

Introduction to the Office of the Children's Ombudsman

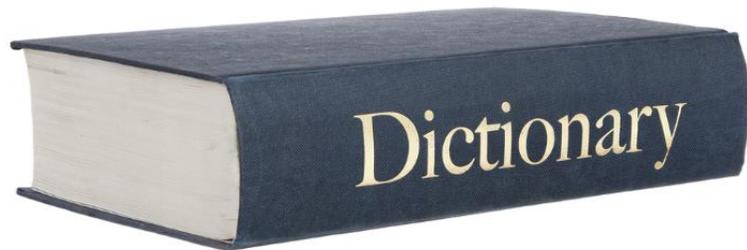
ERIC REYNOLDS, DIRECTOR

What is an “ombudsman?”

Om•buds•man

noun

an official appointed to investigate individuals' complaints against maladministration, especially that of public authorities.



Originates from the Swedish word for “representative” or “agent”

Legislative History

- ▶ Senator John Edwards carried bills supporting the development of the Office of the Children's Ombudsman beginning in 2005.
- ▶ In 2018, the Joint Legislative Audit and Review Commission recommended creating an ombudsman's office to address issues in Virginia's Foster Care System.
- ▶ In 2020, Delegate Chris Hurst was patron for a bill in support of the Office of the Children's Ombudsman. The General Assembly passed the bill and included funding in the budget.
- ▶ In June 2021, Eric Reynolds was appointed as the Office's first Director.



Virginia's Office of the Children's Ombudsman

- ▶ Virginia's OCO was modeled after the Michigan Office of the Children's Ombudsman
- ▶ Housed in the Office of the Governor
- ▶ Policies and Procedures are being finalized

Mission Statement (Va. Code 2.2-439)

The OCO was created:

- ▶ as a means of effecting changes in policy, procedure, and legislation;
- ▶ educating the public;
- ▶ investigating and reviewing actions of the Department, local departments, child-placing agencies, or child-caring institutions;
- ▶ and monitoring and ensuring compliance with relevant statutes, rules, and policies

pertaining to child protective services and the placement, supervision, and treatment of, and improvement of delivery of care to, children in foster care and adoptive homes.

Investigating and reviewing actions of VDSS, LDSS, child-placing agencies or child-caring institutions



- ▶ Receiving complaints
- ▶ Determining appropriate response
- ▶ Providing Information
- ▶ Referrals
- ▶ Inquiries
- ▶ Investigations and Interventions

What can we investigate?

Administrative Acts of VDSS, LDSS, and LCPAs that are:

- Contrary to law, rule, or policy
- Imposed without an adequate statement of reason
- Based on irrelevant, immaterial, or erroneous grounds

Alleged violation of the rights of a foster parent

Certain child fatalities

Administrative Act (Va. Code § 2.2-438)

“includes an action, omission, decision, recommendation, practice, or other procedure of the Department, a local department, an adoption attorney, or a child-placing agency with respect to a particular child related to adoption, foster care, or protective services.”

Child Fatalities

Child fatalities that occurred or are alleged to have occurred due to child abuse or neglect in the following situations:

- Active CPS investigation or open services case; or a CPS complaint w/in the preceding 12 months
- Child died while in foster care, unless the death resulted from natural causes and there were no prior CPS or licensing complaints concerning the foster home
- Child was returned home from foster care and there is an active foster care case
- A foster care case was closed within the preceding 24 months

Monitoring and ensuring compliance with relevant statutes, rules and policies

- ▶ Results and conclusions from investigations, interventions, and identification of practices engaged by a LDSS or multiple LDSS that are contrary to law or policy
- ▶ Engagement of VDSS and local governing bodies, licensing bodies (child-placing agencies or child-caring institutions) to resolve issues
- ▶ Publication of written reports
- ▶ Problem-solving



Effecting changes in policy, procedure and legislation

- ▶ Identification of systemic issues that can be resolved by a change in policy
- ▶ Participation in meetings of child welfare communities, groups, councils, workgroups, and advisory boards
- ▶ Legislative Advocacy