



# Lorain County Children Services

226 Middle Avenue, Elyria, Ohio 44035 • (440) 329-5340 • Fax (440) 329-5378

Kristen M. Fox-Berki, MSSA, LISW-S, Executive Director • [www.childrenservices.org](http://www.childrenservices.org)

## **MEPA FORMAL WRITTEN NOTICE OF THE PROCESS FOR ANY COMPLAINTS In The Foster/Adoption Process That Involves Alleged Discrimination Involving Race, Color or National Origin Foster Care/Adoption Recruitment Policy per ODJFS Rule 5101:2-33-03 5101:2-5-13 [A](27) and/or 5101:2-48-05**

### **What kind of discrimination does this process cover?**

The Multiethnic Placement Act (MEPA) and Title VI of the Civil Rights Act of 1964 prohibit any agency that receives federal funds, from discrimination on the basis of race, color or national origin in the foster care or adoption process. MEPA prohibits an agency from delaying or denying approval of a foster or adoptive parent or placement of a child with a foster or adoptive parent based on the race, color or national origin of the prospective parent or of the child. Discrimination is prohibited from a person's first contact with this agency's adoption and foster care program to the last contact. This covers the application and homestudy approval process as well as the process to match an approved family with a foster or adoptive child and the adoption subsidy negotiation process.

If you believe that you have been discriminated against on the basis of race, color or national origin, or if you believe an Ohio foster care or adoption agency has policies or practices that discriminate in the adoption or foster care process based on the race, color or national origin of the prospective foster or adoptive parent or of the child, you can file a formal complaint. All individuals who contact the agency with an interest in foster care/adoption will receive a packet of information, which includes this process, within seven days of inquiry.

### **What else does this process cover?**

Any person, including but not limited to, an employee or former employee of the agency or a member of a family which has sought to become a foster caregiver or adoptive parent, may also file a complaint alleging that he or she was intimidated, threatened, coerced, discriminated against or otherwise retaliated against in some way by the agency due to the individual making a complaint, testifying, assisting, or participating in any manner in an investigation, proceeding, or hearing in connection with an allegation that the agency engaged in discriminatory acts, policies, or practices as it applies in the foster care or adoption process. This complaint can be made against this agency, any other Ohio foster care or adoption agency, or the Ohio Department of Job and Family Services (ODJFS).

### **Who can file a formal complaint?**

Any person can file a formal written complaint alleging a discriminatory act, policy or practice involving race, color or national origin in the foster care or adoption process by Lorain County Children Services, another Ohio foster care or adoption agency, private or public, or by ODJFS. This can include but is not limited to:

- A foster or adoptive parent
- A prospective foster or adoptive parent
- An employee or former employee of Lorain County Children Services or of another Ohio adoption or foster care agency

### **How can I file a formal complaint?**

You must complete the "Discrimination Complaint Form" (JFS 02333). You can get a copy of this form by calling either:

- Kristin Ross, Lorain County Children Services MEPA Monitor  
440-329-5672, **OR**
- Ohio Department of Job and Family Services, Bureau of Civil Rights  
Toll Free: 1-866-227-6353; 614-644-2703, **OR**
- See Attachment (JFS 02333 Discrimination Complaint Form).

The information contained in this letter is confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or the agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this letter is strictly prohibited. If you have received this letter in error, please immediately notify us by telephone at (440) 329-5340 or return this letter via regular mail. Thank you. Lorain County Children Services.

*Form / MEPA Formal Complaint Process Rev. 5/30/18*



You can file this formal complaint with any of the following:

- Lorain County Children Services  
Attn: Kristin Ross, MEPA Monitor  
226 Middle Avenue  
Elyria, OH 44035
- Ohio Department of Job and Family Services  
Bureau of Civil Rights  
30 E. Broad Street, 30<sup>th</sup> Floor  
Columbus, OH 43215-3414
- Any other public or private Ohio foster care or adoption agency

### **When must I file the formal complaint?**

You must file the formal complaint within two years of the alleged discriminatory act, or within two years from the date you learned of or should have known of the discriminatory act, policy or practice.

### **Who investigates the complaint?**

The Bureau of Civil Rights of the Ohio Department of Job and Family Services will conduct an investigation. If you filed your formal complaint with Lorain County Children Services or another Ohio foster care or adoption agency, that agency must send your formal complaint to the Bureau of Civil Rights of ODJFS within 3 business days. ODJFS will investigate your complaint. At a minimum, the investigation will include in-person interviews with:

- You
- The individual or agency who allegedly committed the discriminatory act or had the discriminatory practice or policy
- Relevant witnesses

The agency, if the subject of the complaint, shall not initiate, conduct, or run concurrent investigations surrounding the complaint or take any further action regarding the complainant or the subject of the complaint until the issuance of the final investigation report by ODJFS, unless approved by ODJFS. The agency, if the subject of the complaint, shall cooperate fully with ODJFS during the course of the investigation and shall submit any information requested by ODJFS not later than fourteen days from the date of the request, unless otherwise agreed upon.

### **How long does this take?**

ODJFS must complete the investigation and provide a report to you and to the agency that is the subject of the investigation within 90 days of receipt of the formal complaint. If unusual circumstances prevent ODJFS from completing the investigation within that timeframe, ODJFS will notify you and the agency of the need for additional time.

### **Can I make a complaint to Office of Civil Rights (OCR)?**

Yes, a complaint can be filed with the federal Office for Civil Rights (OCR) of the U.S. Department of Health and Human Services. While the ODJFS Bureau of Civil Rights is still responsible for investigating the complaint, OCR has the authority to conduct its own investigation. OCR can be contacted at:

- U.S. Department of Health and Human Services  
Office of the Chief Counsel, Region V  
Office for Civil Rights  
233 North Michigan Avenue, Suite 700  
Chicago, IL 60601  
312-353-1640

### **Who can I talk to if I want more information about MEPA discrimination?**

In addition to the U.S. Department of Health and Human Services Office for Civil Rights noted above, the following individuals or office can give you more information about MEPA discrimination:

- Kristin Ross, MEPA Monitor  
Lorain County Children Services  
226 Middle Avenue  
Elyria, OH 44035  
440-329-5672  
[kristinross@childrenservices.org](mailto:kristinross@childrenservices.org)
- Ohio Department of Job and Family Services  
Office of the Chief Inspector  
Bureau of Civil Rights  
30 E. Broad Street, 30<sup>th</sup> Floor  
Columbus, OH 43266-0423  
614-644-2703  
Toll Free: 1-866-227-6353

### **Written Notice:**

This process is provided to all individuals who inquire about foster care/adoption within seven days of their contact. The agency shall provide a written notice of the procedures for any complaints of discrimination in the foster care or adoption process that involve RCNO within thirty days of the effective date to all foster caregivers certified or in the process of certification and to all individuals who have approved adoptive homestudies or who are participating in the adoption homestudy process on the effective date of this rule.

No person who has filed a complaint alleging a discriminatory act, policy or practice involving RCNO in the foster care or adoption process of the agency or who has testified, assisted or participated in any manner in the investigation of a complaint shall be intimidated, threatened, coerced, or retaliated against by any employee or contractor of the agency.

Attachment: JFS 02333 Discrimination Complaint Form