



WEST VIRGINIA
**Foster Care
Ombudsman**

**West Virginia Foster Care Ombudsman Program
State Fiscal Year 2023 ~ 1st Quarter Report
July 1, 2022 - September 30, 2022**



Foster Care Ombudsman Quarterly Report

Reporting Period: First Quarter - July 1, 2022 to September 30, 2022

Voices Heard. People Empowered. Systems Informed.

Introduction

The Foster Care Ombudsman (FCO), located within the West Virginia Department of Health and Human Resources (DHHR), Office of Inspector General, receives, investigates, and resolves complaints filed on behalf of foster children, foster parents, kinship parents, and on the Foster Care Ombudsman’s own initiative. This quarterly report provides summary data relating to complaints pursuant to the requirements of W. Va. Code §9-5-27, §49-9-102, §49-2-126, and §49-2-127.

Mission:

The Foster Care Ombudsman is an independent, impartial, and confidential resource that advocates for the rights of foster children and foster/kinship parents, investigates and resolves complaints, and makes recommendations for systemic reform.

Vision:

The Foster Care Ombudsman envisions an empathic, healing, and accountable child welfare system where voices are heard, people are empowered, and systems are responsive.

Data in the quarterly report does not yet include systemic reviews/cases or those that are conducted on the FCO’s initiative. Information detailing this work product will be integrated into future reports. Detailed “drill down” complaint data by county is available to DHHR’s Bureau of Social Services (BSS).

Complaint Count by Month and Quarter

Data below reflects complaints received by month and quarter within the first state fiscal year (SFY) 2023. Complaint data in this report, unless otherwise specified, is presented to reflect complaints that were in a closed/concluded status as of September 30, 2022.

| Complaint Count by Month and Quarter | | | | | | | | | | | | | |
|--------------------------------------|-----------|-----|-----|-----------|-----|-----|-----------|-----|-----|-----------|-----|-----|-------------------------------------|
| SFY 2023 | 2022 | | | | | | 2023 | | | | | | State Fiscal Year End Running Total |
| | Jul | Aug | Sep | Oct | Nov | Dec | Jan | Feb | Mar | Apr | May | Jun | |
| | 62 | 57 | 60 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| | Quarter 1 | | | Quarter 2 | | | Quarter 3 | | | Quarter 4 | | | |
| Total | 179 | | | 0 | | | 0 | | | 0 | | | 179 |

Complaint Count by Alleged Bill of Rights Violations

Data below reflects complaints received in the first quarter of the SFY when a Bill of Rights provision is alleged to be violated. The count reflects the BSS region by case county and the FCO determination of complaint validity. Complaints that include an alleged Bill of Rights violation account for 40% of the total complaints received in the first quarter.

| Complaint Count by Alleged Bill of Rights Violations | | | | | |
|--|-------|-------|-------------|-------|-------------|
| Bill of Rights | North | South | Unspecified | Total | % Validated |
| Child BOR | 24 | 16 | 2 | 42 | 19.0% |
| Both BOR | 15 | 13 | 1 | 29 | 58.6% |
| Foster/Kinship BOR | 7 | 7 | 1 | 15 | 93.3% |
| Total | 46 | 36 | 4 | 86 | 45.3% |

Complaint Count by BSS Unit

Data below reflects complaints received in the first quarter of the SFY according to the BSS unit that is most closely associated with a complaint's main theme. The federal Interstate Compact on the Placement of Children governs the placement of children in other states. The Institutional Investigative Unit within BSS is

| Complaint Count by Bureau for Social Services Unit | | | | | | |
|--|--------|------|------|------|-------|---------|
| Bureau for Social Services Unit | Q1 | Q2 | Q3 | Q4 | Total | Percent |
| Child Protective Services | 133 | 0 | 0 | 0 | 133 | 74.3% |
| Homefinding | 11 | 0 | 0 | 0 | 11 | 6.1% |
| Other | 10 | 0 | 0 | 0 | 10 | 5.6% |
| Post-Adoption | 10 | 0 | 0 | 0 | 10 | 5.6% |
| Adoption | 5 | 0 | 0 | 0 | 5 | 2.8% |
| Centralized Intake (Abuse & Neglect Hotline) | 4 | 0 | 0 | 0 | 4 | 2.2% |
| Youth Services | 2 | 0 | 0 | 0 | 2 | 1.1% |
| Interstate Compact on the Placement of Children | 2 | 0 | 0 | 0 | 2 | 1.1% |
| Institutional Investigative Unit | 1 | 0 | 0 | 0 | 1 | 0.6% |
| Legal Guardianship | 1 | 0 | 0 | 0 | 1 | 0.6% |
| Total | 179 | 0 | 0 | 0 | 179 | |
| | 100.0% | 0.0% | 0.0% | 0.0% | | 100.0% |

responsible for child abuse and neglect investigations in residential facilities, schools, and foster homes.

Complaint Count by Main Complaint Theme

Data below reflects complaints received in the first quarter of the SFY according to the main theme of the complaint as expressed to the FCO. Additional theme levels and greater specificity regarding the topical content of complaints will be provided in future FCO reports.

| Complaint Count by Main Complaint Theme | | | | | | | |
|---|--------|------|------|------|-------|---------|-------------------|
| Main Complaint Theme | Q1 | Q2 | Q3 | Q4 | Total | Percent | Percent Valid |
| Placement of Children | 39 | 0 | 0 | 0 | 39 | 21.8% | 15.4% |
| Action/Inaction of Agency/Employee | 37 | 0 | 0 | 0 | 37 | 20.7% | 24.3% |
| Lack of Communication | 36 | 0 | 0 | 0 | 36 | 20.1% | 38.9% |
| Financial Issue/Reimbursement | 23 | 0 | 0 | 0 | 23 | 12.8% | 60.9% |
| Decision of Agency/Employee | 12 | 0 | 0 | 0 | 12 | 6.7% | 33.3% |
| Policy/Regulation Issue | 12 | 0 | 0 | 0 | 12 | 6.7% | 8.3% |
| Removal of Children | 10 | 0 | 0 | 0 | 10 | 5.6% | 10.0% |
| Rude/Unfair Treatment | 9 | 0 | 0 | 0 | 9 | 5.0% | 0.0% |
| Other | 1 | 0 | 0 | 0 | 1 | 0.6% | 0.0% |
| Threat/Retalitary Treatment | 0 | 0 | 0 | 0 | 0 | 0.0% | N/A |
| Total | 179 | 0 | 0 | 0 | 179 | | Total % Validated |
| | 100.0% | 0.0% | 0.0% | 0.0% | | 100.0% | 27.4% |

Complaint Count by Complainant Relationship to Child

Data below reflects complaints received in the first quarter of the SFY according to the relationship of the complainant to the child.

| Complaint Count by Complainant Relationship to Child | | | | | | |
|--|--------|------|------|------|-------|---------|
| Relationship to Child | Q1 | Q2 | Q3 | Q4 | Total | Percent |
| Relative/Kinship Parent | 65 | 0 | 0 | 0 | 65 | 36.3% |
| Non-Relative Foster Parent | 30 | 0 | 0 | 0 | 30 | 16.8% |
| Other Non-Caregiving Relative/Kinship | 29 | 0 | 0 | 0 | 29 | 16.2% |
| Birth Parent | 20 | 0 | 0 | 0 | 20 | 11.2% |
| Other or Unspecified | 12 | 0 | 0 | 0 | 12 | 6.7% |
| Adoptive Parent | 8 | 0 | 0 | 0 | 8 | 4.5% |
| Community Professional/Service Provider | 6 | 0 | 0 | 0 | 6 | 3.4% |
| State Employee/Specific Unit | 3 | 0 | 0 | 0 | 3 | 1.7% |
| Legal Guardian | 3 | 0 | 0 | 0 | 3 | 1.7% |
| Child | 2 | 0 | 0 | 0 | 2 | 1.1% |
| Child's Attorney/GAL | 1 | 0 | 0 | 0 | 1 | 0.6% |
| Other Attorney | 0 | 0 | 0 | 0 | 0 | 0.0% |
| Birth Parent's Attorney | 0 | 0 | 0 | 0 | 0 | 0.0% |
| Total | 179 | 0 | 0 | 0 | 179 | |
| | 100.0% | 0.0% | 0.0% | 0.0% | | 100.0% |

Complaint Count by FCO Case Intensity

Data below reflects complaints received in the first quarter of the SFY according to the level of assistance provided by the FCO. A case may be withdrawn by a complainant if the issue naturally resolves or the complainant decides not to move forward with the complaint.

- *Intervention* involves routine case documentation review, interaction by the FCO with four or fewer contacts inside or outside of DHHR, facilitating communications between the complainant and other case participants and authorities, as well as providing education, context, and referrals to other entities, people, or resources. Cases of this intensity average 26 days from initial contact with the FCO to case closure by the FCO, according to cumulative data since program inception in late 2019.
- *Information* involves providing education, context, and referrals to other entities, people, or resources. Cases of this intensity average 12 days from initial contact with the FCO to case closure by the FCO, according to cumulative data since program inception in late 2019.
- *Investigation* involves non-routine, systemic, or more intensive/on-site review, interaction with five or more contacts inside or outside of DHHR, and may necessitate formal meetings/reports involving internal or external agency leadership. Cases of this intensity average 70 days from initial contact with the FCO to case closure by the FCO, according to cumulative data since program inception in late 2019.

| Complaint Count by FCO Case Intensity | | | | | | |
|---------------------------------------|--------|------|------|------|-------|---------|
| FCO Case Intensity | Q1 | Q2 | Q3 | Q4 | Total | Percent |
| Intervention | 110 | 0 | 0 | 0 | 110 | 61.5% |
| Information | 65 | 0 | 0 | 0 | 65 | 36.3% |
| Withdrawn by Complainant | 3 | 0 | 0 | 0 | 3 | 1.7% |
| Investigation | 1 | 0 | 0 | 0 | 1 | 0.6% |
| Total | 179 | 0 | 0 | 0 | 179 | |
| | 100.0% | 0.0% | 0.0% | 0.0% | | 100.0% |

Complaint Count by Referral Source

Data to the right reflects complaints received in the first quarter of the SFY according to the referral source, i.e., the means by which the complainant learned about the FCO.

| Complaint Count by Referral Source | | | | | | |
|--|--------|------|------|------|-------|---------|
| Referral Source | Q1 | Q2 | Q3 | Q4 | Total | Percent |
| Prior Contact with FCO | 38 | 0 | 0 | 0 | 38 | 21.2% |
| Friend/Family | 31 | 0 | 0 | 0 | 31 | 17.3% |
| State Employee | 28 | 0 | 0 | 0 | 28 | 15.6% |
| Community Professional/Service Provider | 27 | 0 | 0 | 0 | 27 | 15.1% |
| Conference/Training | 18 | 0 | 0 | 0 | 18 | 10.1% |
| Other | 12 | 0 | 0 | 0 | 12 | 6.7% |
| Social Media/Internet | 6 | 0 | 0 | 0 | 6 | 3.4% |
| Attorney/GAL | 6 | 0 | 0 | 0 | 6 | 3.4% |
| Elected Official | 3 | 0 | 0 | 0 | 3 | 1.7% |
| Court Appointed Special Advocate | 3 | 0 | 0 | 0 | 3 | 1.7% |
| Unspecified | 2 | 0 | 0 | 0 | 2 | 1.1% |
| FCO Website | 2 | 0 | 0 | 0 | 2 | 1.1% |
| Media (TV, Brochures, Pamphlets, Other Literature) | 2 | 0 | 0 | 0 | 2 | 1.1% |
| Teacher/School Employee | 1 | 0 | 0 | 0 | 1 | 0.6% |
| Email | 0 | 0 | 0 | 0 | 0 | 0.0% |
| Initiated by FCO | 0 | 0 | 0 | 0 | 0 | 0.0% |
| Total | 179 | 0 | 0 | 0 | 179 | |
| | 100.0% | 0.0% | 0.0% | 0.0% | | 100.0% |

Complaint Count by Closure

Data below reflects complaints according to characteristics of the case closure. The FCO continues to examine and label complaint closings with greater specificity. In nearly all cases, complaints determined valid are with the concurrence of and notification to the involved agency, which may or may not be BSS.

| Complaint Count by Closure | | | | | | |
|---|--------|------|------|------|-------|---------|
| Closure | Q1 | Q2 | Q3 | Q4 | Total | Percent |
| Not Valid | 65 | 0 | 0 | 0 | 65 | 36.3% |
| Information Exchange | 59 | 0 | 0 | 0 | 59 | 33.0% |
| Valid - Resolved | 29 | 0 | 0 | 0 | 29 | 16.2% |
| Partially Valid | 13 | 0 | 0 | 0 | 13 | 7.3% |
| Valid - Not Resolved | 7 | 0 | 0 | 0 | 7 | 3.9% |
| Withdrawn by Complainant | 3 | 0 | 0 | 0 | 3 | 1.7% |
| Insufficient Information to Rate Validity | 3 | 0 | 0 | 0 | 3 | 1.7% |
| Other | 0 | 0 | 0 | 0 | 0 | 0.0% |
| Declined by FCO | 0 | 0 | 0 | 0 | 0 | 0.0% |
| Total | 179 | 0 | 0 | 0 | 179 | |
| | 100.0% | 0.0% | 0.0% | 0.0% | | 100.0% |
| Validity % | | | | | | 27.4% |

Complaint Count by BSS Region

Data to the right reflects complaints received by BSS region in the first quarter of the SFY. Complaints were grouped into four BSS regions then grouped into two regions (North and South) after a BSS organizational redesign.

| Complaint Count by Bureau for Social Services Region | | | | | | |
|--|--------|------|------|------|--------|---------|
| Region | Q1 | Q2 | Q3 | Q4 | Totals | Percent |
| North | 89 | 0 | 0 | 0 | 89 | 49.7% |
| South | 81 | 0 | 0 | 0 | 81 | 45.3% |
| Unspecified | 9 | 0 | 0 | 0 | 9 | 5.0% |
| Total | 179 | 0 | 0 | 0 | 179 | |
| | 100.0% | 0.0% | 0.0% | 0.0% | | 100.0% |

Complaint Count by Method of Initial Contact with FCO

Data below reflects complaints received in the first quarter of the SFY according to the means by which the complainant made initial contact with the FCO.

| Complaint Count by Method of Initial Contact with FCO | | | | | | |
|---|--------|------|------|------|-------|---------|
| Method of Contact | Q1 | Q2 | Q3 | Q4 | Total | Percent |
| Telephone | 129 | 0 | 0 | 0 | 129 | 72.1% |
| Email | 35 | 0 | 0 | 0 | 35 | 19.6% |
| Request for Assistance Online Form | 9 | 0 | 0 | 0 | 9 | 5.0% |
| Fax/Letter/Text/Other | 4 | 0 | 0 | 0 | 4 | 2.2% |
| In Person | 2 | 0 | 0 | 0 | 2 | 1.1% |
| Total | 179 | 0 | 0 | 0 | 179 | |
| | 100.0% | 0.0% | 0.0% | 0.0% | | 100.0% |

Complaint Count by BSS Case County

Data to the right reflects complaints received in the first quarter of the SFY according to the BSS case county. Complaints are geographically determined by the county of the BSS case. When reviewing complaint totals by county, it is important to consider that each county exhibits differences, including population, demographics, and number of child abuse and neglect petitions filed. Additionally, the likelihood of a complaint conveyed to the FCO may relate to the general awareness, geographically, of the FCO program.

Conclusion

The FCO is committed to providing a helping service and endorsing that the voices of those served and affected by West Virginia’s foster care system are valued, respected, and actively integrated into the system’s development and improvement.

For more information about the Foster Care Ombudsman unit, email FosterCareOmbudsman@wv.gov.

| Complaint Count by Bureau for Social Services Case County | | | | | | |
|---|--------|------|------|------|-------|---------|
| County | Q1 | Q2 | Q3 | Q4 | Total | Percent |
| Barbour | 3 | 0 | 0 | 0 | 3 | 1.7% |
| Berkeley | 4 | 0 | 0 | 0 | 4 | 2.2% |
| Boone | 2 | 0 | 0 | 0 | 2 | 1.1% |
| Braxton | 3 | 0 | 0 | 0 | 3 | 1.7% |
| Brooke | 1 | 0 | 0 | 0 | 1 | 0.6% |
| Cabell | 8 | 0 | 0 | 0 | 8 | 4.5% |
| Calhoun | 2 | 0 | 0 | 0 | 2 | 1.1% |
| Clay | 5 | 0 | 0 | 0 | 5 | 2.8% |
| Doddridge | 0 | 0 | 0 | 0 | 0 | 0.0% |
| Fayette | 7 | 0 | 0 | 0 | 7 | 3.9% |
| Gilmer | 0 | 0 | 0 | 0 | 0 | 0.0% |
| Grant | 1 | 0 | 0 | 0 | 1 | 0.6% |
| Greenbrier | 0 | 0 | 0 | 0 | 0 | 0.0% |
| Hampshire | 2 | 0 | 0 | 0 | 2 | 1.1% |
| Hancock | 1 | 0 | 0 | 0 | 1 | 0.6% |
| Hardy | 1 | 0 | 0 | 0 | 1 | 0.6% |
| Harrison | 3 | 0 | 0 | 0 | 3 | 1.7% |
| Jackson | 8 | 0 | 0 | 0 | 8 | 4.5% |
| Jefferson | 0 | 0 | 0 | 0 | 0 | 0.0% |
| Kanawha | 17 | 0 | 0 | 0 | 17 | 9.5% |
| Lewis | 2 | 0 | 0 | 0 | 2 | 1.1% |
| Lincoln | 1 | 0 | 0 | 0 | 1 | 0.6% |
| Logan | 5 | 0 | 0 | 0 | 5 | 2.8% |
| Marion | 6 | 0 | 0 | 0 | 6 | 3.4% |
| Marshall | 2 | 0 | 0 | 0 | 2 | 1.1% |
| Mason | 3 | 0 | 0 | 0 | 3 | 1.7% |
| McDowell | 1 | 0 | 0 | 0 | 1 | 0.6% |
| Mercer | 3 | 0 | 0 | 0 | 3 | 1.7% |
| Mineral | 0 | 0 | 0 | 0 | 0 | 0.0% |
| Mingo | 3 | 0 | 0 | 0 | 3 | 1.7% |
| Monongalia | 5 | 0 | 0 | 0 | 5 | 2.8% |
| Monroe | 2 | 0 | 0 | 0 | 2 | 1.1% |
| Morgan | 0 | 0 | 0 | 0 | 0 | 0.0% |
| Nicholas | 3 | 0 | 0 | 0 | 3 | 1.7% |
| Ohio | 3 | 0 | 0 | 0 | 3 | 1.7% |
| Pendleton | 2 | 0 | 0 | 0 | 2 | 1.1% |
| Pleasants | 0 | 0 | 0 | 0 | 0 | 0.0% |
| Pocahontas | 1 | 0 | 0 | 0 | 1 | 0.6% |
| Preston | 5 | 0 | 0 | 0 | 5 | 2.8% |
| Putnam | 4 | 0 | 0 | 0 | 4 | 2.2% |
| Raleigh | 2 | 0 | 0 | 0 | 2 | 1.1% |
| Randolph | 6 | 0 | 0 | 0 | 6 | 3.4% |
| Ritchie | 2 | 0 | 0 | 0 | 2 | 1.1% |
| Roane | 2 | 0 | 0 | 0 | 2 | 1.1% |
| Summers | 3 | 0 | 0 | 0 | 3 | 1.7% |
| Taylor | 5 | 0 | 0 | 0 | 5 | 2.8% |
| Tucker | 2 | 0 | 0 | 0 | 2 | 1.1% |
| Tyler | 0 | 0 | 0 | 0 | 0 | 0.0% |
| Upshur | 1 | 0 | 0 | 0 | 1 | 0.6% |
| Wayne | 3 | 0 | 0 | 0 | 3 | 1.7% |
| Webster | 3 | 0 | 0 | 0 | 3 | 1.7% |
| Wetzel | 2 | 0 | 0 | 0 | 2 | 1.1% |
| Wirt | 0 | 0 | 0 | 0 | 0 | 0.0% |
| Wood | 19 | 0 | 0 | 0 | 19 | 10.6% |
| Wyoming | 1 | 0 | 0 | 0 | 1 | 0.6% |
| Unspecified | 9 | 0 | 0 | 0 | 9 | 5.0% |
| Total | 179 | 0 | 0 | 0 | 179 | |
| | 100.0% | 0.0% | 0.0% | 0.0% | | 100.0% |