



**What Foster (Resource) Parents
Need to Know About Out of Home
Care Assessments (OHCA)**

Dear Foster (Resource) parent,

Whether you were shoulder-tapped by the Oregon Department of Human Services (ODHS) Child Welfare to be a relative provider or you independently raised your hand to become a foster (resource) parent to a child temporarily in need of a safe place to be, it is certain that when you said yes to this journey you knew that there would be hard things ahead. Perhaps you wondered about what it would be like to nurture and parent a child who has experienced trauma. Perhaps you worried about the changing of your family dynamics. Perhaps you wondered about working with ODHS. Regardless of the specific things you wondered about before starting your fostering journey, it is safe to assume that you never imagined that you'd find yourself here with an Out of Home Care Assessment (OHCA).

You may feel fine with engaging in this OHCA process, but there are a variety of responses that may surface. It's possible that the emotions during the process may range from disbelief, to anger, to grief, to shame and everything in between. When foster (resource) parents undergo an OHCA, there's a real possibility to feel misunderstood and in a vulnerable place.

Allow us to be gently candid, here.

The difficult reality that our partners at ODHS see every day is that abuse does occur at times in foster homes. It is not the job of ODHS Child Welfare to give "the benefit of the doubt" when there is an allegation, no matter how big or small. While staff at ODHS may know you and can attest to positive things they know about you and your family, when there is an allegation that meets criteria for assessment, the process must be followed by statute of the Oregon Administrative Rule (OAR). The reality is that OHCA is required to keep children safe. That is why, in the midst of this time, while it may feel nearly impossible to not take it personally, you must do your best to engage professionally and remain as objective as possible. Staff are doing their jobs to ensure the safety of children in foster care once an allegation has been made.

The expectations and responsibilities as a certified foster (resource) parent is different than the everyday care and responsibilities not affected by foster care. Because a child is already in foster care, this child has already endured confirmed abuse, neglect or threats of harm. Because a child in foster care is already the legal ward of the state, there is a higher safety standard threshold for children in a foster home. (If you are interested in learning more about the expanded definition of child abuse in relation to being a certified resource parent as a result of Senate Bill 243, you are welcome to read the [fact sheet](#).)

It's important to remember that while you're experiencing an OHCA with varying degrees of emotions of what this means for you and your family, there is a process you can expect from the agency. As much as possible, remember what led you to become a foster (resource) parent in the first place and hold on to that reason. It's everybody's job to ensure safety – yours and ODHS Child Welfare's. Let's walk through what you need to know about the OHCA process.

The intent of this letter from Every Child is to give foster (resource) providers a general overview of the Out of Home Care Assessment (OHCA) process from Oregon Department of Human Services (ODHS). This letter is to be sent to an individual from Every Child in conjunction with ODHS pamphlet 1537.

What you need to know about the Out of Home Care Assessment

How does a report come in?

Allegations about abuse are reported to the Oregon Child Abuse Hotline (ORCAH). Information is screened and either will be closed at screening (in which case your certifiers and caseworkers for the children will follow up with you to address the reported concerns) or referred for assessment. If it is referred for assessment, that means the agency has to respond to this allegation either within 24 hours, 5 days or 10 days, depending on the nature of the allegation

What is an assessment?

An assessment is a process that determines whether abuse of a child occurred and who is responsible. Safety of children is assessed during this process and at the conclusion of the assessment a decision is made as to the safety of children in the home based on the information gathered during the assessment. This assessment process is conducted by a trained Child Protective Service (CPS) Worker. In some counties there are specific CPS caseworkers who specialize in OHCA assessments whose role focuses on allegations of abuse in a foster home. The terms "OHCA Assessor" and "CPS (Child Protective Services) Worker" are at times used interchangeably within ODHS. For the purposes of this letter, we will use the term OHCA Assessor.

How long does an assessment take?

The assessment period is 30-60 days, but a supervisor can grant an extension if one is needed.

What is the assignment process?

- The OHCA Assessor will begin gathering information by connecting with your certifier and caseworkers that have children in your home.

The OHCA Assessor will then respond to the location where the child involved is located. They will interview or observe that child depending on their age and developmental level or arrange for medical or forensic evaluation as appropriate. All abuse reports to ODHS Child Welfare are required to be cross reported to Law Enforcement and at times the assessor will be accompanied by a Law Enforcement officer.

- The OHCA Assessor will inform you of the report and will ask you relevant questions. The OHCA Assessor will need to interview all the children in your home, including your children. As well as view all areas of your home and property.
- Your certification will be placed on "in active" referral status (which means the agency is unable to place additional children with you until the conclusion of the OHCA Assessment).
- As they gather information during the assessment, the OHCA Assessor evaluate whether the children are safe to continue in your care.
- If there are safety issues that cannot be immediately resolved, it may be necessary to remove the children from your home.
- The OHCA Assessor will also determine what additional information needs to be gathered and may need to interview additional people, who are sometimes referred to as "collateral contacts."
- The OHCA Assessor will work with the OHCA Supervisor after each point of contact to ensure that accurate information is being obtained and no decision is made in isolation. All collected information will be present in one report. This will be used to make a determination if abuse or neglect occurred. This final finding is called a disposition.

What are the outcomes of dispositions?

At the end of the OHCA Assessment process, you will receive one of these outcomes.

"UNFOUNDED" or "Unsubstantiated"

This means that no indications or evidence of abuse or neglect were present.

"UNABLE TO DETERMINE" or "Inconclusive"

This means there are some indications of abuse or neglect but insufficient evidence to say it definitively occurred.

"FOUNDED" or "Substantiated"

This means there is reasonable cause to believe abuse or neglect occurred.

OHCA STEPS from Start to Finish

- 1** Report is screened at Hotline and assigned to a branch for assessment
- 2** Caseworker and certifier are contacted and Foster Home is placed on inactive status (No additional children may be placed in the home)
- 3** Information gathering and initial contact is made with children and foster (resource) parent
- 4** Collateral contacts are interviewed and information collected.
- 5** OHCA Assessor completes report and after supervisor approval informs you of the disposition and what it means. You will be offered the option of having a meeting to discuss this.
- 6** You will receive a letter with formal notification of a founded disposition.

(Note: Only if the result of the disposition is "Founded" or "Substantiated" will you have a right to request to have the decision reviewed. The information for requesting this process will be given to you with your letter notifying you of the disposition.)

Will this assessment affect my certification?

Your certifier will be the one to discuss next steps for you and your certification. The timing of this discussion and the next steps depend on the information gathered during the assessment. Those steps can range from: no further action, to additional training requirements, to a change in your certification status

Can I have someone with me during this process?

Some foster (resource) parents choose to have another foster (resource) parent or relative caregiver to support them throughout this process. If you do not know of one, you are welcome to ask your certifier or OHCA Assessor for recommendations of a foster (resource) parent who you may call or who may be able to be physically present with you during meetings. While a fellow foster (resource) parent may be an ideal choice because of their understanding of the system, you're welcome to have any support person with you. It's important to recognize that whoever you ask to accompany you may be involved with any legal issues that may arise such as providing testimony should this go before the court. They will have information regarding your family and the allegations. At any point in the process, you have right to retain legal counsel.

Will law enforcement be involved?

Law Enforcement is not always involved when there is an Out of Home Care Assessment. ODHS Child Welfare is required to cross report with Law Enforcement when there is an alleged abuse or crime involving a child. Law Enforcement also reports situations that involve a child to ODHS. If the OHCA alleges a crime, Law Enforcement may be the original responder or may accompany ODHS staff when interacting with the foster (resource) parents. If criminal charges are involved, some foster (resource) parents may opt to consult an attorney depending on the severity of what is alleged and the specifics of the case.

Why won't the caseworkers or certifiers talk to me about my OHCA Assessment?

The caseworker and certifier are able to conduct business as usual should you have a need. They are not, however, allowed to discuss the OHCA with you until it has reached conclusion. This is often the most challenging aspect for foster (resource) parents because you may feel suddenly cut off and isolated from the main people you were previously in relationship with. Though it may feel otherwise, you are not being intentionally punished by this lack of communication during the OHCA process. Please note: Certifier and Caseworkers are still allowed to talk and engage with you in general, but they are legally not allowed to talk and engage with you about the specifics of the OHCA Assessment; only the OHCA Assessor can engage with you about specifics of this assessment until there is a disposition.

Who can I talk with in the midst of the Assessment if I don't feel like I'm being heard or if I don't agree with something?

Please request the contact information of the OHCA Assessor's Supervisor. This can be done by requesting the contact information in writing from the OHCA Assessor you are working with or by contacting the general Child Welfare office in your county and requesting the phone number and/or email of the supervisor of your particular OHCA Assessor (or CPS caseworker). If this is not satisfactory, you are welcome to contact the Program Manager or District Manager.



At any point during the OHCA Assessment, you can connect outside of ODHS to share ongoing concerns or feedback about the OHCA Assessment

Within the Governor's Advocacy Office, there is a person who is the Foster Care Ombudsman. If you web search *Oregon Foster Care Ombudsman*, you will read the following:

Working within the Governor's Advocacy Office, the Office of the Foster Care Ombudsman is an independent resource to investigate complaints, concerns or violation of rights for children in the custody of Oregon DHS Foster Care. The Ombudsman position was created in 2013 with the passage of Senate Bill 123. This position is the result of legislation developed and passed by current and former foster youth. The Ombudsman receives, investigates and helps resolve complaints and concerns from a wide range of people including foster youth, parents, relatives, CASAs, attorneys, social workers and many other interested parties.

If you are a current or former foster youth, or if you have concerns or complaints about a child or youth in foster care, the staff at the Ombudsman Office will:

- 1 Listen to your concerns;
- 2 Document complaints;
- 3 Gather all relevant information;
- 4 Remain neutral and impartial;
- 5 Provide information on how to help.

How to file a complaint

There are many options for filing a complaint.

1. Call the Youth Empowerment and Safety (Y.E.S.) line at **1-855-840-6036**, or
2. Visit the [Foster Care Ombudsman](#) page to find the Foster Care Ombudsman Complaint form and submit the form by:
 - Email to fco.info@state.or.us or
 - Fax complaint form to 503-378-6532, or
 - Mail complaint form to 500 Summer St. NE E-17, Salem, OR 97301

Once you receive the letter notifying you of the disposition, here are your Appeal Rights.

If you receive a founded disposition, you will have the opportunity to appeal. If you appeal, a local branch review will happen. This review will be comprised of those working in Child Welfare who are not from the branch from which you are certified. (Note: If there is only one Child Welfare office in your district, this Initial Review will be conducted out of your district). You will receive a written letter informing you if the disposition is upheld. If it is, you have a right to a Central Office Review.

A Central Office Review is conducted at the Central Office level in Salem. The review committee is made up of Child Safety Consultants and Child Welfare managers who have no connection to the case or county in which you live. You will be notified in writing of the committee's decision. If the decision from the Central Office Review is to uphold the Founded Disposition you have the right to move forward to the final review step, which is to request a Judicial Review of the decision. This process is explained in the written notification of committee decision.

Does the agency have the right to move a foster child, even if the disposition is not founded?

The agency is the legal guardian of the child and as such, if there are issues that threaten the health, safety and well-being of a child in foster care, regardless of the disposition, the agency has the ultimate authority to move the child often based on what is in the best interest of the child.

How do I determine if I keep fostering after this?

No matter the results of this disposition, the agency will engage and consult with you on how this may affect your certification.

If you are given the choice to continue being a foster (resource) parent and you feel uncertain or anxious about continuing to be a foster (resource) parent after undergoing OHCA, you are not alone. Foster (resource) parents may feel like OHCA has taken a heavy toll on them and their families, which makes them uneasy about continuing to be a foster (resource) parent. These are delicate conversations, and we encourage you to talk with your certifier about how you're feeling about remaining certified. You may also consider requesting remaining on "inactive referral status," ("inactive referral status" means you remain a certified foster (resource) parent, but the agency will not call you about taking a new placement during a set period of time) or stop fostering altogether. This impacts families in various ways and you will know what's right for you by reaching out to your community supports, CPS worker and certifier.

We hope this letter providing an overview of the steps and timelines of OHCA has helped to shed light on what can feel like a dark time for many foster (resource) parents who are navigating Out of Home Care Assessments.

Sincerely,

