

Presentation to the House Interim Committee on Early
Childhood and Human Services

Governor's Advocacy Office (GAO)

Maurice Glenn, GAO Director

Darin Mancuso, Foster Care Ombuds (FCO)

Leslie Sabatini, Ombuds

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The Ombuds

A Swedish word meaning a citizen representative within government or administrative body

- Confidential
- Active Listener
- Problem Solver
- Empowering
- Guiding
- Investigations
- Rule Compliance
- ORS 182.500 – mandatory report to Governor, obligation to cooperate in good faith



October 2019 Governor's Proclamation of 'Ombuds Day'

GAO history

- **1993** – Governor Roberts appoints Ombuds to assist citizens with state services
- **1993** – Legislature creates the role of Children’s Advocate (SB 1042)
- **1996** – the Children’s Justice Task force advocated for moving Children’s Advocate responsibilities to GAO, completed via interagency agreement.
- **2002-2004** – Customer Service and Discrimination complaint process developed for the agency, overseen by staff in GAO
- **2003** – Legislature permanently moves Children’s Advocate to GAO (HB 2522).
- **2014** – Foster Children’s Bill of Rights created by SB 123, Foster Care Ombuds hired to receive complaints.

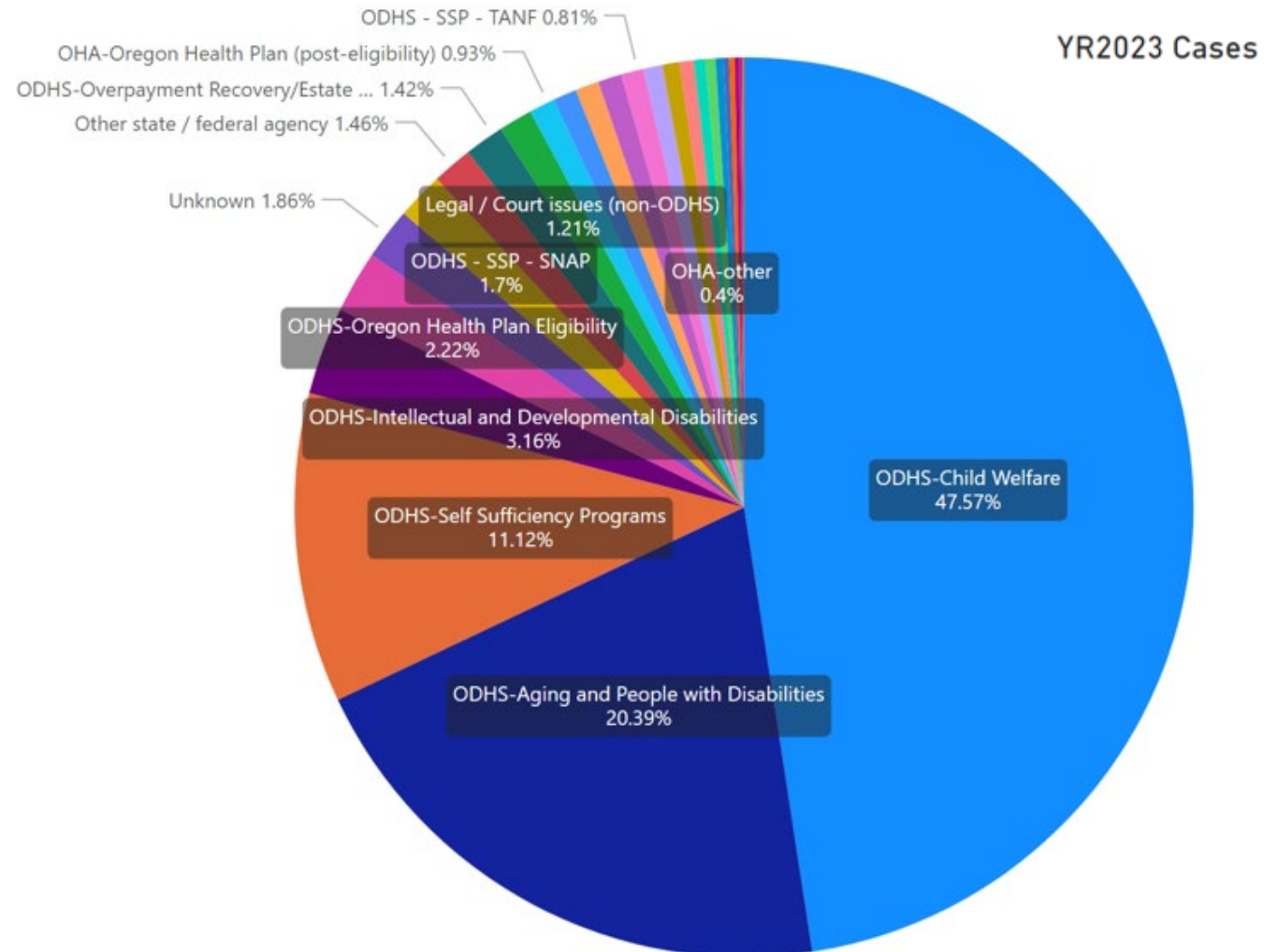
GAO today

The GAO helps affected parties work through questions, concerns or complaints related to ODHS services or departmental action. The office is functionally independent of the programs under its review and reports regularly to the ODHS director and Office of the Governor on the status of the complaints/resolutions.

- GAO has a Director, Formal complaint Coordinator/Civil Rights Investigator, Foster Care Ombuds, and 6 ODHS Ombuds, and a Screener
- ODHS Ombuds respond to complaints and concerns for all ODHS programs, including Child Welfare
- Current GAO team members have broad and diverse professional backgrounds, including ODHS field experience, juvenile justice, victim's advocacy, mental health fields and more.

Activity

- Investigate all ODHS matters on behalf of the Governor's Office and ODHS Director
- Full access to OR-Kids and other ODHS systems
- Open, respond, investigate, track and report out on all complaints
- Regularly meet with ODHS leadership, including Directors of programs and Human Resources

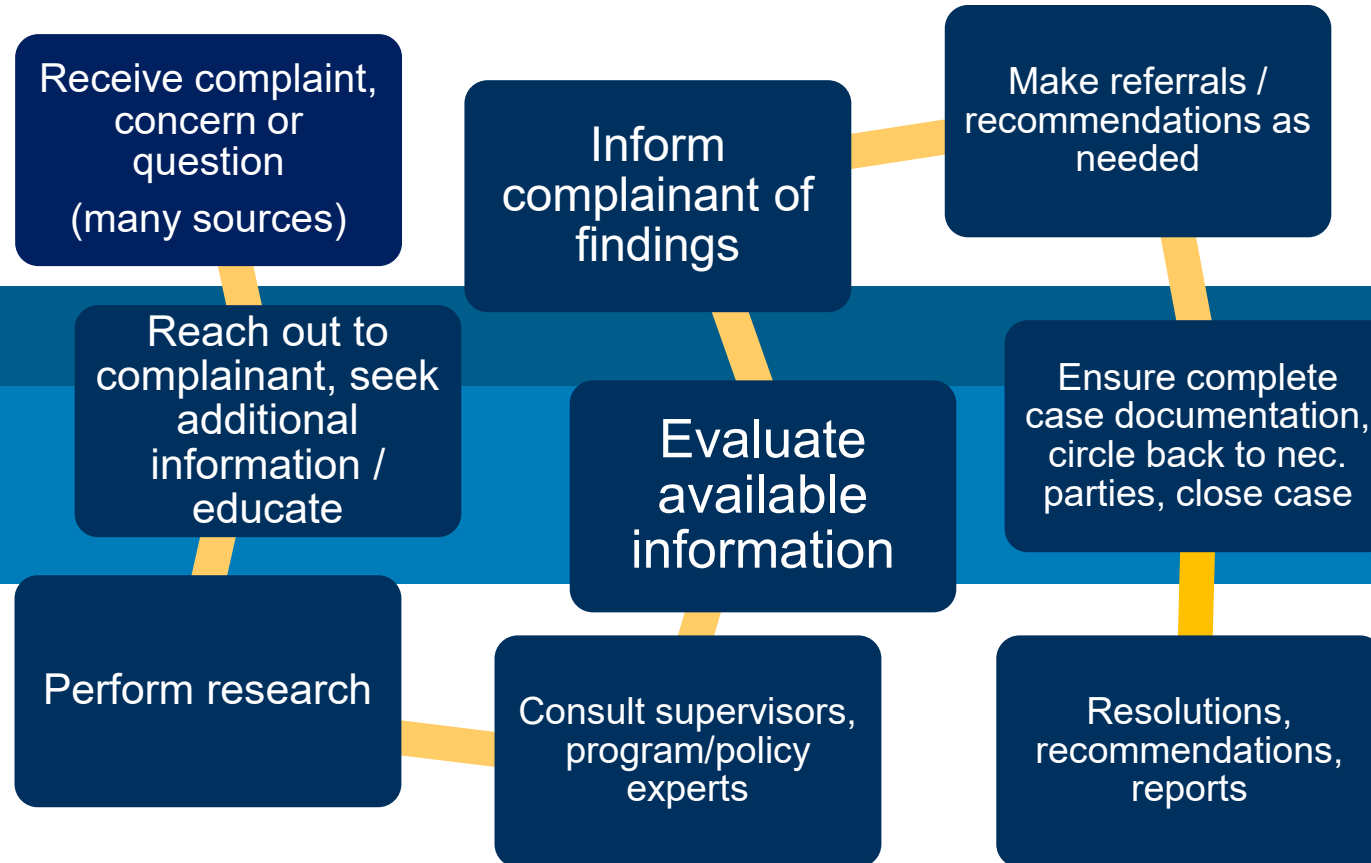


Examples of issues we address

- Concerns, complaints or questions about any ODHS program:
 - Aging and People with Disabilities
 - Child Welfare
 - Office of Developmental Disabilities Services
 - Oregon Eligibility Partnership
 - Self-Sufficiency Programs
 - Vocational Rehabilitation
- Access to ODHS public assistance programs



A 'Typical' GAO Case



Foster Care Ombuds and the Foster Children's Bill of Rights

- Drafted by OFYC with input from 100 foster youth
- SB 123 Created Foster Children Bill of Rights
- Every child in foster care gets a copy
- Provides every teen in care a “how to” packet of information
- Creates a position at the Governor’s Advocacy Office for a Foster Care Ombuds

**OREGON FOSTER CHILDREN'S BILL OF RIGHTS
AS A CHILD OR YOUTH IN FOSTER CARE,
I HAVE THE RIGHT:**

TO HAVE WHAT EVERY CHILD NEEDS:

- * A permanent family
- * A home where I am part of the family and am treated as such
- * Nutritious food that meets my dietary needs
- * Clean and appropriate clothes that fit me and correspond to a gender identity of my choice
- * Safe housing
- * Free access to soap, shampoo, toothpaste and other hygiene needs that are necessary for my gender, age, individual health and ethnic needs
- * A safe and appropriate sleeping arrangement and adequate space for my personal belongings
- * To keep my belongings, including things I buy and gifts I receive, if I have to move
- * Access to a working telephone

TO BE SAFE:

- * To be treated with respect
- * To be appropriately disciplined
- * To be protected from physical, mental, emotional and sexual abuse including exploitation and trafficking
- * To tell my caseworker, judge or the Foster Care Ombudsman when contact with someone is hurtful to me or inappropriate so that I can be protected without fear of retaliation
- * To be free from group punishment

TO SEE AND TALK TO PEOPLE I CARE ABOUT:

- * To visit and communicate with a parent or guardian, siblings, members of my family, and other significant people in my life, knowing that reasonable limits may be set by DHS and the court
- * To visit and communicate with friends and other significant people except when DHS or the court determines that contact may be unsafe or emotionally harmful
- * To participate in age-appropriate activities with my peers, so long as the activity is not restricted by DHS and the court

TO BE HEALTHY:

- * To have routine check-ups to keep me healthy
- * To see a nurse or a doctor if I am sick and request medical attention
- * To have the medical, dental, and mental health care I need with a qualified appropriate provider
- * To be included in discussions and make decisions about my own body and my physical or mental health
- * To have or receive comprehensible information about me and my family's medical history as appropriate and authorized by law

TO LEARN:

- * To be provided with age-appropriate educational opportunities and schooling to prepare me for adult life
- * To have the opportunity to participate in activities that interest me; including sports, art, music or others
- * To receive extra help and tutoring if I am struggling in my school or educational placement
- * To make choices about my classes (electives, advanced placement, or college prep) and schools when the law allows me to
- * To receive age-appropriate information and assistance with enrolling in college or vocational education

TO HAVE MY RIGHTS PROTECTED:

- * To have an attorney if I want one, and to request the judge appoint a CASA to my case
- * To talk to my attorney in private
- * To talk to my CASA in private
- * To be notified of court hearings, reviews by the Citizen Review Board, and what is being decided about me and my family, taking into account my age and developmental stage
- * To be invited to and provided transportation to court, taking into account my age and developmental stage, and to be able to talk to the judge in court about what I want and need
- * To decide whether or not I want my attorney and/or CASA to speak for me
- * To call the Foster Care Ombudsman Office (free from retaliation from my foster parents or anyone else) if my rights are violated or my needs are not being met

TO BE IN A PLACE THAT MEETS MY NEEDS:

- * To be in a foster care placement close to my family so that I can visit and maintain relationships important to me, if it's safe and in my best interest, and as deemed by my case plan, visitation plan, or the court
- * To have reasonable access to my bedroom in the house or residence where I am living
- * To have a curfew and house rules that are clear and fair and to have these explained to me from the beginning

TO MAKE DECISIONS FOR MYSELF:

- * To tell the court where I want to live and whether or not I want to be adopted
- * To receive respect, be nurtured, and attend activities in accordance with my background, religious heritage, race, and culture within reasonable guidelines. To be allowed to dress and groom myself according to my culture, identity and within good hygiene standards for my health
- * To determine and express my gender and sexual identity for myself
- * To make major decisions that affect my life, in accordance with the law, my age and ability

TO BE INFORMED:

- * About financial support available to me, including allowance, obtaining a bank account and getting a job
- * About services and programs within or outside of the Department of Human Services that can provide me with support
- * About where I can go for help
- * About how the child welfare system works
- * About how to access my case records at no charge
- * About documents I will receive upon leaving foster care regarding my education, health and employment such as my birth certificate, Social Security card (or number) driver's license or other form of state photo ID

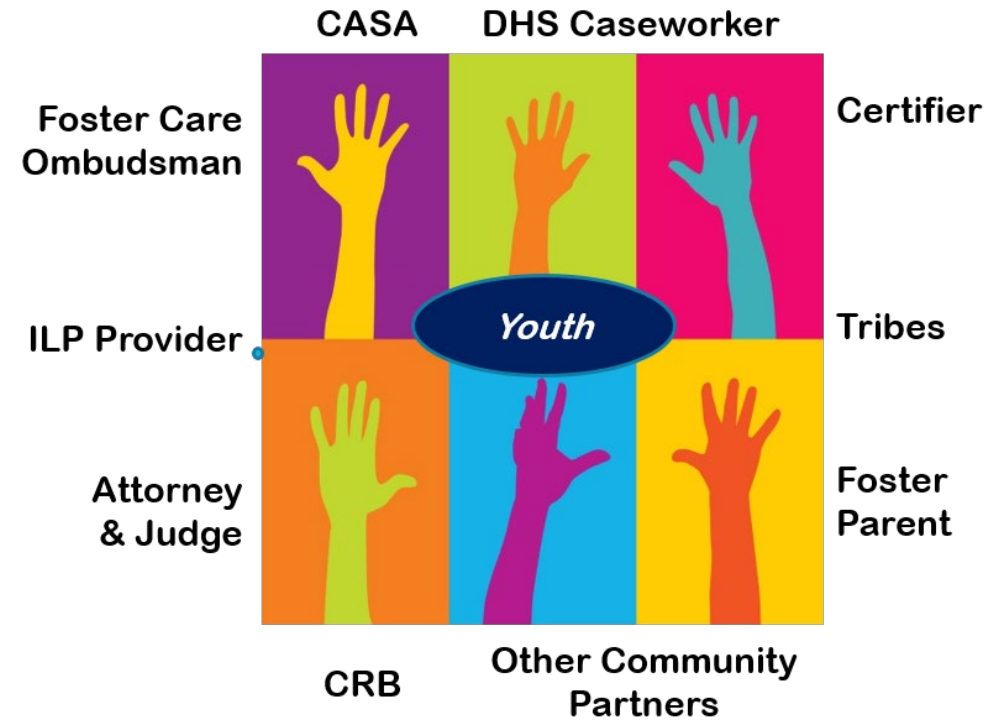
I UNDERSTAND THAT THE RULES IN MY LIFE MAKE RULES AND SET LIMITS TO PROTECT ME AND HELP ME MAKE GOOD DECISIONS. WHEN I NEED TO, I CAN CONTACT MY ATTORNEY OR CASA ADVOCATE TO HELP ME AND TALK TO THEM PRIVATELY. IF I EVER NEED TO DO SO, I CAN CONTACT THE FOSTER CARE OMBUDSMAN AT **WUJUL EMPowerMENT AND SAFETY (W.E.S.) 1-855-9-90-6336 OR **FCO.INFO@OSTATE.OREGON.US** AND TALK TO THEM ABOUT MY PROBLEM.**

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DHS
Oregon Department of Human Services
DHS 901AA (07/2017)

Senate Bill 123 (2013)

- Created ORS 418.200-202 which mandates certain Rights (see attachment) and also the creation of the **Bill of Rights**
- Added “teeth” to existing Rights of Children Policy
- Law went into effect January 1, 2014



Contacting GAO

- Individuals and families may self-refer or be referred from legislators or the Governor's Office.
- People can contact GAO by phone, mail, email or fax and/or download comment and complaint forms from the [GAO web page](#).
- Children and youth in foster care can call the Y.E.S. line at (855) 840-6036 and/or download complaint forms on the [Foster Care Ombuds web page](#).
- Complaint forms can returned by mail, fax, email or in person at any ODHS office.



For more information

- Foster Care Ombuds (FCO) quarterly reports and the Foster Children’s Bill of Rights are available on the **FCO web page:**
www.oregon.gov/odhs/about/Pages/foster-care-ombuds.aspx
- Find GAO quarterly reports and other information on the **GAO web page:**
www.oregon.gov/odhs/about/pages/gao

GAO team

Director, Human Services Ombudsperson

Mo Glenn

ODHS Ombuds Program

Jody Aiello

Sarah Burwell

Martha Gaugh

Mike Hansen

Tamara Hooper

Leslie Sabatini

Foster Care Ombudsperson

Darin Mancuso

Alexis Amorelli

Civil Rights, ADA and Formal Complaint Coordinator

Jason Wenig

Intake and Administrative Support

Wendy Leedle

Questions?
