



OHIO YAB Evaluation ***of the Youth and Family Ombudsmen Office*** ***Annual Report for Calendar 2022***

The **Overcoming Hurdles in Ohio Youth Advisory Board (OHIO YAB)** is a statewide organization of young people (aged 14-24) who have experienced foster care. The OHIO YAB's mission is to be the knowledgeable statewide voice that influences policies and practices that effect all youth who have or will experience out of home care.

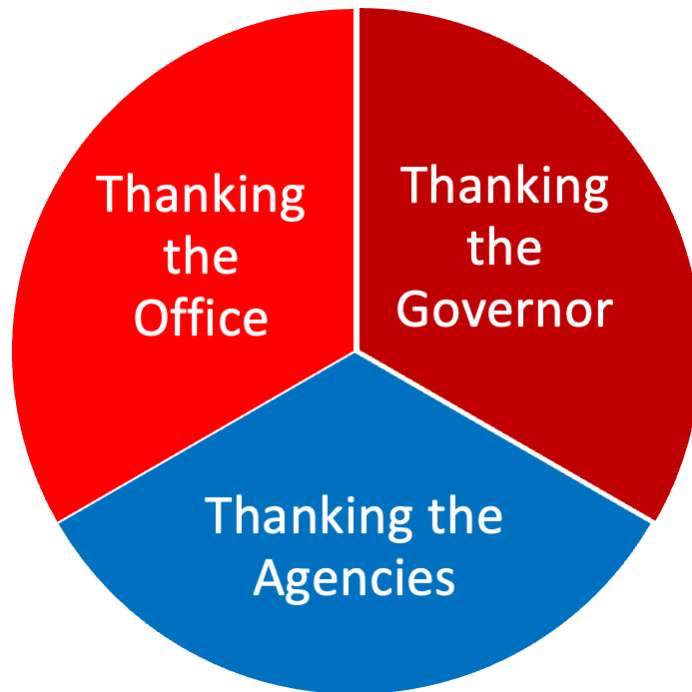
Section 5101.892 of the Ohio Revised Code requires that within sixty days of release of this information, the OHIO YAB is required to provide an evaluation to both Governor DeWine and Youth Ombudsman Jenny Stotts.

During the month of July 2023, a series of youth focus groups were held, and the Youth Ombudsman and Assistant Youth Ombudsman were invited to the OHIO YAB statewide quarterly meeting.

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1. Message of Appreciation



Ohio foster care youth and alumni are deeply grateful that that the Youth Ombudsman Office was established. The OHIO YAB wanted to begin this evaluation by thanking the Office, thanking the Governor, and thanking the agencies whose work has intersected with the Youth Ombudsman Office.

This new Office is accomplishing amazing work. In the success stories listed, a young adult was able to avoid homelessness, a teen was able to attain a driver's permit, a youth whose rights had been violated was able to address those concerns, and so much more. Many thanks to Youth Ombudsman Jenny Stotts and Assistant Youth Ombudsman Jeff Phillips for their time and dedication.

The OHIO YAB would love to meet with and thank Governor DeWine in person. In his prior role as Ohio Attorney General, Governor DeWine was a staunch advocate for foster care youth and alumni. He held a series of Child Safety Summits, ensured that current and former foster youth had a voice in each of them. The success of the Youth Ombudsman Office is another step forward in this vitally important work, and youth leaders would love to celebrate with Governor DeWine and offer their thanks.

The OHIO YAB deeply appreciates the agencies who have thoughtfully responded to Youth Ombudsman inquiries. It reflects the utmost integrity to be willing to review and revise former agency decisions. This level of transparency and commitment to excellence is admirable, praiseworthy, and commendable.

2. Future Youth Outreach

The Youth Ombudsman accepts complaints directly from youth, or from adults on behalf of youth. During the first seven months, the Office received 27 complaints directly from youth or young adults. The other 106 complaints were submitted by adults; often the youth was aware of the complaint submission and subsequently had contact with the Youth Ombudsman or the Assistant Ombudsman.

The OHIO YAB agrees with the Youth Ombudsman's assessment that: *"Expanding direct outreach to youth is a critical priority as the office moves into the next calendar year."*

The report mentions that:

- **Early outreach by the Office focused on** professionals who work with youth, such as service providers and mandated reporters, as well as spaces where youth might live and learn, including libraries or schools.
- **Promotional materials have been shared with** PCSAs, public libraries, courthouses, residential treatment programs, group homes, and community centers.
- **Towards the end of the year,** the Youth Ombudsman began receiving more complaints from youth in congregate care settings, likely the result of efforts to increase awareness.

The OHIO YAB would love to be of support in promoting the Youth Ombudsman Office. Ohio Youth Ombudsman Jenny Stotts and Assistant Youth Ombudsman Jeff Phillips were invited to attend the OHIO YAB Statewide Quarterly Meeting on July 20, 2023, to invite participants suggestions regarding youth outreach. They brought examples of outreach materials and resources.

During the meeting, participating youth shared outreach suggestions:

- Letting youth know about the Office when they first enter care.
- Reminding youth about the Youth Ombudsman Office during home visits, court appearances, case reviews and independent living classes.
- Requiring caseworkers and group homes to let youth know about this resource.
- Promoting this resource on social media, including TikTok, Instagram, Twitter, Snapchat and Facebook.
- Continued outreach to schools, including guidance counselors and nurses.
- Making flyers available in public and private foster care agencies.
- Creating videos, infographics and promotional clothing items, such as shirts, wrist bands or lanyards.

3. County Screening Decisions

Concerns about county children service agencies screening out youth who self-report being abused was part of what motivated Ohio foster care youth and alumni to advocate for the creation of a statewide Youth Ombudsman Office. Therefore, Ohio youth leaders were not surprised, but remain deeply concerned, to read in the report that:

- *Nearly 20% of the complaints received by the Youth Ombudsman in 2022 reported concerns about agency screening decisions. In many of these complaints, youth had self-reported abuse directly to the PCSA or to mandated reporters who subsequently made referrals to the local PCSA. On 19 occasions, the Youth Ombudsman and the Assistant Youth Ombudsman had reason to suspect maltreatment based on information gathered during intake or subsequent meetings with the complainants, electing to make additional referrals to the local PCSA, many of which were also screened out.*

OHIO YAB Youth Ambassadors share the Youth Ombudsman's concerns that, “These complaints are particularly challenging to resolve because screening decisions are largely left to the discretion of the local PCSA, as Ohio’s children services system is county administered” and worry that the inconsistencies in documenting and screening referrals may leave youth exposed to abuse, neglect, and rights violations.

In their report, the Youth Ombudsmen Office recommended a systemic review and evaluation of self-reported abuse across all Ohio counties, with consideration of a potential review and revision of screening guidelines to specifically address self-reported abuse from youth. The OHIO YAB strongly supports this recommendation.

During youth discussions, the following questions and suggestions were shared:

a.) Could the OHIO YAB assist in reviewing and revising screening guidelines?

Ohio youth leaders would like to review current tools and share their insights about the criteria and how the questions are worded, so that youth who self-report being abused aren’t automatically screened out. This would help to answer youth questions:

- **What questions are they asking**, and what answers are screening out youth who self-report being abused?
- **Do county child abuse hotlines need to receive a minimum number of calls** about suspected abuse in order to investigate?
- **If allegations of abuse come up and aren’t sustained the first time**, does this mean that the next time youth or others call, it might be screened out because the situation was investigated previously?

b.) Could the OHIO YAB assist in developing a statewide screening training?

Ohio youth leaders would love to organize and co-facilitate trainings for staff members who serve on county child abuse hotlines, and their supervisors.

During youth focus groups, participating youth asked:

- **What are the job requirements** for staff who serve on county child abuse hotlines?
- **Who is training them**, and is this process consistent throughout the state?
- **Could youth help develop and lead the training?**

c.) Does Ohio need a statewide, youth-specific screening mechanism?

Youth also discussed the possibility of having a state child abuse hotline, as a back-up, with a three-digit number. They could see pros and cons to this approach, depending on how it was handled.

Potential Benefits	Filling an unmet need: Smaller counties in the state of Ohio don't have local child abuse hotlines that operate 24/7. The statewide child abuse hotline could provide coverage when county agencies are closed.
Important Considerations	Volume: The statewide hotline would need to have sufficient staffing to address the number of youth waiting in the queue. Authority and ability to transport: How would situations of abuse be addressed, and youth removed from unsafe situations throughout the state in a timely manner? Are there sufficient partnerships to service and house the youth being removed?

The overall need for more consistency: Ohio's county-administered state can lead to inequities and inconsistencies. The OHIO YAB would love to help work to create a future mechanism to hold 88 different types of screenings to one single standard. In the words of one young person, "Consolidation is long overdue."

4. Developing A Youth-Specific Grievance Form

None of Ohio's 88 PCSAs reported having youth-specific grievance policies or procedures, when the Youth Ombudsmen Office reached out to all Ohio PCSAs in 2022 to request courtesy copies of their formal grievance policies and/or procedures.

The OHIO YAB echoes the recommendation of the Youth Ombudsman that all PCSAs post their written policies for receiving, reviewing, and resolving complaints on their public websites, and that Rule 5101:2-33 be updated to reflect this change.

During youth discussions, the following action steps were recommended:

- a.) Reviewing youth-specific grievance forms from other states.** The OHIO YAB could hold youth focus groups to review these examples and figure out how to best customize for the state of Ohio.
- b.) Creating one statewide youth grievance form**, as approved by youth, to be used in every county in Ohio. Quote from one of the focus groups: *"This should be consistent, not 88 different ways of addressing the same problem."*
- c.) Determining one consistent statewide process for youth grievance form review.**

One statewide youth grievance form	<p>After being reviewed and approved by youth, this form would be utilized by:</p> <ul style="list-style-type: none">- Every public county children services agency in Ohio- Every private child welfare agency in Ohio- Every congregate care setting (i.e. group home, residential facility) in Ohio <p>Youth felt that, for private agencies and congregate care placements, this should be a requirement of their licensing and funding contract. This will streamline the process and maximize effectiveness.</p>
One statewide process of review	<p>Youth felt it was important to think through:</p> <ul style="list-style-type: none">- How will the form get where it's supposed to go?- How to ensure multiple eyes on it, so that the concern isn't buried?- Is there a way to get an outside party to look at it, to ensure objectivity?

5. Improving Agency Communication

Over half of the complaints investigated by the Youth Ombudsman in 2022

included concerns stemming from agency communication: “In some instances, the issue was the frequency of communication. Other times, the concerns stemmed from the quality of the communications. In many complaints involving reported concerns about agency communication.”

In their report, the Youth Ombudsman recommended developing written staff guidelines to return phone calls or emails in a timely manner between the parties.

The OHIO YAB would like to support this effort by providing:

a.) Youth review of existing agency policies regarding the estimated amount of time before returning client’s phone calls.

b.) Youth voice in developing written statewide staff communication guidelines.

c.) Youth voice in developing protocols to ensure timely response by caseworkers when youth reach out to them.

Youth suggestions during focus groups:

24-hour on-call staff:	<p>Child welfare needs and crises don’t happen on a 9-5 schedule: Having someone always on call for emergency maintenance, as with an apartment.</p> <p>Youth suggested that: “There could be two operators and one emergency transportation person.”</p>
Statewide standard for caseworker voicemails:	<p>When caseworkers are taking time off work, youth felt it should be standard practice for their voicemail to state:</p> <p>“I am out of office until (date). If you have any needs or emergencies, please contact my immediate caseworker by calling (number).”</p>
Using a color-coded system to flag concerns:	<p>Youth felt that this should lean in favor of prioritizing youth concerns and youth safety: “If any of these particular criteria are met, it is automatically a red.”</p> <p>They discussed the importance of having concerns go to more than one person to ensure accountability and follow up. Staff members could review outstanding concerns on slower days, to ensure that follow up occurs. This could ensure that implicit bias does not impede a child’s needs being met.</p>

The OHIO YAB cares about statewide caseworker turnover. However, the safety of the youth themselves is paramount, and it can be negatively impacted by delayed responses when there is a need for speedy intervention. Youth in residential facilities can feel forgotten. Youth with escalating trauma responses can end up in juvenile detention centers. The impact of last-minute communication can also undermine normalcy.

Youth offered two additional suggestions:

Youth and Caseworker Discussions	<p>Having preliminary discussions about what types of communication the caseworker is open to and how they respond:</p> <p>One youth mentioned being able to text their caseworker, and how receiving a text: “I see your message and I’m communicating with other people about it” can be immensely beneficial in building trust and alleviating anxiety.</p>
State Discussions With Caseworkers	<p>Youth felt that it might be beneficial for statewide decisionmakers to hear directly from frontline caseworkers, especially those with a foster care history.</p> <p>This could be an opportunity to discuss how in some ways, it can seem that the system is set up for failure when it comes to ensuring quality communications between caseworkers and the youth in their care.</p> <p>The discussion could include:</p> <ul style="list-style-type: none">a.) Providing supports to caseworkers in visiting youth who are placed out of state or out of county.b.) Allowing caseworkers to work flexible hours, such as evening hours to reach clients, without forcing them to volunteer their time or violate policy to do so.c.) Giving frontline caseworkers a voice when it comes to advising about supports needed to help them succeed in their role – which could help avoid burnout and alleviate caseworker turnover.

6. Importance of Independent Living Workers

The report mentions that the use of specialized caseworkers, especially Independent Living caseworkers, seems to have a positive impact on the “customer service” aspect of casework, particularly when teenagers are involved.

The OHIO YAB recommends that Independent Living Caseworkers and Independent Living Departments should be prioritized, supported and maintained in every county.

Previous testimonials by OHIO YAB Youth Ambassadors reflect that, in counties where independent living workers are replaced by the “one worker model,” this leads to lack of life skills preparation and support when entering young adulthood.

To quote from one youth leader:

- The idea behind the ‘one worker’ model is well intentioned: to pair a child or teen with the same caseworker throughout their time in foster care.
- However, this could have been done without eliminating the Independent Living Department altogether.
- This model currently fails in its execution because generalized caseworkers are often under-informed about the specific resources to help teens in foster care succeed in young adulthood.

With caseworker turnover so prevalent, and caseloads so high, the need for specialized workers becomes even more important.

7. Improving Communication With GALS

The report mentions that four youth reached out to the Youth Ombudsman Office to express concerns related to their guardian ad litem; but the Office lacks jurisdiction to conduct a review or investigation in this circumstance.

During youth focus groups, youth leaders expressed interest in learning more, and asked:

- Who in the court system has oversight about this?
- Where and how can youth report not hearing from their GAL, to seek to address the situation?
- Who has the authority to hold GALs accountable to stay in contact with youth?
- Their role is to advocate for the best interest of the child, but how can they do so without ongoing communication?

The frequency and authenticity of communication with guardian ad litem can positively or negatively impact youth placement, safety and even life outcomes.

Participating youth discussed the value of hearing regularly from their guardian ad litem, and the positive difference this individual can make in their lives. They also shared how detrimental it can be when they do not hear from their GAL.

Youth also asked about learning tracks for GALS: “Do we have a current training track for guardian ad litem within our state? If so, could youth leaders review the content? If not, could youth leaders assist in training creation?”

The OHIO YAB has begun reaching out individually to guardian ad litem who have made a lasting positive impact in the lives of Ohio youth leaders to ask them questions including:

- What inspired you to go the extra mile in your role?
- How did you find (or make) time to communicate with the youth to whom your services were entrusted?
- What advice or insights would you suggest that we share with other guardian ad litem to help them bring their very best efforts and energy to their role?

8. Ensuring Responses to Youth Ombudsman

When it comes to complaint outcomes and resolutions, the Office is to be commended that, during the first seven months:

Agencies fully or partially implemented recommendations	45 times
Agency decisions were reviewed and/or overturned	18 times
Agency policies were reviewed or revised	7 times
Agencies addressed a personnel issue, such as staff discipline or case reassignment	6 times

It bears repeating that the OHIO YAB deeply appreciates the agencies that have responded to Youth Ombudsman inquiries. Kudos to those agencies who were willing to thoughtfully reconsider prior decisions. This reflects a willingness to demonstrate transparency and a commitment to excellence in practice.

The report also mentions that, on six occasions, agencies did not respond to Youth Ombudsman recommendations.

This was a matter of youth concern. During discussions, youth leaders asked:

- **What could be done to mandate a response?** Is there a way to increase the Office's authority to require agency cooperation?
- **What does the chain of command look like in this situation?** Isn't this Office seated directly underneath the Governor?
- **Who holds county directors accountable?** Is it just their local boards or county commissioners?
- **Are there any fines or penalties** that agencies might face for not responding?

The consensus was that: *"There needs to be accountability to at least respond."*

9. Suggestions for Future Reports

Demographics: The report mentions that data on LGBTQ+ status, gender, race and ethnicity will continue to be included in future reports. This data relies on self-disclosed and self-reported information by youth.

The OHIO YAB also recommends that future reports also include **County-Specific Data**, and that the Youth Ombudsman Office consider tracking:

- ***Sibling separation and lack of visitation concerns***
- ***Concerns related to overmedication***

County-specific information:

County data will be beneficial in the future, both from an internal and external lens, because it will reflect:

- Which counties might need additional youth outreach, to ensure that they know about this resource?
- Which counties are more likely to respond and reflect upon communication with the Youth Ombudsman?
- Which counties are more likely to screen out youth self-reports of abuse?

Knowing which counties have the greatest amount of need will also help the OHIO YAB prioritize outreach and support. For example, Ohio youth leaders could offer to provide trainings and seek to help counties establish a local youth advisory board.

10. Additional Youth Recommendations

a.) Risks of Retaliation

The report mentions that: *“In certain circumstances, a complainant’s self-reported fear of retaliation is a known barrier to complaint investigation or effective conflict resolution. Coupled with the Youth Ombudsmen Office’s limited authority to require agency cooperation, this situation often stalls a complaint investigation and prevents meaningful fact-based recommendations from being presented to possibly improve specific case outcomes or agency-wide case management practices. No matter the intent of the agency or the professionals involved, even the perception of retaliation can have a profoundly negative impact on an individual’s experience within the children services system.”*

The OHIO YAB agrees with the Youth Ombudsman that: *“When combined with breakdowns in communication, a fear of retaliation can silence youth and adults alike from proactively coming forward to elevate concerns. The Youth Ombudsmen Office has and will continue to explore opportunities to establish protections against retaliation, including collaboration on amendments to law or rule.”*

The OHIO YAB has two recommendations for children service agencies:

1. Don’t interview youth in front of their abuser.
2. Please don’t assume that youth are lying about being abused.

One youth leader shared: “When some youth want to report their situation, adults often think they just want to get away from home and that they are disobedient. This happens a lot. Foster care is scary. It’s upheaval. If I am literally asking to be put in foster care, please believe that the situation has gotten very bad at home.”

Being interviewed in the presence of others can make it incredibly difficult for youth to share what is happening: “When you are investigating abuse, please don’t put the parent and the kid in the room at the same time. It wasn’t until the second time that a caseworker visited my home that I was able to get out of the place. If they hadn’t taken me out the second time, I don’t know what would have happened – my dad was very angry.”

Another youth leader shared: “If we report to our caseworkers that we are being abused in a foster care placement and they tell that person, then absolutely yes, we will be retaliated against. JFS says: Give it time, we will figure it out. But I am actually living the situation and it’s terrifying. You all get to go home on evenings and weekends.”

Retaliation can also come from caseworkers, such as a deliberate delay in services. This could take the form of delayed clothing vouchers or stalled permission forms, which negatively impacts normalcy.

b.) Youth Who Run Away to Escape Abusive Situations

The most common reason youth give for running away is to escape a negative home environment. In national studies of runaway youth, rates of physical abuse range from 40-60%. Thirty-four percent of teens reported sexual abuse to the National Runaway Safeline as the reason why they left home. Youth who go missing for longer periods of time, and who travel the farthest away, are most likely to have been abused previously.

For those who run away to escape abuse, their biggest fear is being returned to the abusive situation. Although the federal Preventing Sex Trafficking and Strengthening Families Act requires agencies to have a conversation about why youth ran away, youth have reported not being asked or listened to about the factors that led to them going AWOL. This can lead to them running away again, to try to escape the situation – which puts them at risk of violence, victimization and human trafficking.

The OHIO YAB has reached out to multiple legislators to seek to establish a less punitive response for youth who run away, and to ensure that their records are automatically expunged of this status offense when they enter youth adulthood.

OHIO YAB Youth Ambassadors have drafted LSC language regarding:

- Ohio's unruly child definition (ORC 2151.022)
- Taking a child into custody (ORC 2151.31)
- Procedures after taking a child into custody (ORC 2151.311)

These three sections of Ohio Revised Code have not been updated since 2017. An important legislative change was made on March 20, 2019, when HB 137 passed, making Ohio police officers mandatory reporters of abuse and neglect. Because this legislative change was made in 2019, it makes sense for previous ORC wording from 2017 to be updated.

c.) Ohio Mandated Reporter Training

The OHIO YAB is very interested in shadowing, reviewing and/or assisting with Mandated Reporter Training. Youth leaders would be interested to know more about mandated reporting trainings that are happening throughout the state. This is particularly true when comes to police officer trainings on this topic.

Ohio was the last state in the nation to make officers mandatory reporters. HB 137, as proposed by Representative Bernadette Kennedy amended Section 2151.42 of the Ohio Revised Code to make municipal and county police officers mandatory reporters of abuse and neglect. **An important next step is ensuring quality training.**