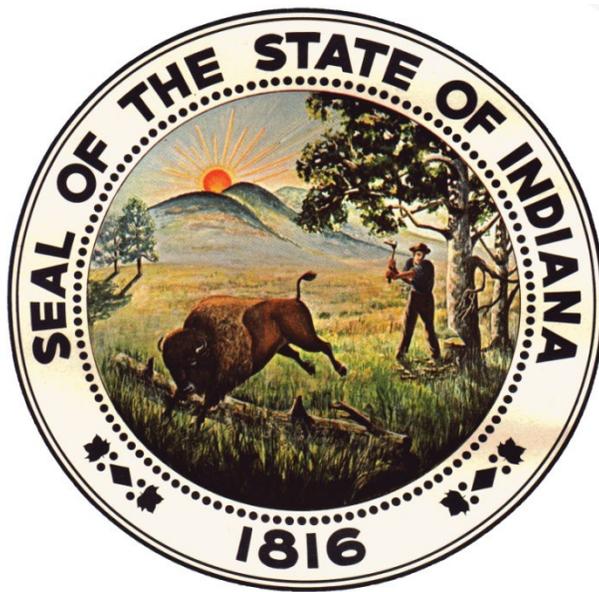


State of Indiana

**Department of Child Services
Ombudsman Bureau**



2023 Annual Report



Mission

The DCS Ombudsman Bureau effectively responds to complaints concerning DCS actions or omissions by providing problem resolution services and independent case reviews. The Bureau also provides recommendations to improve DCS service delivery and promote public confidence.

Guiding Principles

- A healthy family and supportive community serve the best interest of every child.
- Independence and impartiality characterize all Bureau practices and procedures.
- All Bureau operations reflect respect for parents' interest in being good parents and DCS professionals' interest in implementing best practice.



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STATE OF INDIANA

Eric J. Holcomb, Governor

DEPARTMENT OF ADMINISTRATION
Department of Child Services Ombudsman Bureau

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Indianapolis, IN 46204
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February 26, 2024

The Honorable Eric J. Holcomb, Governor
The Honorable Speaker and President Pro Tempore
Dr. Rebecca Holwerda, Commissioner, Indiana Department of Administration
Eric Miller, Director, Indiana Department of Child Services

I am honored to fulfill my statutory responsibility as the Director of the Department of Child Services Ombudsman Bureau, presenting to you the 2023 Annual Report for the Indiana Department of Child Services Ombudsman Bureau.

This report encapsulates the activities undertaken by our office from January 1, 2023, to December 31, 2023. It offers insights into the program administration, case activity, and outcomes. Furthermore, it includes an analysis of the complaints received, recommendations provided to the Department of Child Services, and the subsequent responses from the agency.

I wish to extend my sincere gratitude for the unwavering leadership and support of Governor Holcomb, Director Miller, Commissioner Holwerda, and the members of the Indiana State Legislature. It is indeed a privilege to serve in a state that prioritizes the welfare of its constituents.

My appreciation also extends to the dedicated staff of the Department of Child Services. Their relentless commitment to advancing the mission of their own agency, as well as supporting the mission of the Department of Child Services Ombudsman Bureau in 2023, is admirable.

The children and families in Indiana continue to face tremendous challenges and it is imperative to acknowledge the resilience of the children, families, and professionals who serve them within our state. Their dedication is commendable.

Furthermore, I recognize the ongoing challenges pertaining to staff recruitment and retention within DCS, as well as the provision of mental health and addiction services to families. These issues remain at the forefront of our collective efforts as we strive to better our community.

I consider it a privilege to continue serving the citizens of Indiana as the Director of the Department of Child Services Ombudsman Bureau.

Respectfully,

A handwritten signature in cursive script that reads "Shoshanna Everhart".

Shoshanna Everhart, MSW LCSW
Director, DCS Ombudsman Bureau

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Executive Summary

Introduction

Shoshanna Everhart continues as the Director of the DCS Ombudsman Bureau. The bureau has three Assistant Ombudsman, with one being relatively new to the work in 2023. With an experienced staff we can provide quality professional Ombudsman services to our constituents.

The DCS Ombudsman Bureau continued to focus efforts on ensuring the continued stability of the agency's goals of:

- effectively responding to constituent complaints in a timely manner,
- enhancing and developing program practices and guidelines,
- increasing the number of constituent responses, and
- expanding outreach initiatives.

Staffing shortages in the Department of Child Services and provider agencies have been an ongoing challenge. The shortage of qualified staff can impact the quality of services provided to children and families, as well as the workload and stress levels of existing staff. This can lead to burnout and turnover, further exacerbating the problem. It is important to address this issue through recruitment, retention, and support strategies to ensure that children and families receive the care and services they need. DCS has implemented several solutions as they grapple with these issues.

Authority

The Department of Child Services (DCS) Ombudsman Bureau was established in 2009 by the Indiana Legislature to provide DCS oversight. IC 4-13-19 gives the Department of Child Services Ombudsman the authority "to receive, investigate, and attempt to resolve a complaint alleging that the Department of Child Services, by an action or omission occurring on or after January 11, 2005, failed to protect the physical or mental health or safety of any child or failed to follow specific laws, rules, or written policies." The law also provides the DCS Ombudsman Bureau the authority to evaluate the effectiveness of policies and procedures in general and provide recommendations.

Activity Overview

During 2023, the primary activity of the office was to respond to complaints, determine findings, provide case-specific and systemic recommendations, and monitor DCS responses. When case findings were determined to have systemic implications, policies and procedures were reviewed and general recommendations were provided. This year the DCS Ombudsman Bureau responded to 1,727 Information and Referral (I & R) inquiries, conducted 139 Assists, opened 104 Cases, and closed 96 Cases.

Administration

Location: The DCS Ombudsman Bureau is an independent state agency housed in the Indiana Department of Administration (IDOA). IDOA provides office space, furnishings, equipment, and utilities. During 2023 the work was completed by staff working with a hybrid schedule of in-office work and remote work. Staff rotated time in the office to allow for continued workflow, response to constituents in a timely manner, and coordination and supervision. This type of work environment serves our type of work very well, and the Governor allowed for this flexibility.

Staff/Resources: The DCS Ombudsman Bureau consists of the Director and three full-time Assistant Ombudsman (Appendix A – Staff Biographies). Legal consultation is provided as needed by Indiana Department of Administration (IDOA) General Counsel and/or Deputy Attorney General. Technical assistance is provided by the IDOA Management Information Systems Director.

At the beginning of 2022 the DCS Ombudsman Bureau had a resignation of one of the Assistant Ombudsman who had completed her MSW and was hired by a local school corporation. We did not fill that position until August of 2022 as we searched for an appropriate replacement. The Assistant Ombudsman hired has continued to learn and grow in the position, and we appreciate DCS providing training for our employee regarding DCS operations.

Budget: The DCS Ombudsman Bureau was appropriated \$404,715 for the 2022-2023 fiscal year, which is allocated from the general fund. Most of the expenditures are for personnel, with the remainder allocated to supportive services, outreach, and supplies.

Program Development

Policies and Procedures: The *Procedures and Practices Guidelines* for the DCS Ombudsman Bureau is posted on the agency's website. The manual continues to be a viable resource for sharing information regarding the policies and practices of the DCS Ombudsman Bureau. The manual serves as an important mechanism for guiding the operations of the Bureau pursuant to statute (Indiana Code (IC) 4-13-19) and informing constituents of the agency's policies and practices.

Website Enhancements: The DCS Ombudsman Bureau continues to monitor the website to ensure it is functioning properly and the information provided remains relevant to meet the needs of Indiana constituents. The DCS Ombudsman Bureau's information is also linked to the Indiana DCS website (www.dcs.in.gov). An Ombudsman website launched in 2016 by the State of Indiana it provides an additional opportunity for constituents to access ombudsman services and support across the state (www.ombudsman.in.gov). Information regarding the DCS Ombudsman Bureau can be found on this page.

Tracking and Reporting: This office continues to compile quarterly reports to document complaint/case activity each quarter and track responses to recommendations. This information is provided to DCS leadership each quarter. The information from the quarterly reports is used to compile summary information for the Annual Report. The DCS Ombudsman Bureau utilizes an electronic case management and data tracking system to support the agency's continued growth.

Outreach: In an effort to increase public awareness of the office pursuant to IC 4-13-19-5 (a)(5), the DCS Ombudsman Bureau developed several strategies. Educational presentations continue to be available to the public and can be requested via the website, DCS Ombudsman Bureau email, or staff. The DCS Ombudsman Bureau staff continued to be available to present workshops and presentations as requested. Additionally, as a member of the United States Ombudsman Association (USOA), the DCS Ombudsman Bureau participated in national ombudsman best practices member-sponsored surveys/queries and provided a presentation regarding Indiana’s program to the group. The Ombudsman Director is an active member of the USOA and has assisted on national efforts to improve the group.

In 2023 a specific targeted education effort was made to inform school social services personnel across the state about our services. It was coordinated through the Indiana Department of Education and was distributed to all schools.

DCS Ombudsman Bureau brochures and posters are available to all local DCS offices and the public. The DCS Ombudsman Bureau Director serves as a statutory member of Indiana’s Statewide Child Fatality Review Team, a multidisciplinary team charged with reviewing child fatalities. The DCS Ombudsman Bureau will continue to develop strategies designed to reach constituents, specifically those individuals that are least likely to access DCS Ombudsman Bureau services. These include, but are not limited to, parents, grandparents, other relatives, and service providers.

Training: The DCS Ombudsman Bureau continues to participate in educational programs specific to the ombudsman role and child welfare practice. The agency is a member of the United States Ombudsman Association (USOA). The USOA provides opportunity for consultation, support, and education to all members. A DCS Assistant Ombudsman attended the USOA Annual Conference in 2023. Trainings offered through this group are of high quality and staff often participate in these opportunities. Throughout the years the DCS Ombudsman Bureau staff have also participated in trainings at conferences hosted by DCS, Indiana Youth Institute, Indiana Association of Resources and Child Advocacy (IARCA), Indiana Statewide Child Fatality Review Committee, Kids Count Indiana, Resource and Adoptive Parent Training (RAPT) Conferences, Marion County DCS Trauma Informed Care Symposium, and a variety of webinars, books, and articles with information of interest to the agency.

Metrics: The DCS Ombudsman Bureau continues to track the turnaround time for responses to complaints, completions of reviews, and investigations. The metrics indicate the DCS Ombudsman Bureau continues to exceed the goals established for best practice related to response to constituents as defined below.

| Identified Task | Goal | 2021 Metric (Average) | 2022 Metric (Average) | 2023 Metric (Average) |
|--------------------------------------|-------------|------------------------------|------------------------------|------------------------------|
| <i>Days from Inquiry to Response</i> | 1 day | .52 day | .84 day | .69 day |
| <i>Days Case Open</i> | 30-60 days | 24.2 days | 29.8 days | 29.1 days |
| <i>Days Investigation Open</i> | 60-90 days | 56.5 days | 82.5 days | 0 days |

Collaboration with DCS

Communication: The communication between the DCS Ombudsman Bureau (DCSO) and DCS management has primarily been through email as well as an in-person meeting with the new Director, Eric Miller, shortly after he assumed the position. We anticipate being able to continue a positive relationship with DCS and continue the communication, both written and in-person, in 2024. All specific case reviews and/or investigations are initiated by contacting the Local Office Director (LOD), Regional Manager, and/or other involved DCS department(s) who ensures the DCS Ombudsman Bureau is provided all requested information and/or facilitates staff interviews. Requests by DCSO for information in specific cases are responded to within appropriate time frames and the exchanges are respectful and informative.

Information Access: DCS has provided the DCS Ombudsman Bureau with access to all records on the MaGIK Casebook and MaGIK Intake systems, in addition to the DCS reports available on the DCS intranet. The DCS Ombudsman Bureau also reviews case files and interviews DCS staff, as necessary.

Fatalities/Near Fatalities: To ensure this office is aware of child fatalities/near fatalities with DCS history, the DCS Hotline forwards all such reports to the DCS Ombudsman Bureau to track and/or assess for further review. The DCS Ombudsman Bureau no longer participates in the Peer Review process on the cases that meet criteria, as the procedure has changed at DCS. DCS began the process of implementing the Safe Systems Improvement Tool (SSIT) in late 2019 as a means of improving the previous Peer Review process. According to the Praed Foundation, “the SSIT is designed to record the output of the peer review analysis. The purpose of the instrument is to support a culture of safety, improvement, and resilience – looking beyond ‘human error’ and fostering rich understanding of the complex interdependencies and system interactions that often underly common casework problems.” Implementation of the SSIT has significantly changed the involvement of the Ombudsman Bureau in the review of fatalities. We will continue to work with DCS to monitor the SSIT process and determine if our current level of involvement is appropriate.

The DCS Ombudsman Director continues to actively participate on the Indiana Department of Health Statewide Fatality Committee.

Other: The DCS Ombudsman Bureau is unable to draw any conclusions about the general status of children in Indiana pursuant to IC 4-13-19-10(b)(2), as the focus of the Bureau has been on the complaint process. It is noted, however, the Indiana Youth Institute annually publishes Kids Count in Indiana, a profile in child well-being data book, which provides data on the general status of children in Indiana. The current *Kids Count in Indiana Data Book Executive Summary* is available in the office of the DCS Ombudsman Bureau, and the full Indiana Data Book is available at no cost at www.iyi.org/databook.

Complaints

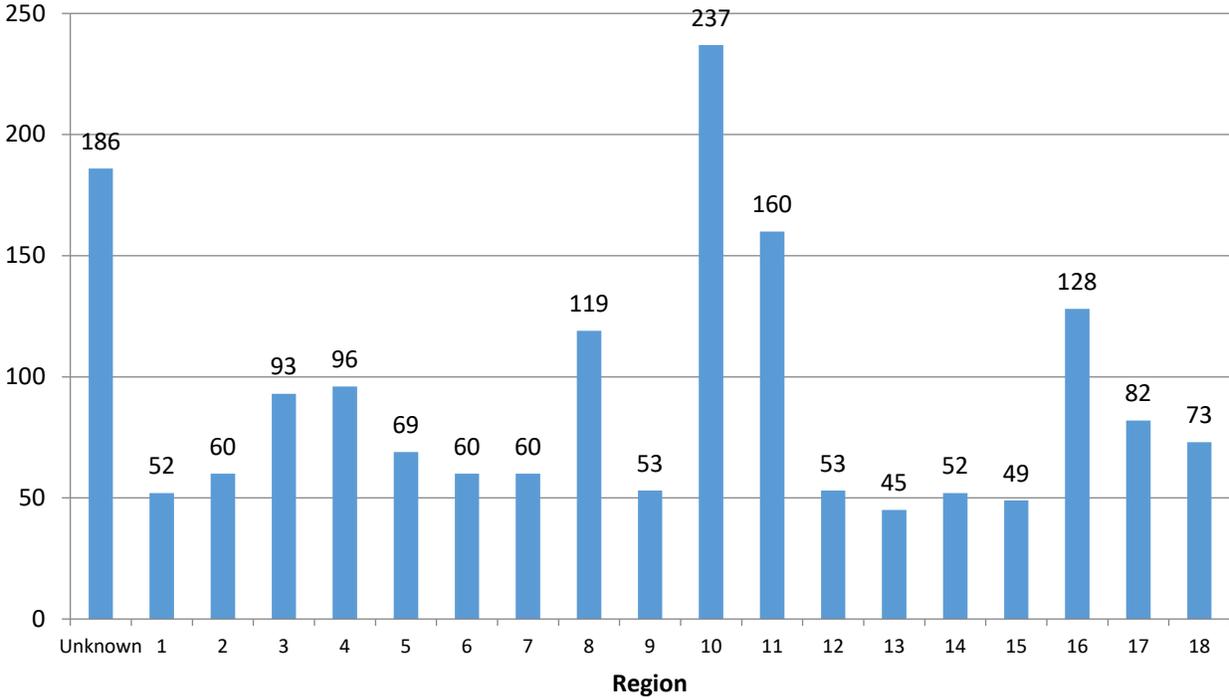
Process Overview

The DCS Ombudsman Bureau receives many telephone and email inquiries that do not result in an open case but require an information and/or referral response. To track this service, pertinent information about the contact is recorded in the Information and Referral (I & R) contact log database. Some inquiries require assistance with a resolution but do not necessitate opening a case file. This level of response is referred to as an Assist; the pertinent information about the Assist is tracked and recorded in the Assist database. A case is opened when a complaint form is received and all required steps have been completed by the complainant. The complainant is notified of the receipt of the complaint, and an intake process is initiated to determine the appropriate response. DCS is notified of the complaint following the intake assessment, after which a variety of responses are possible. The DCS Ombudsman Bureau may initiate an investigation, resolve and/or refer after a thorough review, refer the case back to DCS, refer to Child Protection Team (CPT), file a Child Abuse/Neglect Report, decline to take further action, or close the case if the complainant requests to withdraw the complaint. Following a review, the complainant and DCS are informed in writing as to the outcome. If a case is investigated, a detailed report is completed and forwarded to DCS and the complainant if they are a parent, guardian, custodian, Court, or Court Appointed Special Advocate (CASA)/Guardian ad Litem (GAL). Other complainants receive a general summary of the findings. If a complaint is determined to have merit, recommendations are provided to address the issue, and DCS provides a response to the recommendations within 60 days. The flowchart in Appendix C illustrates this process.

Information and Referral Inquiries (I & R)

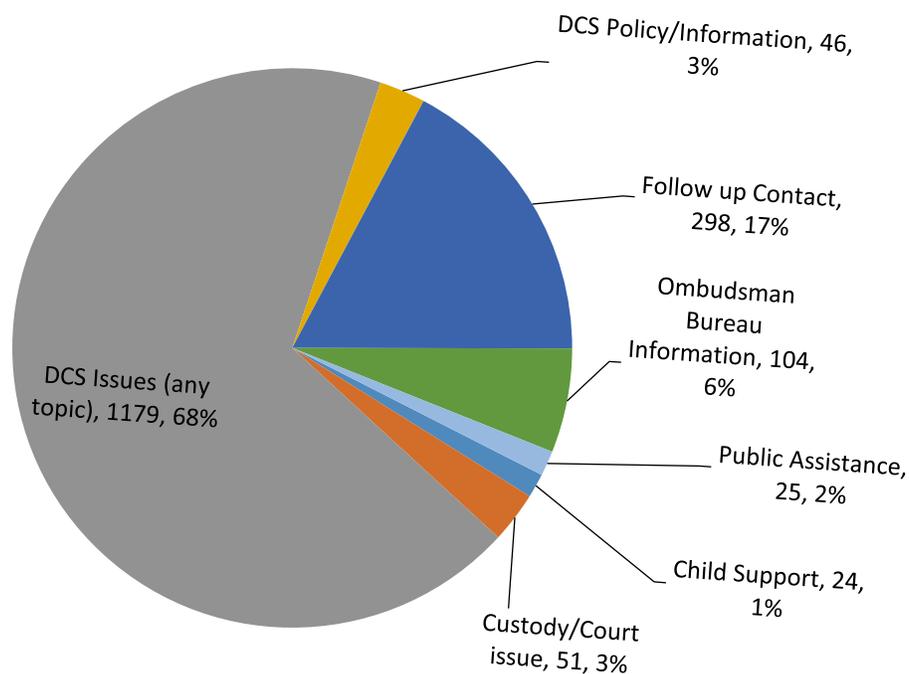
The office received 1,727 I & R Inquiries during 2023, which is an increase of 106 contacts over the 1,621 I & R Inquiries received by the DCS Ombudsman Bureau in 2022. The graphs below illustrate the origin by DCS region and the topics of inquiry.

2023 Information & Referral by Region



2023 Telephone + Email Information & Referral

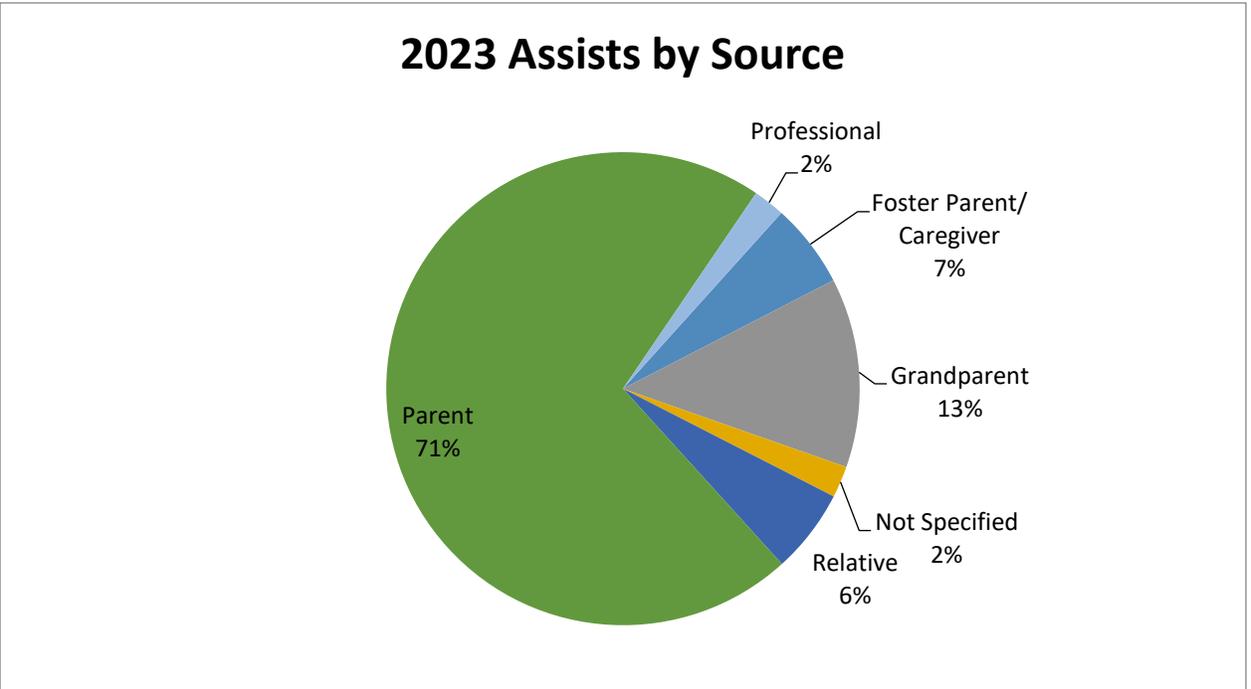
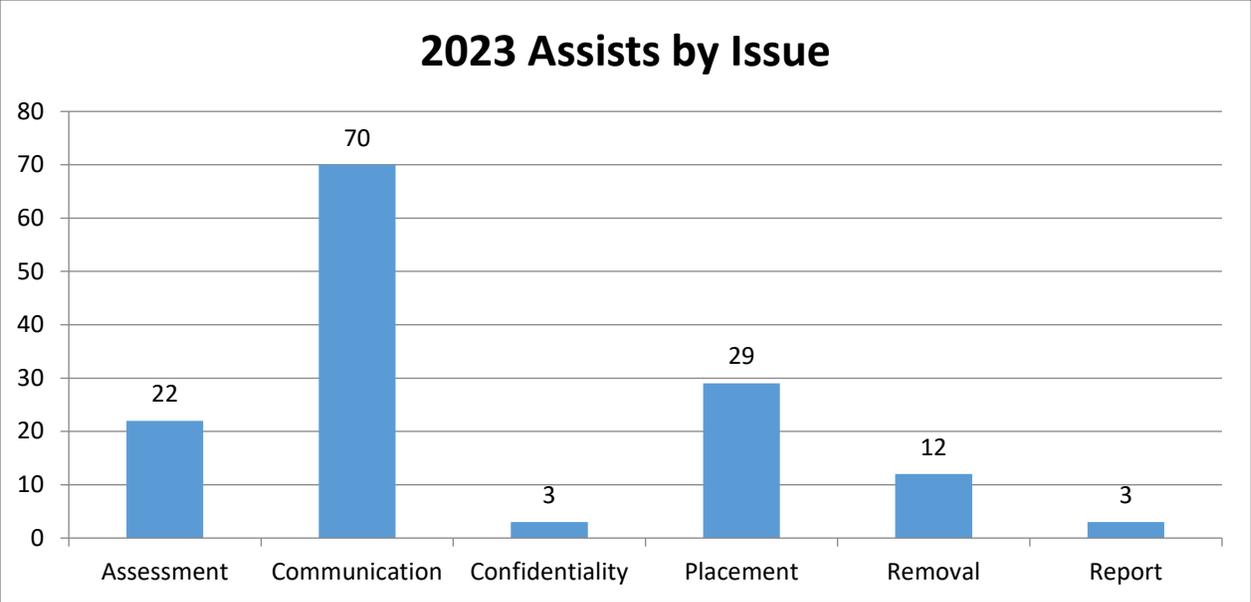
(1,727 Contacts)



The I & R function has proven to be a valued service for constituents. Providing potential complainants with education regarding the DCS process and/or contact information for DCS staff is often the first step to a successful resolution. See Appendix D for a regional map.

Assists

Assists occur when a formal complaint is not necessary but a higher level of involvement than an I & R response is required. Assists are appropriate when communication and/or clarity of specific aspects of a case are the main concerns. The DCS Ombudsman Bureau completed 139 Assists in 2023, a decrease of 19 over the previous year. The use of the Assist category continues to demonstrate that communication between complainants and DCS is key to resolving differences between stakeholders. The following graphs illustrate additional details about the Assists.



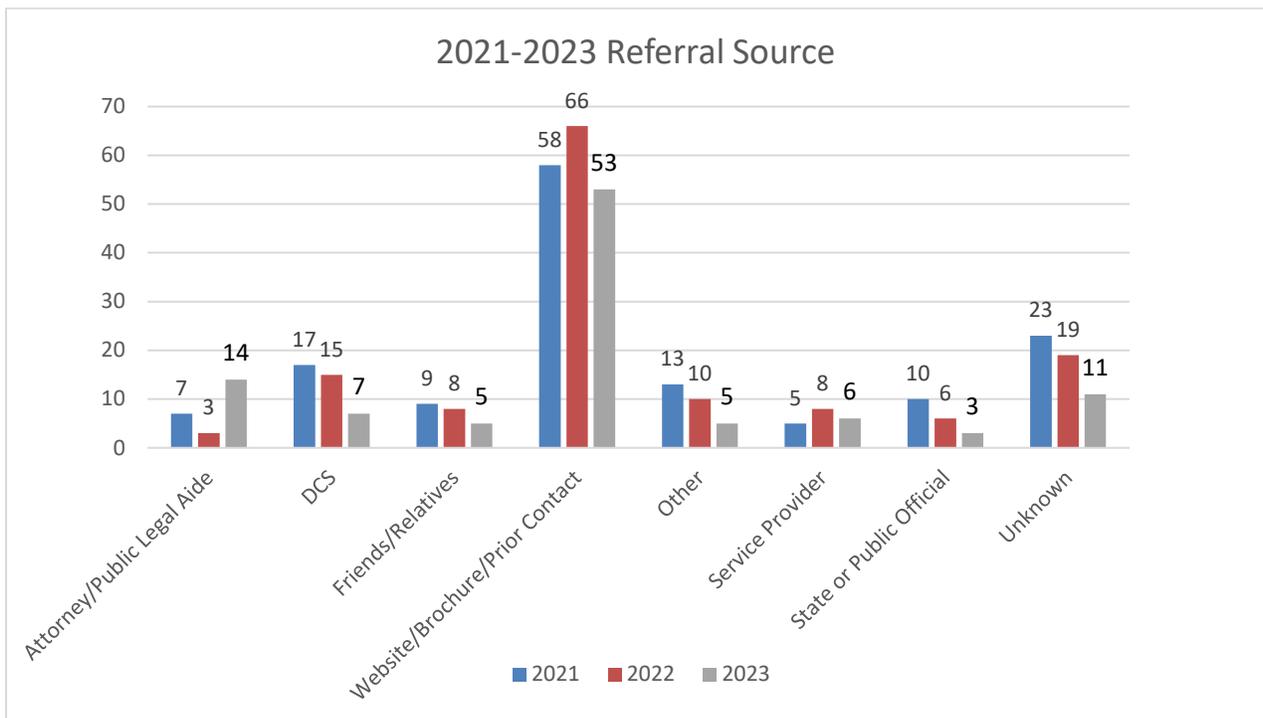
Cases

During 2023, 104 cases were opened and 96 cases were closed. The cases were generated following the receipt of a formal complaint. A total of 96 active cases were reviewed during 2023, which included cases carried over from the last quarter of 2022. The significant number of Assists (139) suggests the DCS Ombudsman Bureau was able to foster greater problem resolution by actively encouraging communication between the DCS local offices and DCS Ombudsman Bureau

complainants at the onset of the inquiries. As a result, DCS Ombudsman Bureau staff were able to actively focus on case reviews and investigations that were more complex in nature. It should also be noted Information and Referrals contacts increased from 1,621 to 1,727 in 2023, and active cases had a slight decrease (135 to 104) in 2023. These differences can be attributed to specific intake procedures that support communication between the complainant and DCS central and local offices for problem resolution before formal complaints are accepted by the DCS Ombudsman Bureau.

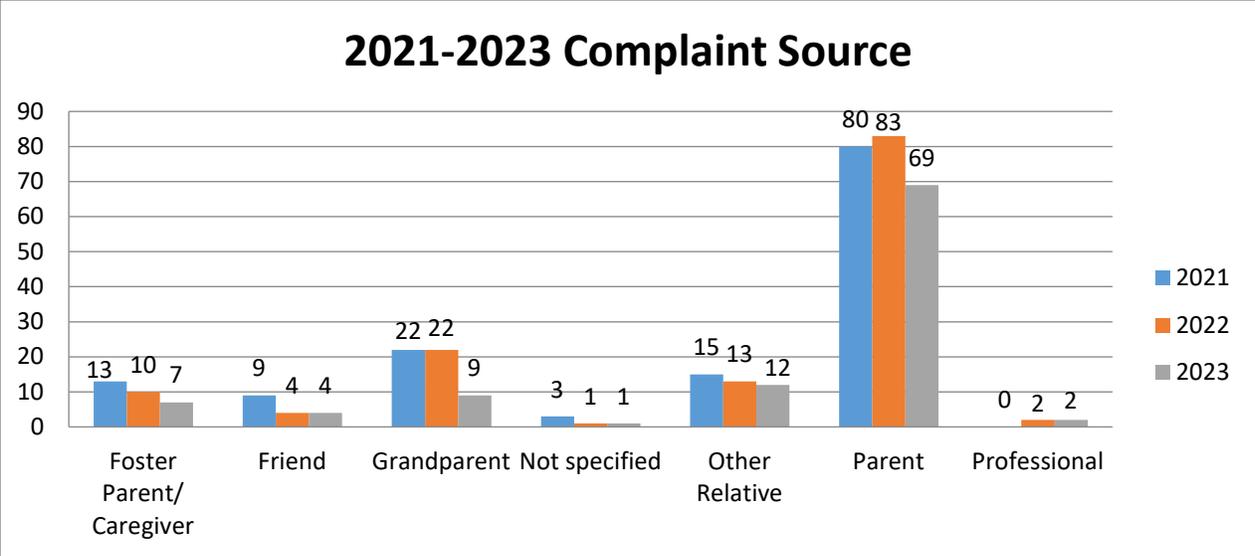
Referral Source

Data suggests *Website/Brochure/Prior Contact* continues to be the largest source of referrals with *Attorney/Public Legal Aide* increasing by 11 points. Other referral sources have remained constant within one to ten points. The *Unknown* category reflects those individuals that chose not to identify a referral source during intake discussions with the DCS Ombudsman Bureau or on complaint forms.



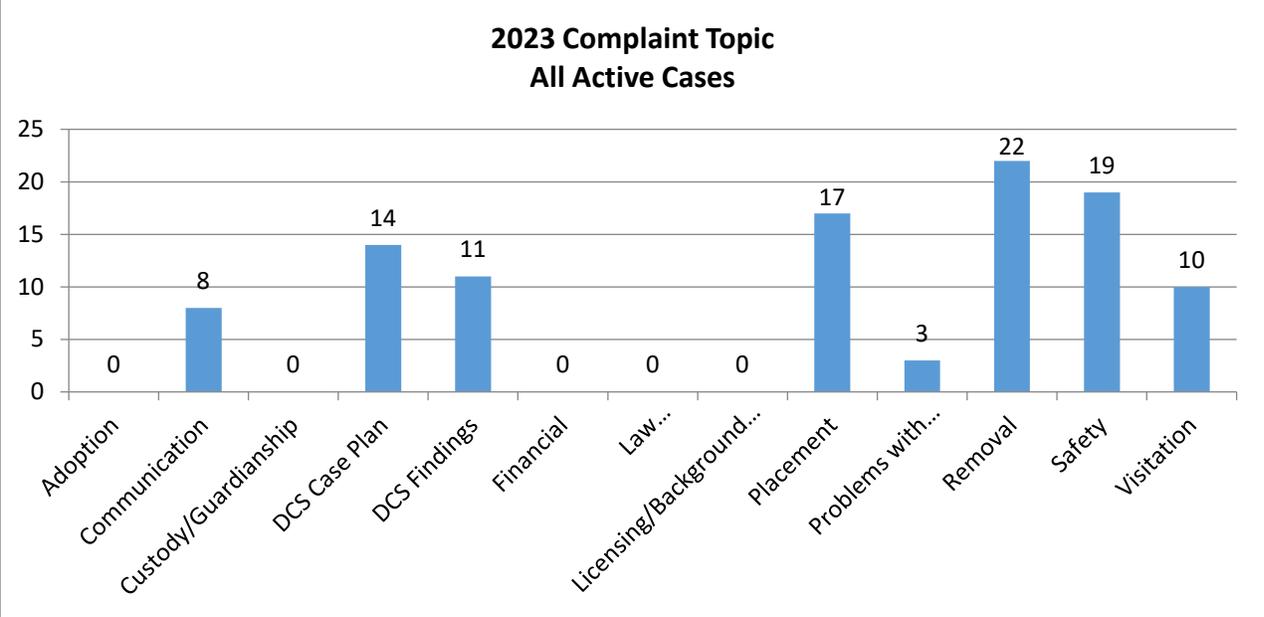
Complaint Source

Except as necessary to investigate and resolve a complaint, the complainant's identity is confidential without the complainant's written consent. The complainant is given the opportunity to provide written consent on the complaint form or indicate consent on the online complaint form. During 2023, parents continued to account for the greatest share of complainants followed by grandparents, other relatives, and foster/adoptive parents.



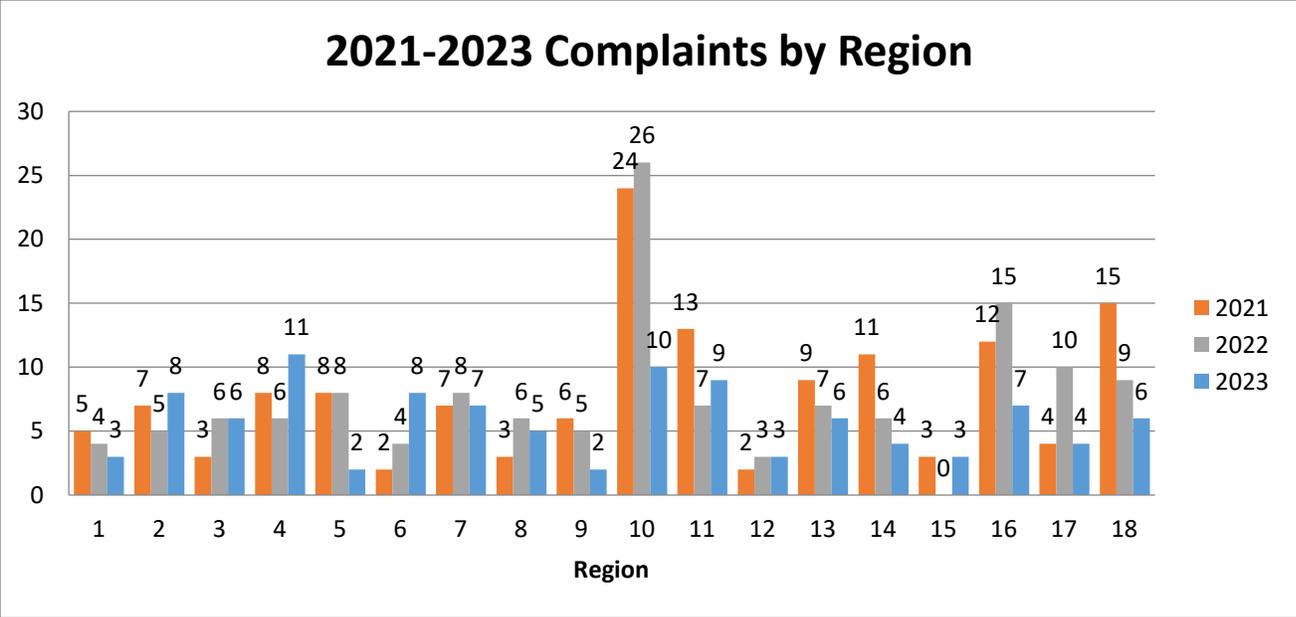
Complaint Topics

During 2023, the four major complaint topics included *Removal*, *Child Safety*, *Placement*, and *Case Plans*. Numbers are illustrated in the 2023 graph below.



Complaints by Region

As DCS is organized in regions, the DCS Ombudsman Bureau tracks contacts and cases accordingly. The graph below illustrates the complaint activity in each of the eighteen regions for 2021-2023.



Response Categories

When a complaint is filed with the office, a case is opened, and a preliminary review is completed to determine the appropriate response. A variety of responses are possible depending on case specifics. Following is a description of each type of response.

Review/Refer or Resolve: This type of response involves a comprehensive review of the case file and documentation provided by the complainant. The local office provides additional documentation requested and responds to questions from the DCS Ombudsman Bureau. Other professionals are contacted for information as needed. While the review is thorough, the focus is on providing a resolution or a strategy that can assist with a resolution. Depending on the circumstances in each case, some cases that are reviewed receive a validity determination and others do not. In either case, the complainant and DCS are notified of the findings in writing. A major portion of the complaints received fall into this category.

Investigate: An investigation also involves a review of the case files and documentation provided by the complainant. As needed, DCS staff involved with the case, in addition to the CASA/GAL and service providers, are interviewed. Case-specific laws, rules, and written policies are researched. Experts are consulted, if needed. Complaints that result in an investigation tend to have multiple allegations with little indication that a resolution is likely. Upon the completion of an investigation, an investigation report is submitted describing in detail the findings of fact regarding each allegation and a determination of the merit of each allegation in the complaint. The report is provided to DCS and the complainant if they are a parent, guardian, custodian, GAL/CASA, or Court. If the complainant is not one of the above, they are provided a summary of the findings in general terms.

Refer Back to the Local DCS: Pursuant to statute, the DCS Ombudsman Bureau requires the complainants attempt to resolve their issues with the local DCS office through the DCS internal complaint process prior to filing a complaint with the DCS Ombudsman Bureau. On occasion, it is

discovered during the intake assessment that the complainant overlooked this step and failed to address his/her concerns with the local office before filing the complaint. These cases are referred to the local office. Appropriate contact information is provided. The complainant may reactivate the complaint if a resolution is not reached.

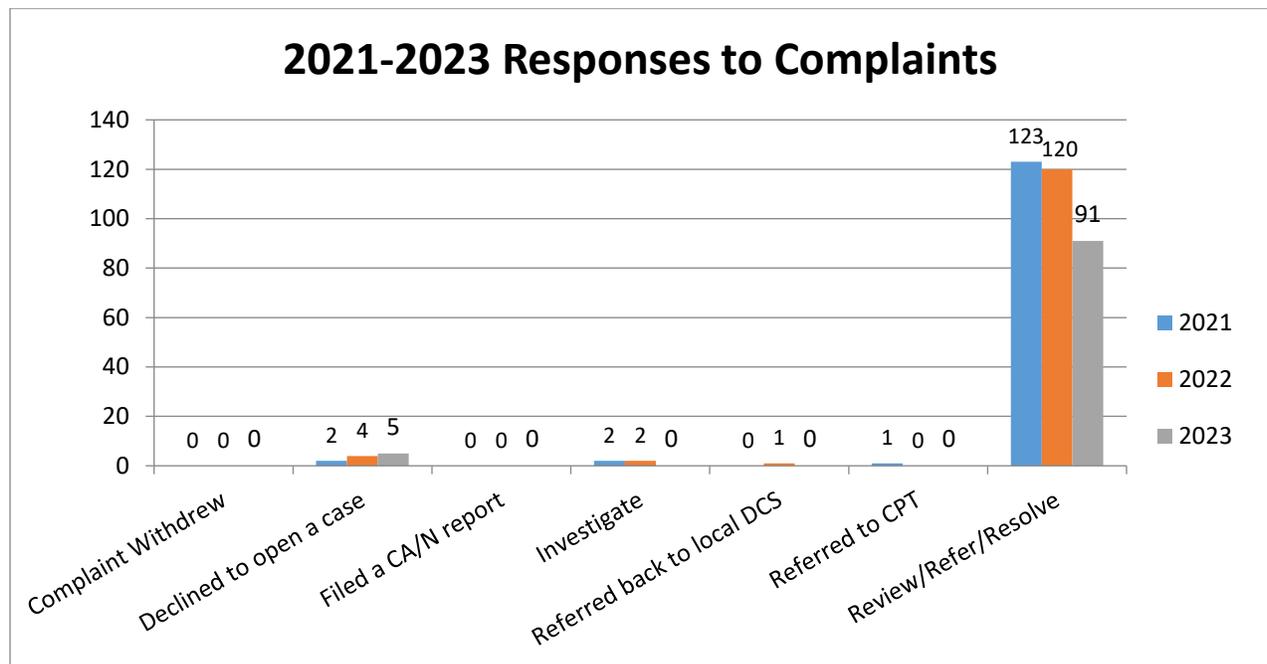
Close Due to Complainant Withdrawal: Some cases have been closed prior to completion because the complainant decides to withdraw the complaint during the process.

Decline: Cases that are not within the Ombudsman’s jurisdiction or do not otherwise meet the criteria established in the procedural manual for screening out will be declined.

Refer to Child Protection Team: The Ombudsman has the option of seeking assistance from the local Child Protection Team and may refer cases to the team for review.

File a Child Abuse Neglect (CA/N) Report: In the event the information disclosed in the complaint to the Ombudsman contains unreported CA/N, a report is made to the child abuse hotline. This is not a frequent occurrence.

The following graph comparison illustrates the frequency of each type of response in 2021-2023.



Complaint Validity

The standard for determining the validity of the complaint is outlined in the statute. If it is determined DCS failed “to protect the physical or mental health or safety of any child or failed to follow specific, laws, rules, or written policies,” a complaint is considered valid. All investigations generate a validity finding, but all reviewed cases do not – depending on the specific case circumstances. When determining the merit of a complaint, the following designations are applied.

Merit: When the primary allegation in the complaint is determined to be valid following a review or an investigation, the complaint is said to have merit.

Non-Merit: When the primary allegation in the complaint is determined not to be valid following a review or investigation, the complaint is said not to have merit.

Both Merit and Non-Merit: When there are multiple allegations, each allegation is given a separate finding. This designation is applied when some allegations have merit and others do not.

Not Applicable (NA): Some cases that are opened for a review reach closure without receiving a validity determination. In these instances, the findings fall into one of the categories below.

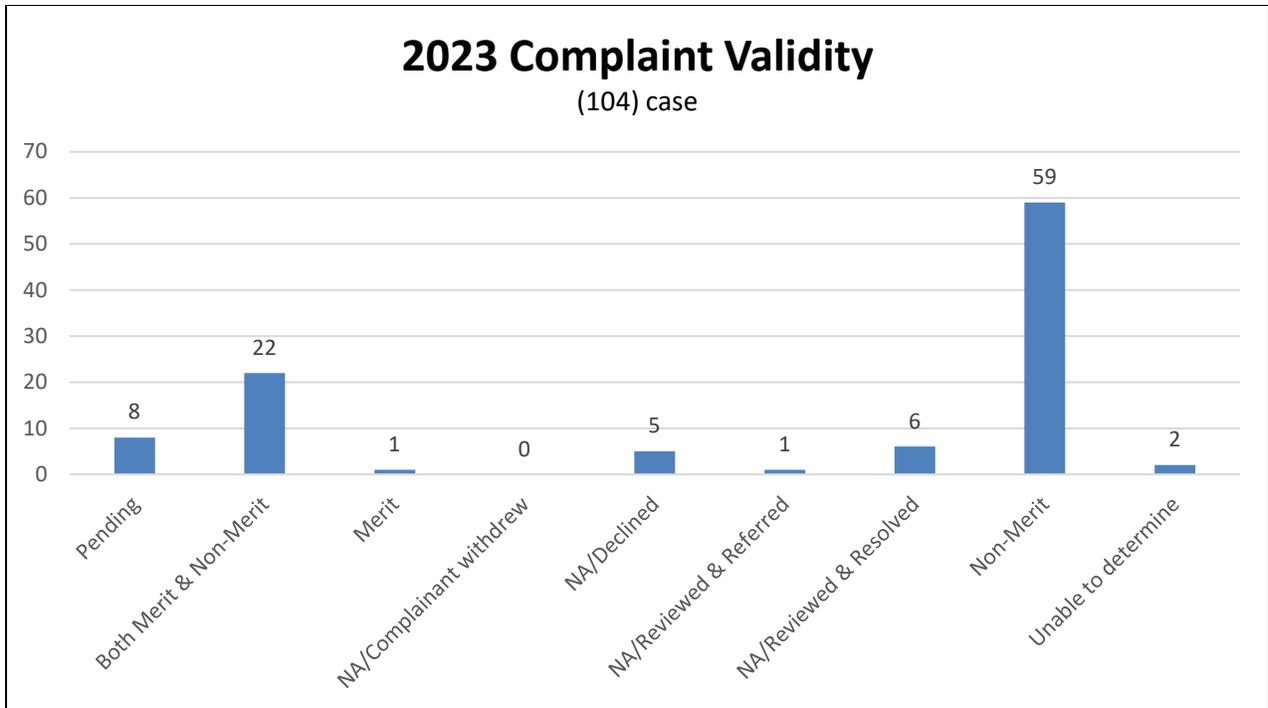
- NA/Complainant Withdrew
- NA/Case Declined
- NA/Reviewed & Referred
- NA/Reviewed & Resolved

Unable to Determine: Occasionally the information uncovered is so conflicting and/or the unavailability of significant documentation renders it impossible to determine a finding.

Peer Review: When the Ombudsman participates in a collaborative review with DCS, a case is opened to reflect that a review is occurring. However, the peer reviews do not receive a validity determination, and the results of the review are internal and deliberative.

Outcomes

During 2023, validity designations were determined in 96 cases. Of these cases 1 was found to have merit, 22 had allegations that were both merit and non-merit, and 59 were determined not to have merit. The remaining 14 cases fell into other categories. Eight cases were pending determination at year end. Based on this information, it can be generalized most of the cases (non-merit) that come to the attention of the DCS Ombudsman Bureau are most appropriately managed by completing a thorough review for the purposes of facilitating a resolution or providing a resolution strategy. For these reasons it would be counterproductive to issue a finding. On the other hand, some reviews, and all investigations, involve the depth of analysis that result in detailed findings that generate case-specific and, at times, systemic recommendations (merit). The following graph provides an illustration of the validity outcomes for 2023.



DCS Ombudsman Bureau Recommendations and DCS Responses

During 2023, the DCS Ombudsman Bureau offered case-specific recommendations on 23 cases following a review or an investigation. Pursuant to IC 4-13-19-5(f), “If after reviewing a complaint or conducting an investigation, and considering the response of an agency, facility, or program and any other pertinent material, the office of the Department of Child Services Ombudsman determines that the complaint has merit or the investigation reveals a problem, the Ombudsman may recommend that the agency, facility, or program:

- (1) consider the matter further;
- (2) modify or cancel its actions;
- (3) alter a rule, order, DCS policy or internal policy; or
- (4) explain more fully the action in question.”

DCS is required to respond to the recommendations within a reasonable time, and the DCS Ombudsman Bureau has established sixty days for the response timeframe. The following case examples include a sample of case reviews and investigations completed in 2023 in which the allegations were determined to have merit or both merit and non-merit; DCS Ombudsman recommendations and DCS responses are also included.

CASE-SPECIFIC RECOMMENDATIONS

These examples are provided to depict the wide range of issues brought to the attention of the DCS Ombudsman Bureau and the types of recommendations offered. ***The DCS Ombudsman Bureau affirms the actions of DCS in most cases reviewed, and it is important to maintain this perspective when reviewing cases in which concerns are identified.***

Case Review 2022-13512

Region 13/Monroe County – Placement/Sibling Visits

The complainant alleged DCS violated policy by failing to contact the child's siblings when the child was removed for the purpose of establishing sibling visits. The complainant states that once the half-siblings' adoptive family became aware, six months post-removal, DCS set up visits but refused to allow weekly visits, despite *Indiana Child Welfare Policy Chapter 8 Section 12: Developing the Visitation Plan*. Complainant asserts that DCS is not considering the adoptive parents of the child's half-sibling for placement and permanency. The complainant says the child, age 3, is placed with their great-grandmother, who has filed for guardianship. The complainant feels that placement with the adoptive parents would be in the child's best interest, as they are more physically able to care for the child long-term and this would allow siblings to be placed together.

Findings: Merit was found to the allegation DCS did not contact the caregivers of the child's siblings to establish sibling contact when this child was removed. The allegation DCS is refusing to allow the children weekly visits in accordance with *Indiana Child Welfare Policy Chapter 8 Section 12: Developing the Visitation Plan* was found to be without merit, as the applicable policy only requires sibling visits on a "regular basis." Monthly visits qualify as being on a regular basis. The allegation that DCS is refusing to consider the half-sibling's adoptive family for placement is unresolved. The half-sibling's adoptive family is not kin to this child, and the child has many paternal relatives that have volunteered to care for this child. The child is safe with the great-grandmother, and no safety concerns have been raised. It is not up to the DCS Ombudsman Bureau to determine the best interest of the child, as this is determined by the Court.

Recommendation: It was recommended the Local Office reach out to the other caregivers of the child's half-siblings to establish sibling visits for the child with all their siblings.

DCS Response: The Regional Manager stated DCS already reached out to the caregivers of the other half-siblings during a previous case, though it was not well documented.

Case Review 2022-14811

Region 3/St. Joseph County – Interviews/Safety

The complainant alleged DCS failed to properly assess the allegations of physical abuse. The complainant alleged the children were coached by the mother.

Findings: Merit was found to the concern the contacts with the Report Source were not documented in the case management system. Per the Local Office, the FCM spoke with the Report Source twice; however, these contacts are not documented pursuant to *Indiana Child Welfare Policy Chapter 4 Section 4: Required Interviews*. Per *Indiana Child Welfare Policy Chapter 4 Section 4: Required Interviews*, “Once the interviews are completed, the FCM will: 1. Document each interview in the case management system....”

No merit was found to the allegation DCS failed to properly assess allegations of physical abuse and the children were coached by the mother. Per case documentation and the Local Office, the children were interviewed pursuant to *Indiana Child Welfare Policy Chapter 4 Section 9: Interviewing Children*. The children were interviewed without their mother present. Per case documentation, the children did not state they felt unsafe and did not disclose any physical abuse occurring in the home. There were also no visible injuries or bruises, and the report was made approximately one month after the alleged incident occurred.

Recommendation: It was recommended the Local Office review *Indiana Child Welfare Policy Chapter 4 Section 4: Required Interviews* to ensure this policy is understood and implemented by FCMs and FCMS alike.

DCS Response: The Regional Manager reported *Chapter 4 Section 4: Required Interviews* was discussed during an all-staff meeting. The policy was also discussed during staffing huddles.

Case Review 2022-14813

Region 10/Marion County North – Interviews/Safety

The complainant alleged DCS failed to contact local Law Enforcement Agency (LEA) regarding prior contacts at the home. The complainant alleged DCS failed to properly assess the allegations of physical abuse. The complainant alleged DCS failed to complete a Safety Plan. The complainant alleged DCS failed to assess the home. The complainant alleged DCS failed to provide a Report of Assessment to the administrator of the facility that made the report to the hotline. The complainant alleged DCS failed to complete the Initial Family Risk Assessment.

Findings: Merit was found to the allegation DCS failed to contact the local Law Enforcement Agency to determine if the family has had previous incidents of DV and/or police runs to the home for violence pursuant to *Indiana Child Welfare Policy Chapter 4 Section 2: Preparing for the Assessment*. Per the Local Office, the FCM did not request reports of police runs to the home/address.

Merit was found to the allegation DCS failed to photograph the child pursuant to *Indiana Child Welfare Policy Chapter 4 Section 3: Conducting the Assessment – Overview*. DCS did not attempt to take a photo of the child as the focus was on the minor’s child. Pursuant to ICWP 4.3, “The Family Case Manager (FCM) will: 11. Visually examine the alleged child victim, as necessary, to confirm alleged or suspected bodily injuries.... Ask the parent, guardian, or custodian to sign the Release for

Use of Photographs form, and if the signature is obtained, take photographs of all children in the home...”

No merit was found to the allegation DCS failed to complete a Safety Plan. Per case documentation in the case management system a Safety Plan was created pursuant to *Indiana Child Welfare Policy Chapter 4 Section 19: Safety Planning*.

No merit was found to the allegation DCS failed to assess the home. Per documentation in the case management system, there are pictures of the home and the relative’s home pursuant to *Indiana Child Welfare Policy Chapter 4 Section 13: Assessing Home Conditions*.

No merit was found to the allegation DCS failed to provide a Report of Assessment to the administrator of the facility. The Healthy Families Agency is not a required recipient of the report pursuant to *Indiana Child Welfare Policy Chapter 4 Section 21: 45 Day Report of Assessment*.

No merit was found to the allegation regarding an Initial Family Risk Assessment being completed as this risk assessment was not required due to a finding of “unsubstantiated.” However, an Initial Safety Assessment was completed pursuant to *Indiana Child Welfare Policy Chapter 4 Section 18: Initial Safety Assessment*.

Recommendation: It was recommended the Local Office review *Indiana Child Welfare Policy Chapter 4 Section 2: Preparing for the Assessment* and *Indiana Child Welfare Policy Chapter 4 Section 3: Conducting the Assessment – Overview* to ensure these policies are understood and implemented by FCMs and FCMS alike.

DCS Response: The LOD reported the policies were reviewed by all staff.

Case Review 2023-15090

Region 16/Vanderburgh – Services/Placement

The complainant alleged DCS has placed the child in a foster family home against their wishes. The complainant alleged DCS failed to schedule sibling visits. The complainant alleged DCS failed to make a referral for Parent-Child Interaction Therapy.

Findings: No merit was found to the allegation regarding the child’s placement. The child’s placement was in accordance with *Indiana Child Welfare Policy Chapter 8 Section 1: Selecting a Placement Option*. The child’s placement has been/continues to be in accordance with the Court Order. Per case documentation, the child is well adjusted in the home, bonded with the parents, and safety continues to be ensured.

Merit was found to the allegation DCS failed to schedule or consider visitation with siblings. There is also no documentation in the case management system regarding DCS considering and/or denying visitation between the two siblings pursuant to *Indiana Child Welfare Policy Chapter 5*

Section 2: Gathering Case Information. Per the Local Office, one sibling's father is unwilling to allow visits between the children.

No merit was found to the allegation DCS has failed to make a referral for Parent-Child Therapy (PICT). Per the Local Office and case documentation, PICT was not recommended by the child's therapist, and shortly thereafter visitation was ordered to stop. Per case documentation, placement reported the behaviors of the child had almost completely stopped since visitation ended.

Recommendation: It was recommended the Local Office review *Indiana Child Welfare Policy Chapter 5 Section 2: Gathering Case Information* to ensure this policy is understood and implemented by FCMs and FCMS alike.

DCS Response: The LOD reported *Indiana Child Welfare Policy Chapter 5 Section 2: Gathering Case Information* was reviewed with all staff. The county management team has discussed the need to document conversations and efforts to accommodate sibling visits and ensure the discussion is had within the case management system.

Case Review 2023-15139

Region 11/Madison – Services/DCS Case Plan

The complainant alleged DCS has failed to refer the child to therapy. The complainant alleged DCS failed to provide the father with services. The complainant alleged DCS has failed to share the child's IEP with the father.

Findings: No merit was found to the allegation DCS has failed to refer the child to therapy. The child was receiving therapy through the school until a recent referral to Aspire was made and approved. Per case documentation, the child started therapy at the school shortly after the IEP was established. The child has completed the intake with Aspire.

Merit was found to the concern DCS did not receive the reports from the school therapist pursuant to *Indiana Child Welfare Policy Chapter 5 Section 10: Family Services*. Pursuant to ICWP 5.10, "The FCM will: 10. Monitor the family's progress by: a. Maintaining regular contact with service providers to assess the family's level of participation in services." Per the Local Office, they had not received any reports from the child's therapist. Upon review, this office was unable to locate any notes specific to the child's progress or FCM's communication with the therapist regarding the therapy service.

No merit was found to the allegation the father has not been provided with services. The father has been referred to services pursuant to *Indiana Child Welfare Policy Chapter 5 Section 10: Family Services*. Per case documentation, service providers have had trouble communicating with the father and getting services scheduled. Services have also been discussed during the CFTMs.

Referrals were made for Fatherhood Engagement and Home Based in October, Aspire Counseling in December; drug screening referrals have been completed several times.

No merit was found to the allegation DCS has failed to share the child's IEP with the parent as the plan was shared with the resource parents and discussed during CFTMs pursuant to *Indiana Child Welfare Policy Chapter 8 Section 21: Special Education Services*. The concern to include the father has been discussed during the CFTMs in December and February.

Recommendation: It was recommended the Local Office review *Indiana Child Welfare Policy Chapter 5 Section 10: Family Services* to ensure this policy is understood and implemented by FCMs and FCMS alike and obtain and upload the reports into the case management system.

DCS Response: The LOD reported *Indiana Child Welfare Policy Chapter 5 Section 10: Family Services* was reviewed with all staff. The therapy reports have been requested through the records department and followed up on with staff.

Case Review 2023-15331

Region 7/Delaware – Services/Placement

The complainant alleged DCS has failed to randomly drug screen the mother. The complainant alleged DCS is allowing the mother to care for the child while the maternal grandmother is not home. The complainant alleged the child is not participating in First Steps as recommended.

Findings: No merit was found to the allegation DCS failed to randomly drug screen the mother. Per case documentation and court documentation, the mother is receiving drug screenings pursuant to *Indiana Child Welfare Policy Chapter 5 Section 20: Drug Screening in Permanency Case Management*. The mother has also started participating in Family Recovery Court through the CHINS Case.

No merit was found to the allegation regarding the mother caring for the child while the maternal grandmother is not home or sleeping. Per the Regional Manager (RM) and court documentation, the Court ordered the child may start a Trial Home Visit. The Safety Plan dated in December also allows for the mother to have unsupervised time while the maternal grandmother is working.

Merit was found to the concern the child's First Steps reports are not documented in the case management system pursuant to *Indiana Child Welfare Policy Chapter 5 Section 2: Gathering Case Information*. Pursuant to the *Indiana Child Welfare Policy Chapter 5 Section 2: Gathering Case Information*, "The Family Case Manager (FCM) will: 3. Record all pertinent contacts and information gathered pertaining to the assessment and case in the case management system within three (3) business days of the contact or receipt of the information."

Merit was found to the concern the Trial Home Visit was not appropriately documented in the case management system. Per the RM, the child was technically on a THV. The child's placement location

did not show they were on a Trial Home Visit. Per case documentation, a note regarding the Permanency Hearing has been added in the court section to state “the child shall be able to start a THV with the mother” along with the Permanency Order. The face-to-face contact notes also do not mention the child being on a THV.

Merit was found to the concern face-to-face contacts have not been recorded in the case management system within three business days of the contact. Per case documentation, a face-to-face contact occurred, but was not recorded until 20 days later, and another face-to-face contact occurred , was not recorded until a week later. It is understood that staff are very busy with multiple cases. Many people are involved in this case, and it is helpful for those not directly involved to be able to timely see what has occurred.

Recommendation: It was recommended the Local Office obtain and upload the reports into the case management system. It was recommended the Local Office update the placement location to reflect the Trial Home Visit status. It was recommended the Local Office review *Indiana Child Welfare Policy Chapter 7 Section 3: Minimum Contact for Children at Imminent Risk of Removal* and *Indiana Child Welfare Policy Chapter 8 Section 10: Minimum Contact* to ensure these policies are understood and implemented by FCMs and FCMS alike.

DCS Response: The documents regarding First Steps were added to the case management system. The child’s placement was updated to reflect the THV. The RM reported the requested policies were reviewed with all staff.

Case Review 2023-15485

Region 11/Madison – Placement/Visitation

The complainant alleged DCS failed to consider placing the child with a sibling. The complainant alleged DCS failed to take photos of the child’s alleged injuries to his back. The complainant alleged DCS cancelled a visit because the father came into the office.

Findings: Merit was found to the allegation DCS failed to consider relatives for placement. Per the LO and case management system, Notice to Relative Forms were not completed pursuant to *Indiana Child Welfare Policy Chapter 5 Section 23: Diligent Search for Relatives/Kin and Case Participants* and diligent searches were not completed until five months after the case opened. The LO reports conversations were had with the father regarding the child’s placement options; however, those conversations are not documented in the case management system. There was a Change of Placement pending with the Court.

Merit was found to the allegation DCS failed to document pictures of the child’s alleged injuries on his back. One of the allegations on the 310 was physical abuse, but the pictures were not uploaded into the case management system pursuant to *Indiana Child Welfare Policy Chapter 4 Section 14: Examining and Photographing a Child and/or Trauma*.

No merit was found to the allegation concerning visitation being cancelled. Visitation has been provided pursuant to *Indiana Child Welfare Policy Chapter 8 Section 13: Implementing the Visitation Plan*. Per case documentation, a visit was cancelled due to the father's belligerent behavior that day with the FCM. It was determined it was not in the child's best interest to have a visit when the father was that escalated. The visit was cancelled pursuant to policy and ensured the child's safety. *Recommendation:* It was recommended the Local Office review *Indiana Child Welfare Policy Chapter 4 Section 14: Examining and Photographing a Child and/or Trauma* and *Indiana Child Welfare Policy Chapter 5 Section 23: Diligent Search for Relatives/Kin and Case Participants* to ensure these policies are understood and implemented by FCMs and FCMS alike.

DCS Response: The LOD reported *Indiana Child Welfare Policy Chapter 4 Section 14: Examining and Photographing a Child and/or Trauma* and *Indiana Child Welfare Policy Chapter 5 Section 23: Diligent Search for Relatives/Kin and Case Participants* and related policies were reviewed at a staff meeting.

Case Review 2023-15579

Region 18/Harrison – Confidential Information/Safety

The complainant alleged DCS shared confidential information with a non-party to the case that was pursuing adopting the child. The complainant alleged the child has a juvenile detention case due to an altercation with the Foster Family Home placement and does not have an attorney. The complainant alleged the child does not feel safe in the Foster Family Home.

Findings: A finding was unable to be made regarding confidential information being shared with the non-party. Per the Local Office, it is believed no confidential information was shared with the non-party. The Local Office and case notes indicate the non-party were in communication with FCM. However, none of the contacts between FCM and the non-party are documented in the case management system.

No merit was found to the allegation the child had not been assigned an attorney for a Juvenile Delinquent Case. Per the LO, nothing formal had been filed with the County Prosecutor. They have only had a preliminary meeting. Additionally, this office has no jurisdiction over court matters.

No merit was found to the allegation the child did not feel safe in the Foster Family Home. The child's safety had been ensured during CFTMs and each face-to-face contact pursuant to *Indiana Child Welfare Policy Chapter 8 Section 10: Minimum Contact and Section 43: Meaningful Contacts*. Their concerns had been addressed by DCS and they meet with a Treatment Coordinator through NYAP throughout the month to discuss their concerns and goals.

No merit was found to the concern regarding DCS pursuing placement with the child's father in Ohio. DCS has taken the steps necessary while considering placement, including conversations with the father; furthermore, the FCM has scheduled a home visit, medical treatment has been

discussed, and the placement change has been discussed with the CASA. The child is also from Ohio and will have a family support system nearby.

Merit was found to the concern pertinent contacts were not entered into the case management system pursuant to *Indiana Child Welfare Policy Chapter 5 Section 2: Gathering Case Information*. As noted above, contacts with the non-party were not entered into the case management system by the former FCM. Pertinent contacts with the father were not entered in the case management system that pertained to the placement change. Contacts with the father have now been entered by the FCM. Per *ICWP Chapter 5 Section 2: Gathering Case Information*, "The Family Case Manager (FCM) will: 3. Record all pertinent contacts and information gathered pertaining to the assessment and case in the case management system within three (3) business days of the contact or receipt of the information." The CFTM notes were not entered into the case management system for the March meeting. No recommendation was made regarding the CFTM notes as they have been added to the case note.

Recommendation: It was recommended the Local Office review *Indiana Child Welfare Policy Chapter 5 Section 2: Gathering Case Information* as a reminder to ensure this policy is understood and implemented by FCMs and FCMS alike.

DCS Response: The LOD reported *Indiana Child Welfare Policy Chapter 5 Section 2: Gathering Case Information* was reviewed with all staff.

Case Review 2023-15493

Region 14/Johnson – Placement/Safety

The complainant alleged DCS failed to ensure the children's safety. The complainant alleged DCS failed to treat the mother's mental health concerns prior to placement. The complainant alleged DCS failed to drug screen the birth mother.

Findings: No merit was found to the allegation DCS failed to ensure the children's safety. The children's safety has been ensured during CFTMs and each face-to-face contact pursuant to *Indiana Child Welfare Policy Chapter 8 Section 10: Minimum Contact and Section 43: Meaningful Contacts*.

No merit was found to the allegation concerning the mother's mental health treatment. The mother was referred to Homebased Case Management services, substance abuse services, and recently counseling pursuant to *Indiana Child Welfare Policy Chapter 5 Section 10: Family Services*.

No merit was found to the allegation concerning the mother's drug screenings. The mother has been drug screened pursuant to *Indiana Child Welfare Policy Chapter 5 Section 20: Drug Screening in Permanency Case Management*. The mother has consistently tested negative.

Merit was found to the concern documentation in the case management system was not completed pursuant to *Indiana Child Welfare Policy Chapter 5 Section 2: Gathering Case Information* and *Chapter 8 Section 39: Trial Home Visits*. Upon initial review of the case, it was difficult to determine

where the children were placed due to inaccurate information in the face-to-face contacts and CFTM notes. Upon contacting the Local Office, the children's placement location was updated in the case management system to accurately reflect the THV. This update was almost a month and half after placement occurred. The face-to-face contacts between that time did not reflect the children being on a THV. Per *Indiana Child Welfare Policy Chapter 8 Section 39: Trial Home Visits*, "If the THV is approved by the court, the FCM will: 2. Ensure the THV is appropriately documented in the case management system. ... 13. Document all actions and outcomes in the case management system." The FCM updated the case management system in by adding several pertinent contact notes including e-mail communications with service providers/CASA and prior placement contacts. Per *Indiana Child Welfare Policy Chapter 5 Section 2: Gathering Case Information*, "The Family Case Manager (FCM) will: 3. Record all pertinent contacts and information gathered pertaining to the assessment and case in the case management system within three (3) business days of the contact or receipt of the information."

Recommendation: It was recommended the Local Office review *Indiana Child Welfare Policy Chapter 5 Section 2: Gathering Case Information* and *Chapter 8 Section 39: Trial Home Visits* as a reminder to ensure these policies are understood and implemented by FCMs and FCMS alike.

DCS Response: The LOD reported all staff would review the policies related to contacts and CFTMs and provide examples of well-written contacts, including the 5 windows, in addition to well-written CFTM notes.

Case Review 2023-15834

Region 11/Madison – Visitation/Services/Communication

The complainant alleged DCS failed to file TPR after the child had been out of the home for 22 months. The complainant alleged DCS requested an accelerated reunification plan. The complainant alleged DCS asked the Foster Family Home's children inappropriate questions that did not involve allegations and that those children were also not involved in the assessment.

Findings: Merit was found to the allegation DCS failed to file for TPR within the timeframe pursuant to *Indiana Child Welfare Policy Chapter 6 Section 12: Involuntary Termination of Parental Rights (TPR)*. The child had been removed from the home for the past 22 months. Per *ICWP Chapter 6 Section 12: Involuntary Termination of Parental Rights (TPR)*, "DCS will petition the court for Involuntary TPR when one (1) of the following occurs: 1. The child has been removed from the home 15 of the most recent 22 months." Per court documentation a petition had not been submitted to the Court.

No merit was found to the allegation DCS requested an accelerated reunification plan. The current permanency plan is reunification with a concurrent plan of adoption. The Court ordered a temporary plan for the parent's visitation in June, prior to ordering a THV start. A review hearing and consideration for a THV was pending approval with the Court.

Merit was found to the concern the parent's communications with the FCM were not being uploaded into the case management system pursuant to *Indiana Child Welfare Policy Chapter 5 Section 2: Gathering Case Information*. Per *ICWP Chapter 5 Section 2: Gathering Case Information*, "The Family Case Manager (FCM) will: 3. Record all pertinent contacts and information gathered pertaining to the assessment and case in the case management system within three (3) business days of the contact or receipt of the information." The LOD reported the FCM has weekly contact with the parents and will enter the contacts into the case management system in the future.

Recommendation: It was recommended that the FCM upload contacts with the parents from the previous three months and future contacts into the case management system. It was recommended the Local Office review *Indiana Child Welfare Policy Chapter 5 Section 2: Gathering Case Information* and *Indiana Child Welfare Policy Chapter 6 Section 12: Involuntary Termination of Parental Rights (TPR)* as a reminder to ensure these policies are understood and implemented by FCMs and FCMS alike.

DCS Response: The LOD reported *Indiana Child Welfare Policy Chapter 5 Section 2: Gathering Case Information* and *Indiana Child Welfare Policy Chapter 6 Section 12: Involuntary Termination of Parental Rights (TPR)* were reviewed with all staff; policies were also emailed to staff. The FCM and FCMS uploaded contacts into the case management system.

Case Review 2023-15867

Region 7/Grant – Visitation/Services/Communication

The complainant alleged DCS is not allowing visitation between the son and the mother. The complainant alleged the Foster Family Home for the two girls is not bringing the children for Saturday visits. The complainant alleged DCS has failed to progress the case. The complainant alleged DCS has failed to provide updates/pictures of the son to the mother since visitation has been restricted.

Findings: No merit was found to allegations concerning visitation between the son and mother. The visitation restriction of parenting time has been ordered by the Court and recommended by DCS/Service Providers. Per case documentation, the child was having behavior issues before and after visits had concluded. The child had reported to his therapist he was afraid of visits and being reunified with his mother. It has been reported his behavior has been better since visits have been restricted. The visitation restriction is pending further Court hearings.

No merit was found to the allegation concerning Saturday visits as the caregivers have canceled visits due to being out of town and the mother has also canceled visits by not confirming. Visitation is being provided pursuant to *Indiana Child Welfare Policy Chapter 8 Section 13: Implementing the Visitation Plan* and is in accordance with the Court Order. Visitation is also pending a hearing in Court.

No merit was found to the allegation concerning the case progression as the mother has been referred to services pursuant to *Indiana Child Welfare Policy Chapter 5 Section 10: Family Services*. The case has been ongoing for three and a half years with no significant progress. Mother is now refusing to drug screen. TPR has been filed and is pending a Fact-Finding Hearing with the Court. Therefore, the current permanency plan is adoption.

No merit was found to the allegation DCS failed to provide updates/photographs to the mother concerning the son. Per the Local Office, the FCM communicates weekly with the mother and sent photos. The Local Office Director has also spoken with the mother. Medical reports have been provided to the mother regarding the child.

Merit was found to the concern pertinent contacts with the mother were not documented in the case management system pursuant to *Indiana Child Welfare Policy Chapter 5 Section 2: Gathering Case Information*. It is helpful for outside reviewers and for new FCMs to have these pertinent contacts documented and in one place to better understand what is/has been occurring outside of provider reports and monthly contacts with the children. Per *ICWP 5.2: Gathering Case Information*, "The Family Case Manager (FCM) will: 3. Record all pertinent contacts and information gathered pertaining to the assessment and case in the case management system within three (3) business days of the contact or receipt of the information."

Recommendation: It was recommended the Local Office review *Indiana Child Welfare Policy Chapter 5 Section 2: Gathering Case Information* to ensure this policy is understood and implemented by FCMs and FCMS alike.

DCS Response: The LOD reported *Indiana Child Welfare Policy Chapter 5 Section 2: Gathering Case Information* was reviewed with all staff.

Case Review 2023-15896

Region 6/Miami – Case Planning/Visitation/Removal/Placement

The complainant alleged the parents have not been involved in the case planning. The complainant alleged DCS failed to address concerns of diaper rash and possible rash behind the child's ear. The complainant alleged DCS failed to make a referral for Saturday visits. The complainant alleged DCS stated the child was removed from the parents due to home conditions, but DCS never checked the home. The complainant alleged DCS stated the child is placed in a kinship placement, but they are not.

Findings: No merit was found to the allegation the parents have not been involved with the case planning process. The parents' involvement in the case planning process has been pursuant to *Indiana Child Welfare Policy Chapter 5 Section 8: Developing the Case Plan/Prevention Plan*. Per the FCMS, the family had not returned the Case Plan as they stated they needed to speak with their attorney. A Court Order approving the permanency plan was made establishing what is needed

from the parents for reunification to occur. The parents also met with FCM, FCMS, and CASA the same month to discuss their progress.

No merit was found to the allegation regarding the child's diaper rash. The child was seen by a doctor with no diaper rash. Per case documentation, parents complained of the child's condition, but FCM witnessed the child during visits and did not see any concerns.

No merit was found to the allegation concerning visitation. Visitation was provided pursuant to the Court Order and *Indiana Child Welfare Policy Chapter 8 Section 13: Implementing the Visitation Plan*.

No merit was found to the allegation concerning the child's removal. The child was removed from the home in accordance with the Court Order. Per case documentation, the parents refused to provide DCS with a walk through of the home to ensure a safe environment; mother presented to the hospital with bruising and conflicting explanations, and the father appeared to hospital staff to be under the influence. Per case documentation, FCM and CASA Director visited the home. To proceed with reunification, DCS and the Court have ordered the parents provide documentation to show stability, but they have not completed this step.

No merit was found to the allegation concerning the kinship placement. The Court ordered the child be placed in a licensed kinship placement. The placement has been licensed since 2020 and are relatives of the maternal family. Per the Placement Update Report with the Court, the father provided he had a cousin, but did not provide any contact information. This placement also allows for the child to maintain contact with the maternal aunt's family (prior placement).

Merit was found to the concern a contact and a conducted home check were not documented in the case management system pursuant to *Indiana Child Welfare Policy Chapter 5 Section 2: Gathering Case Information*. Per ICWP 5.2: Gathering Case Information, "The Family Case Manager (FCM) will: 3. Record all pertinent contacts and information gathered pertaining to the assessment and case in the case management system within three (3) business days of the contact or receipt of the information."

Recommendation: It was recommended the FCM document the contacts in the case management system and the Local Office review *Indiana Child Welfare Policy Chapter 5 Section 2: Gathering Case Information* to ensure this policy is understood and implemented by FCMs and FCMS alike.

DCS Response: The LOD reported *Indiana Child Welfare Policy Chapter 5 Section 2: Gathering Case Information* were reviewed with all staff. The contacts requested were uploaded into the case management system.

Case Review 2023-16036**Region 10/Marion North – Health Care Services/Safety**

The complainant alleged DCS failed to obtain the parent's consent prior to the child receiving braces. The complainant alleged DCS failed to assess allegations of the child having a black eye three years ago.

Findings: Merit was found to the allegation DCS failed to obtain the parent's permission prior to the child receiving braces pursuant to *Indiana Child Welfare Policy Chapter 8 Section 26: Authorization of Health Care Services*. Per the Local Office and documentation, the FCM failed to obtain the parent's permission prior to allowing the child to receive braces. Per the Division Manager, the FCM was aware of the foster parent wanting to get her braces; however, there was no authorization or documentation regarding why the procedure was needed or the treatment plan.

No merit was found to the allegation concerning physical abuse allegations being assessed. This matter was assessed, and the child was interviewed by the FCM. The foster care licensing agency also reported the incident to the FCM. A Safety Plan was made with the foster family home pursuant to *Indiana Child Welfare Policy Chapter 4 Section 19 (V9): Safety Planning*. The child reported feeling safe in the home. Per case documentation, the child was taken to the doctor to be checked due to having several bruises on her legs and received lab work.

Recommendation: It was recommended the Local Office review *Indiana Child Welfare Policy Chapter 8 Section 26: Authorization of Health Care Services* as a reminder to ensure this policy is understood and implemented by FCMs and FCMS alike.

DCS Response: The LOD reported all staff reviewed *Indiana Child Welfare Policy Chapter 8 Section 26: Authorization of Health Care Services* and *Indiana Child Welfare Policy Chapter 4 Section 19: Safety Planning*.

Case Review 2023-16127**Region 1/Lake County – Major Issue**

The complainant alleged DCS failed to protect the family by failing to consider evidence and failing to have the father arrested. The complainant contends DCS did not help the mother protect the children.

Findings: Merit was found to the allegation as DCS did not forward the substantiated assessment to Prosecutor's Office, as is required in *Indiana Child Welfare Policy Chapter 4 Section 25: Completing the Assessment Report*. There was no merit to the allegation DCS failed to consider evidence. DCS considered the evidence the mother provided and substantiated the allegation regarding domestic violence. DCS does not have the authority to arrest anyone, and law enforcement was aware of the allegations.

No merit was found to the allegation DCS failed to assist the mother in protecting the children. DCS opened an Informal Adjustment (IA) and put Family Preservation services in place to assist the mother; however, the mother asked that DCS close the case.

Recommendation: It was recommended the Local Office begin sending all substantiated reports to the Prosecutor's Office to comply with DCS policy.

DCS Response: The Regional Manager agreed to begin sending all substantiated reports to the Prosecutor. There is a meeting scheduled with the Prosecutor and the Regional Manager advised they will discuss the need for DCS to comply with the agency's policies.

Case Review 2023-16199

Region 04/Steuben – DCS Finding/Safety

The complainant alleged DCS should have opened a Child In Need of Services (CHINS) case following substantiation on mother. The complainant stated DCS did not properly assess safety of the child. The complainant also stated the 311 report was never sent to the Prosecutor's Office following substantiation.

Findings: No merit was found to the allegation DCS did not properly assess child safety and remove the child from an unsafe environment. DCS completed all required interviews and safety plans. FCM spoke with the mother's obstetrician who stated she had no concerns for the mother or child. Mother tested positive for marijuana but tested negative for all substances a few weeks later. For these reasons, it was determined the child was deemed safe and free from concerns on assessment closure.

Merit was found to the allegation DCS failed to send the assessment's 311 report to the Prosecutor's Office upon assessment closure. DCS is required to complete this action when an assessment is substantiated. This step was not completed during this assessment. The 311 report has been sent to the Prosecutor and the Local Office Director has addressed the issue with clerical staff who are designated to send the report.

Recommendation: No recommendation to the Local Office was made. The concern was reviewed and resolved by the Local Office.

DCS Response: The LOD addressed issue with clerical; a note will be created in the case management system once the findings have been sent to the Prosecutor's office. DCS sent the 311 report from the assessment to the Prosecutor.

Case Review 2023-16282

Region 13/Monroe – Removal/Services

The complainant alleged neither DCS nor law enforcement were present at the time of removal. The complainant alleged a forensic interview for the child was not completed after the Judge ordered one be completed. The complainant alleged DCS failed to make timely referrals for

services. The complainant alleged the children were placed in the same home from which they were removed.

Findings: No merit was found to the allegation stating no one from DCS or LEA were present at the time of removal. The removal was completed as an emergency removal pursuant to *Indiana Child Welfare Policy Chapter 4 Section 28: Removals from Parents, Guardians, or Custodians*. The removal was ordered by the Courts. Per the Local Office, the FCM and LOD attempted to meet with the mother and the child for removal, and then DCS told placement to contact the hotline when the mother and the child arrived at the home. Neither request were completed by the mother or placement. The mother was advised of rights at the Initial Detention Hearing.

Merit was found to the concern the attempts to have the mother meet DCS staff with the child and DCS requesting placement contact the hotline upon the child's arrival were not documented in the case management system pursuant to *Indiana Child Welfare Policy Chapter 5 Section 2: Gathering Case Information*. This information is pertinent to document as it shows how DCS attempted to complete the proper steps during the removal.

No merit was found to the allegation DCS failed to complete a forensic interview as ordered by the Court. Per the case management system, a forensic interview with the child was completed pursuant to the Court Order. However, there was no further information regarding the forensic interview in the case management system.

No merit was found to the allegation DCS failed to make timely referrals for Firefly Services. The referrals were submitted and uploaded pursuant to *Indiana Child Welfare Policy Chapter 5 Section 10: Family Services*. The mother was discharged due to excessive absences and a new referral for a treatment review was submitted four months later.

Merit was found to the concern the FCM did not visit the children within three business days of placement. Per the case management system and the Local Office, the FCM did not visit the children within three business days of placement pursuant to *Indiana Child Welfare Policy Chapter 8 Section 9: Placing a Child in Out-of-Home Care*. The FCM did not visit the placement until the children had been in the home for 29 days. Per ICWP 8.9, "After the child has been placed with the resource parent, the FCM will: ... 6. Conduct a face-to-face contact with the child and resource parent within three (3) business days following placement."

No merit was found to allegations the children were placed in the same home as removal. The children were legally removed from the mother and not the grandparent's home. The placement ensures the children's safety and meets their needs pursuant to *Indiana Child Welfare Policy Chapter 8 Section 01: Selecting a Placement Option*. The placement has been/continues to be in accordance with the Court Order.

Recommendation: It was recommended the Local Office review *Indiana Child Welfare Policy Chapter 5 Section 2: Gathering Case Information* and *Indiana Child Welfare Policy Chapter 8 Section 9: Placing a Child in Out-of-Home Care* as a reminder to ensure these policies are understood and implemented by FCMs and FCMS alike.

DCS Response: The LOD reported *Indiana Child Welfare Policy Chapter 5 Section 2: Gathering Case Information* and *Indiana Child Welfare Policy Chapter 8 Section 9: Placing a Child in Out-of-Home Care* were reviewed with all staff.

GENERAL RECOMMENDATIONS TO SYSTEMIC ISSUES

Pursuant to IC 4-13-19-5(b)(2), (4), and (6), the DCS Ombudsman Bureau may also review relevant policies and procedures with a view toward the safety and welfare of children, recommend changes in procedures for investigating reports of abuse and neglect, make recommendations concerning the welfare of children under the jurisdiction of a juvenile court, examine policies and procedures, and evaluate the effectiveness of the child protection system. DCS responds to systemic recommendations made by the DCS Ombudsman Bureau. The recommendations are based on information derived from the volumes of information reviewed during case reviews and investigations with systemic implications, in addition to information gleaned from various reports and discussions with stakeholders. No specific systemic recommendations were made to DCS during 2023.

DCS Ombudsman Bureau **Reflections and Future Initiatives**

Agency Response

During 2023 the DCS Ombudsman Bureau remained dedicated to its mission of addressing complaints regarding DCS actions or omissions by providing problem resolution services, independent case reviews, and recommendations to improve DCS service delivery to foster public trust.

Diligent efforts were made to provide services and monitoring to children and their families during this year despite barriers of staffing and provider availability. The collaboration of constituents and partners in Indiana was vital in maintaining a robust safety net for children and families under challenging circumstances. Gratitude is extended to DCS leadership and staff as they continue to steer the agency toward their goals of safety and in support of families in Indiana. It was, and continues to be, a time of high risk for families and children, and we appreciate the community partners that assist in these efforts daily.

Open communication between the DCS Ombudsman Bureau and DCS at the state and local level has been supported by all parties and DCSSO hopes to increase that in 2024. The use of Assists as a viable tool to foster communication and resolve concerns between complainants and the local offices continues to allow DCS Ombudsman Bureau staff to focus on more complex case reviews and investigations. DCS continues to respond to the requests for Assists in a timely professional manner and that provides much quicker response to constituents. The DCS Ombudsman Bureau continues to work closely with DCS to include the DCS Foster Care Liaison and Kinship Care Navigator in Assists, Case Reviews, and Investigations to support and engage foster and kinship

caregivers in their concerns. This is an area that continues to be identified as needing improved levels of communication and training.

DCS Ombudsman Bureau Initiatives

Staffing

The responsibilities of the DCS Ombudsman Bureau require experienced staff proficient in the areas of child welfare and criminal justice issues, problem resolution, research, public policy, law and best practice, and application of the same to constituent concerns. Additionally, the individuals must have above average oral and written communication skills and provide excellent customer service while engaging stakeholders with diverse needs and expectations.

Since its inception in 2009, there has been substantive change specific to the staffing needs for the DCS Ombudsman Bureau. The agency was originally budgeted for one .5 full-time equivalent (FTE) Assistant Ombudsman (AO) position. The position was increased to one FTE in the Spring of 2012, and one additional FTE AO was added in the Fall of the same year. While staffing with two full-time AO positions remained constant, the DCS Ombudsman Bureau experienced significant turnover from 2013 to 2015 at the AO level. The continued recruitment and training of AOs during this time negatively impacted the Bureau's ability to retain staff and respond timely to clients' needs.

Efforts to address staffing concerns and retain talent continued in 2016. Effective April 2017, the AO classification status was adjusted from an Administrative Assistant 2 to a Program Director 2 with a 4.5% increase in salary. This important action contributed favorably to the DCS Ombudsman Bureau's ability to recruit and retain qualified staff. However, as constituent concerns continued to increase due to successful outreach efforts, agency response to constituent challenges continued under the AO staffing structure of two FTE positions. In response to these challenges, the DCS Ombudsman Bureau requested and was granted approval for a staffing increase of one additional FTE AO position. This staff addition, and the experience level of the individuals in the positions, has led to greater expertise and stability in the AO roles. We are fortunate to have a competent, qualified staff that operates efficiently and meticulously. Staff also received a salary adjustment in 2022 following the Comprehensive Compensation Study conducted at the request of Governor Holcomb. We were grateful for this change as we expect it to assist with retention and reward for excellent service.

Electronic Case Management and Data Tracking

In 2019, IDOA charged the DCS Ombudsman Bureau with the task of addressing the challenges of utilizing technology to manage cases and data while resolving space and storage concerns resulting from the agency's steady nine-year growth. As a member of the United States Ombudsman Association, the DCS Ombudsman Bureau surveyed member child welfare ombudsman agencies regarding their case management systems. Additionally, the DCS Ombudsman Bureau reached out to the State IT for direction for consultation. Information from both entities were compiled and next steps to identify, develop, and implement an electronic case management/data tracking system

continued into 2020. The new data and case management system was in its first full year of use during 2021. DCS is currently in the process of developing a new case management system as well.

Our Bureau obtained approval of our plan for retention by the Indiana Archives and Records Administration. In 2022 we completed scanning and transferred all our documents for storage in archives. This eliminated our paper files, and those files were disposed per Indiana Archives and Records Retention policy. This accomplishment added one more level of confidentiality of our records and will ensure they are available for future use and data collection. Confidentiality is a critical aspect of our work and highly valued.

Acknowledgements

In 2023 there was a persistent call for collective efforts to navigate the ever changing global community and the effects on our home state of Indiana. Despite grappling with staffing issues DCS remained steadfast in its mission, propelled by the dedication of managers and front line staff. We extend sincere gratitude to them for their commitment to serving families and children with professionalism and earnestness.

The DCS Ombudsman Bureau extends appreciation to the individuals who entrusted us with their concerns, allowing us to collaborate in resolving them effectively. We commend the efforts of the Department of Child Services under the direction of Eric Miller, for their resilience during another trying year. The agency's ongoing efforts to address identified issues and engage in constructive dialogue with the DCS Ombudsman Bureau underscore its commitment to enhancing services for vulnerable children and families in Indiana.

Special recognition is due to the Indiana Department of Administration, guided by Commissioner Dr. Rebecca Holwerda, for their steadfast support, alongside the leadership of the Indiana Department of Child Services Director Eric Miller. As we reflect on the accomplishments of 2023, the DCS Ombudsman Bureau reaffirms its dedication to advancing its mandate and fostering positive relationships with DCS, with the aim of resolving family-DCS concerns whenever possible.

Lastly, profound gratitude and appreciation are extended to Assistant Ombudspersons Jessica Stier, Amanda Fassnacht, and Chandler Meyer. Their tireless work ethic, expertise, and unwavering commitment to Indiana's children and families are invaluable and deeply appreciated.

APPENDIX

Appendix A

DCS Ombudsman Bureau Staff

Director

Shoshanna Everhart assumed the position of the DCS Ombudsman in September 2020. She brings over 40 years of child welfare experience in the public and private sector to her role. Director Everhart worked at the DCS local level in Indiana as a child services case worker, supervisor, trainer, and local officer director. She has served children, families, and individuals in a variety of settings as a clinical social worker working in the systems of hospitals, schools, and community agencies. She has specialized in working with children in the areas of trauma and loss and in training professionals. Ms. Everhart was an instructor for Indiana University as an Adjunct Faculty member for many years and has been an active community member serving on many and varied youth serving boards and initiatives.

Director Everhart graduated with a B.S. from the University of Indianapolis and a M.S.W. from Indiana University. She currently holds a clinical license in social work in Indiana and is a member of the United States Ombudsman Association.

Assistant Ombudsman

Jessica Stier is native to the Indianapolis area. She graduated from Bishop Chatard High School and went on to earn a bachelor's degree in Criminal Justice from Indiana University Purdue University at Indianapolis (IUPUI) in 2011. She was hired as an Assistant Ombudsman in August 2011 and divided her time between the DCS Ombudsman and the DOC Ombudsman offices. She began working for the DCS Ombudsman full time in March 2012. In addition to conducting reviews and investigations, Jessica has taken on the role of managing the agency's data system and coaching new staff members.

Amanda Fassnacht grew up in Brownsburg, Indiana. She graduated from Brownsburg High School and holds a bachelor's degree in Criminal Justice from IUPUI. Amanda was employed as the Assistant Ombudsman for the Department of Corrections Ombudsman Bureau from 2012 to 2019 where she enjoyed assisting offenders and their loved ones. Amanda joined the DCS Ombudsman Bureau in September 2019.

Chandler Meyer grew up in Greenwood, Indiana. He graduated from Center Grove High School and received a bachelor's degree in Criminal Justice from Indiana State University in 2022. Shortly after graduating, he started working full time for the DCS Ombudsman Bureau in August 2022. Although he originally planned to be a detective, he has found Ombudsman work to be compelling as a means to help better people's lives.

Appendix B

Rules of Engagement

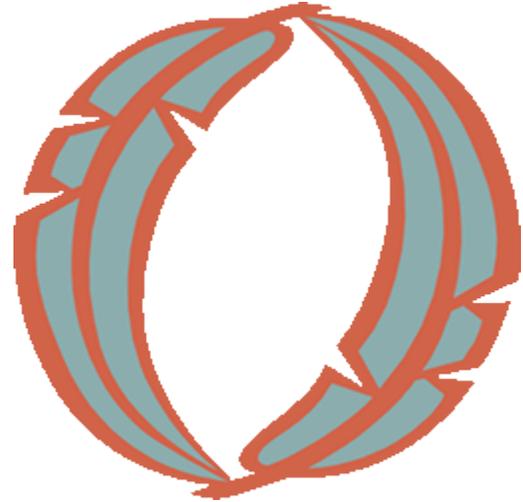
DCS Ombudsman Guidelines

*Agency and Complainant Rights and Responsibilities
in the DCS Ombudsman Bureau Complaint Process*

Complainant Rights

Complainants are entitled to:

- A timely response acknowledging receipt of the complaint.
- Professional and respectful communication from agency staff.
- An impartial review.
- A credible review process.
- Contact by the Bureau if additional information is required.
- Communication regarding the outcome of the review.



Complainant Responsibilities

Complainants shall:

- Attempt to resolve problems with the local office prior to filing a complaint.
- Complete the complaint form as directed.
- Ensure that the allegations in the complaint are pertinent to the role of the ombudsman.
- Ensure the accuracy and timeliness of requested information.
- Communicate respectfully with agency staff.

DCS Ombudsman Bureau Rights

The Bureau may:

- Decline to accept a complaint that does not fall within the jurisdiction of the Bureau.
- Determine the level of review, the documentation, and interviews necessary for gathering the information required to determine findings.
- Expect the complainant to provide any additional information requested.
- Determine when a case requires no further action.

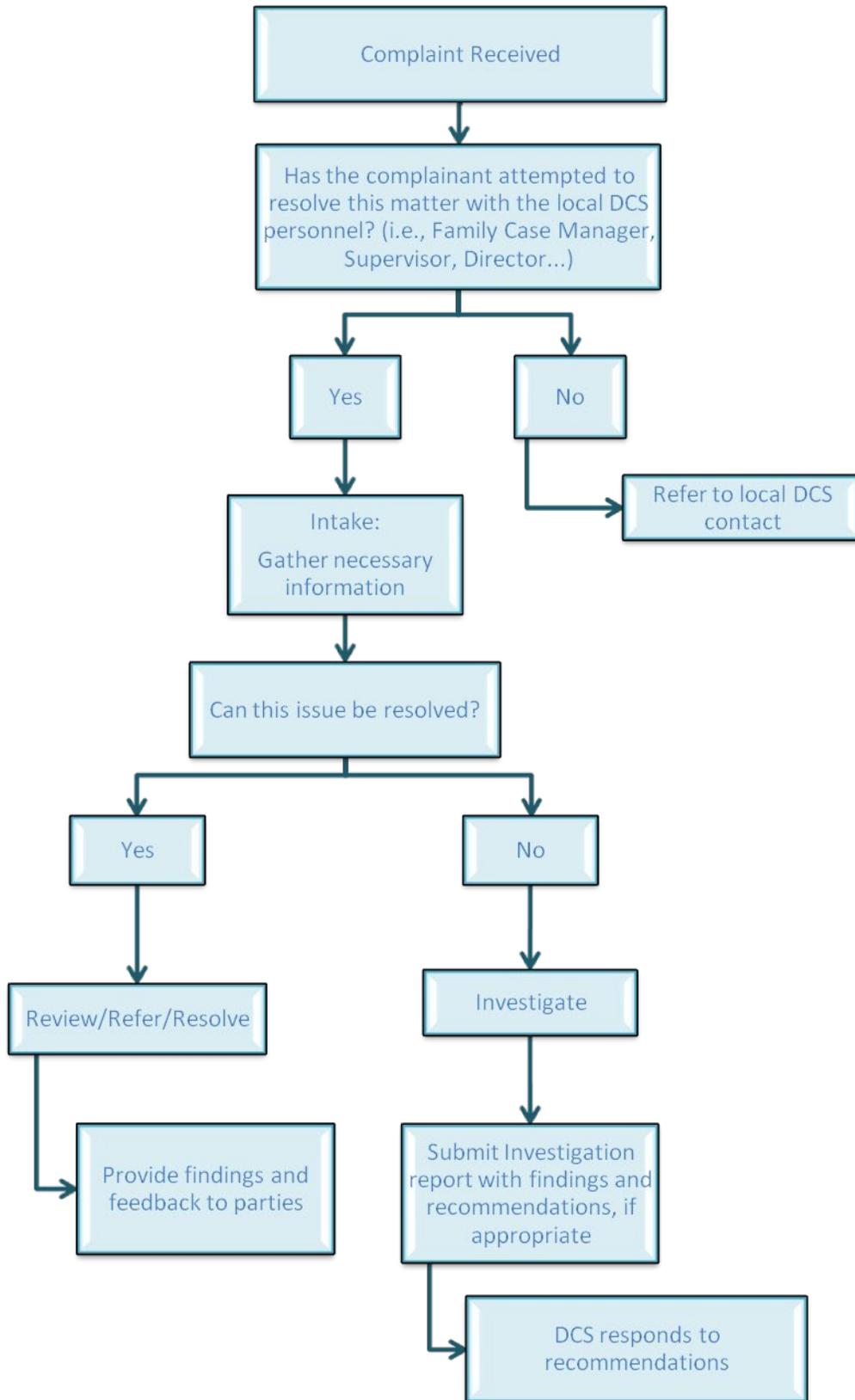
DCS Ombudsman Bureau Responsibilities

The Bureau shall:

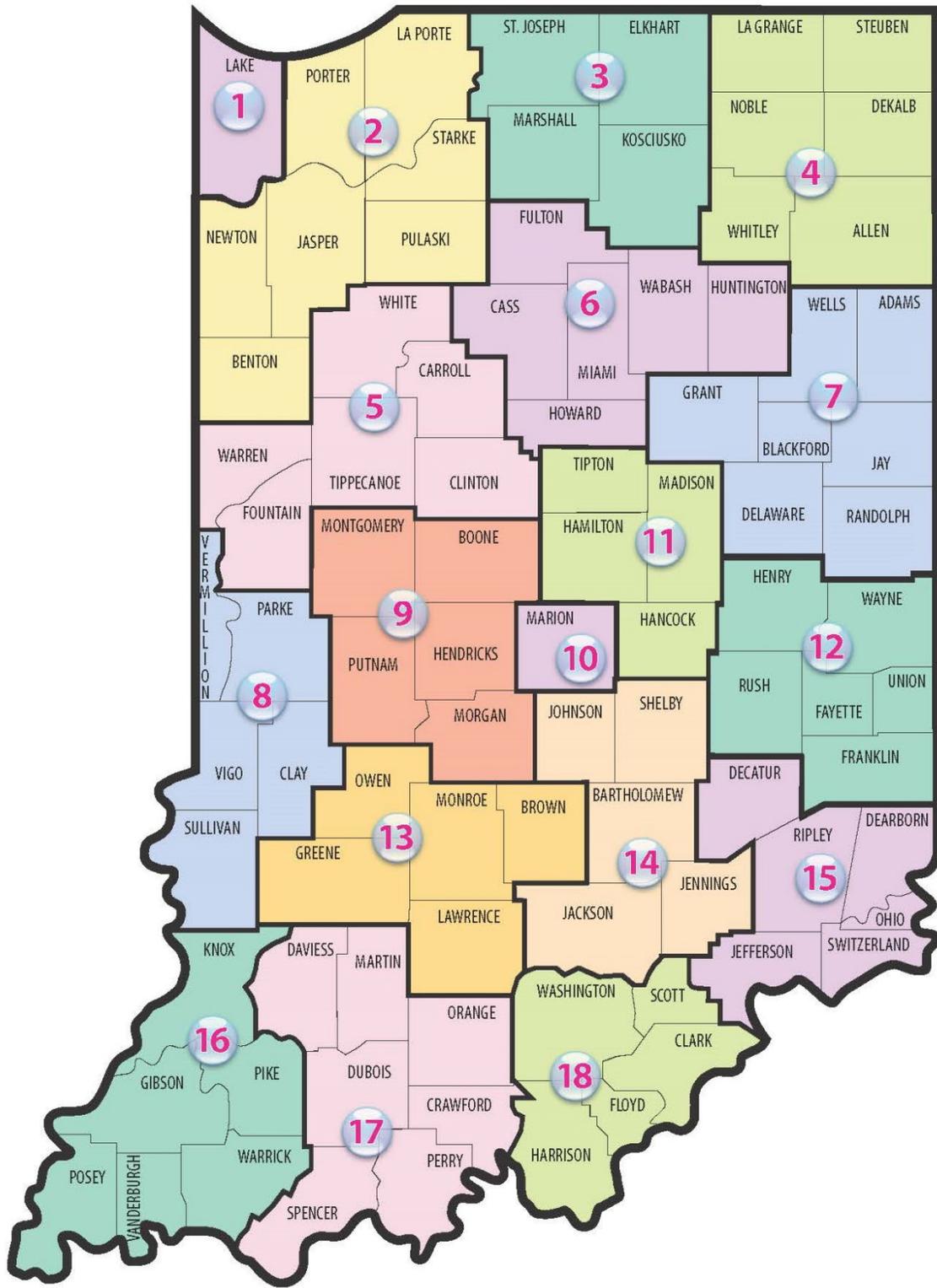
- Complete reviews in a timely manner.
- Complete a thorough and impartial review.
- Ensure professional and respectful communication.
- Provide the results of the review to the complainant in accordance with IC 4-13-19-5.

Appendix C

How We Work



Appendix D Regional Map



DCS Ombudsman Bureau

Office Hours

8:00 am to 4:30 pm

Telephone Numbers

Local: 317-234-7361

Toll-Free: 877-682-0101

Fax: 317-232-3154

Ombudsman E-mail

DCSOmbudsman@idoa.in.gov

Ombudsman Website

www.in.gov/idoa/2610.htm

Mailing Address

DCS Ombudsman Bureau
Indiana Department of Administration
402 W Washington, Room 462
Indianapolis, Indiana 46204

