Facility	DHS	Facility	Totals			
Grievance	11	19	15	20	18	13	11	17	8	23	14	23	9	17	4	4	7	17	5	20	12	23	4	42	356	
Not Grievable in Youth Grievance Program	1	3	1	2	4	0	1	0	0	0	1	0	1	0	1	0	4	1	1	1	1	2	2	3	1	30
Referred to Abuse Hotline	1	0	0	0	1	5	0	0	0	0	1	0	0	1	0	3	0	2	0	0	0	1	0	0	15	
Referred to Other DHS Division	1	0	2	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	0	6	
Referred to Outside Entity (Tribe)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	1
Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	1	2
Total	14	22	18	22	24	18	12	17	8	23	16	23	10	18	5	7	11	20	9	21	14	27	7	44	410	
Grand Total	36	40	42	29	31	39	28	12	31	30	41	51	410													



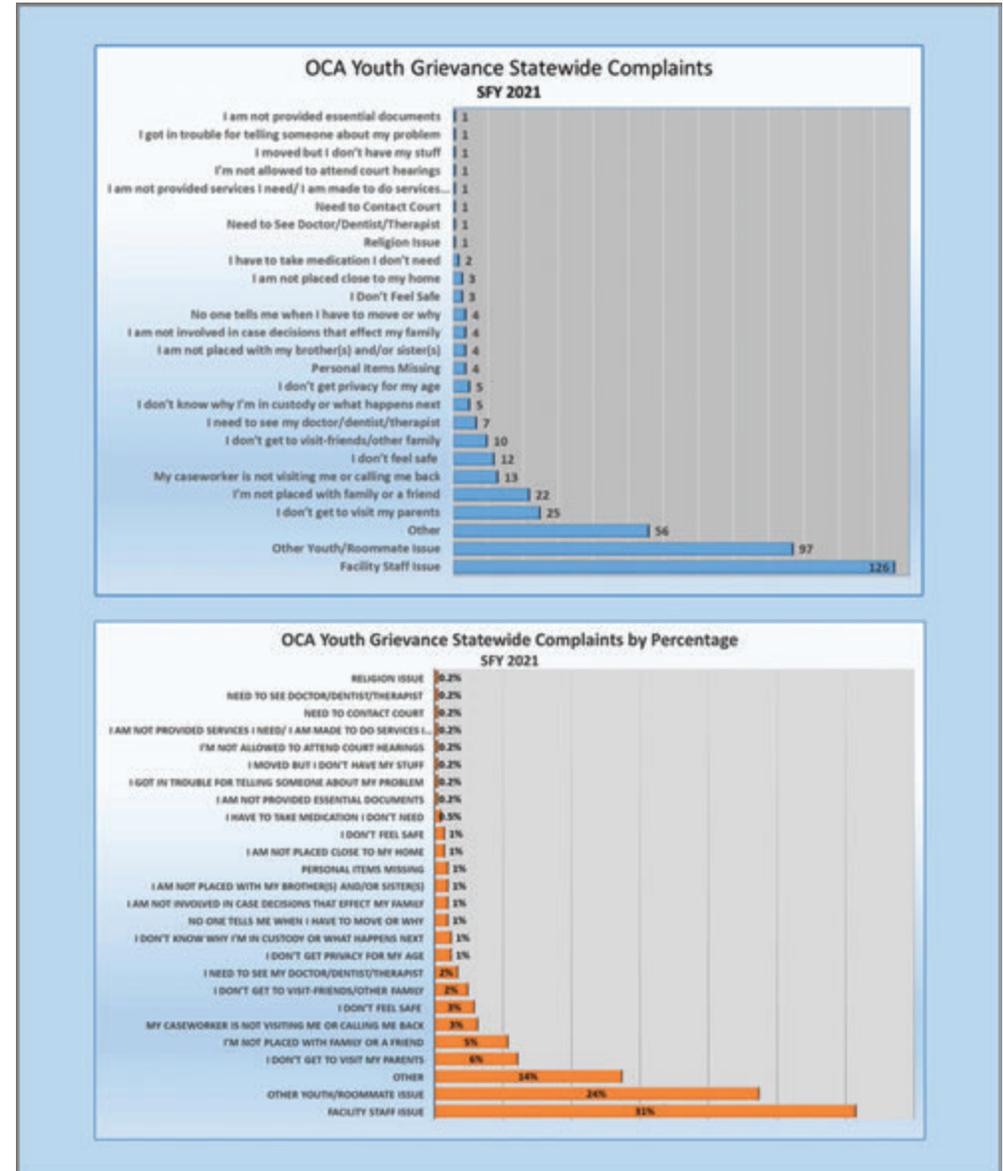
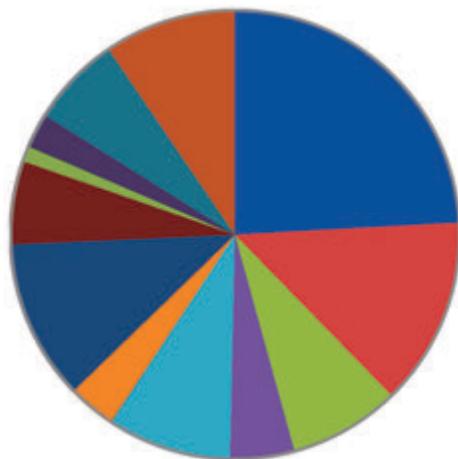
NATURE OF COMPLAINTS

When a complaint is entered into either the Foster Parent Voices website or the Foster Youth Matters website, the complainant is instructed to choose the nature of their complaint from a menu of options. The choices that are available on each website differ as the complaints of foster parents and of children being served by CWS tend to focus on different issues.

The nature of complaint categories most often cited in foster parent complaints for FY 2021 were “action of an employee of DHS or child placing agency” at 24%, “inaction of an employee of

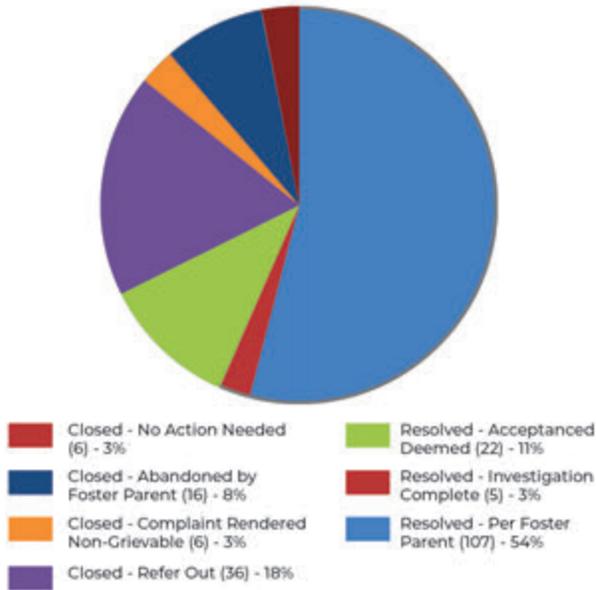
DHS or child placing agency” at 14%, “lack of communication” at 12% and “other” at 10%.

The categories in the Youth Grievance program submissions were based on the Youth Bill of Rights, with the language adjusted to account for a child’s development and understanding. The tables show the selections by raw numbers and by percentages. Of all the complaints filed with that program, most were concerned with issues related to youth and their facility staff at 31% (126 complaints) or other youth residing in the facility at 24% (97).

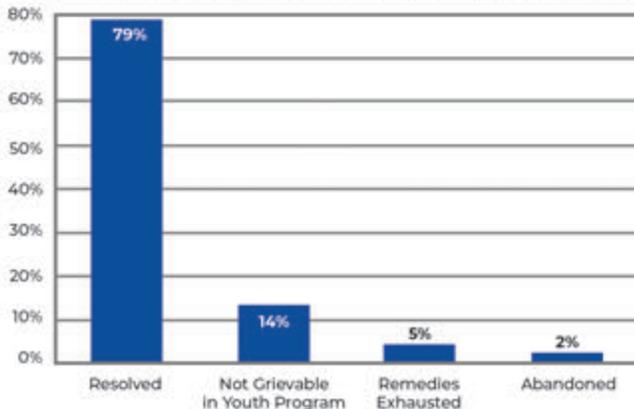


NUMBER OF COMPLAINTS RESOLVED

Foster Parents Grievance Closure Types - Statewide Totals - FY 2021



OCA Youth Grievance Program-Statewide Closures - SFY 2021



Complaint closure data is recorded at the time the file is closed, while complaint dispositions are recorded as the complaint is received. For this reason, it is not uncommon for the receipt of a complaint to be recorded in one fiscal year while its closure is recorded in a different fiscal year. This elapsed time can lead to discrepancies between the number of complaints received and the number of complaints closed in a given fiscal year.

Regardless of their source, complaints can be closed in numerous ways. Only some complaint closures are considered to be a resolution by the grievance programs. A grievance can be closed as resolved, or it can be closed because, while not resolved, the complainant chose not to pursue it further or because the program exhausted its ability to assist the complainant.

The FCO breaks resolved complaints into three categories: resolved-per foster parent; resolved – acceptance deemed, and resolved-investigation completed. In FY 2021, 134 complaints were resolved (68% of the total). This resolution percentage is roughly in line with prior years. A complaint can also close because no action was needed (typically because it was a duplicate of another grievance), because something happened to render the case none grievable (like an intervening change in case circumstances), because it was referred out to another program, or because it was abandoned by the foster parent. The only significant change in this area was connected to the number of complaints closed due to having been abandoned by the foster parent. The number of complaints in this category increased from 4 in FY 2020 to 16 in FY 2021. We believe this increase is linked to the emotional fallout of the COVID pandemic.

During FY 2021, the Foster Youth Grievance program closed 420 grievances, with 79% resolved and 14% considered “not grievable.” The second category includes complaints by or on behalf of individuals not served by CWS and complaints rendered non-grievable by a change in case circumstance, like the filing of a controlling court order. In 6% of cases, the complaint was closed with remedies exhausted. This category includes complaints in which the complainant is not satisfied with the outcome, but the issue had been pursued as far as it could be. Non-grievable complaints might include a foster parent who is upset about trial reunification or a step-parent who wants placement or visitation when OKDHS has made a finding that visitation is not in the best interest of the child due to legal or safety issues.



ONGOING COMMUNITY OUTREACH AND SYSTEM IMPROVEMENT EFFORTS

The missions of the FCO and the Youth Grievance program are not limited solely to processing grievances. Both grievance programs are responsible for identifying systemic issues in the child welfare system through data collection and reporting. Both programs collect detailed data on the complaints filed through their portals. That data is then used to create reports, which have been provided on a quarterly or biannual basis to OCCY, the director of OKDHS Child Welfare leadership within the agency, and the co-neutrals (when appropriate).

Both programs have educational components, which include providing training relevant to internal and external stakeholders. The Youth Grievance program provides trainings to facilities that contract with OKDHS detailing the roles of the facilities and the LGCs in relation to grievances filed by (or on behalf of) children being served by CWS. The FCO has created trainings on the Foster Parent Bill of Rights, the court processes related to child welfare cases, and how foster parents can advocate for the children in their care without creating adversarial relationships. In response to the limitations created by the pandemic, the FCO began offering these trainings online, as well as in person.

Additionally, the FCO program initiated a series of online panel discussions on issues relevant to foster parents. Both of these efforts have been well received and are being developed further in the new fiscal year.

“ The Youth Grievance program provides trainings to facilities that contract with OKDHS detailing the roles of the facilities and the Licensed Grievance Coordinators in relation to grievances filed by (or on behalf of) children being served by Child Welfare Services.





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This publication is issued by the Oklahoma Commission on Children and Youth as authorized by Annette Wisk Jacobi, Executive Director. Copies have not been printed but are available through the agency's website at <http://www.oklahoma.gov/occy>.