

Legislator John J. Mills

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May 10, 2016

John J. Mills,

Please be advised, the basis of our complaint with regard to the Buffalo Urban league and Erie County DSS is as follows:

1. We became a resource for a foster child, (herein known as JJ.) in November of 2012. Shortly after taking him into our home as foster parents, it became apparent that he had special needs, as a result we consulted medical professionals, in the early part of 2013. At that time he was diagnosed with Autism and FAS. The result of that diagnosis changed his foster classification from normal to (exceptional / therapeutic). The change of this classification meant that there would be a change in his rate and facilitate more intensive services to address the issues of such a diagnosis. The change in his rate, took nearly a year to finalize, for one reason or another. When this was finally approved, we were told that only the previous 3 months of waiting would be retroactively reimbursed.

These payments began in October of 2014 and ended in June of 2015. However, by July of 2015, it had come to the attention of the county and Buffalo Urban league that we were being paid therapeutic rate, and we were not eligible for these funds, on the grounds that Buffalo Urban was not contracted to facilitate therapeutic children, even though JJ. was technically classified therapeutic. The agency latter said that he should have been getting exceptional rate as that is as far as their contract would allow.

Therefore, we simply accepted it, for what it was. Then in November of this year we

received a letter from Buffalo Urban, which demanded us to repay the difference in rate between the months of October 2014 and June 2015. They contend that this accounting error – tallied \$2,809.94 in overpayment and must be repaid. Our problem with all of this, was that it took nearly a year to get this straightened out to begin with, and we were essentially denied at least six months of payment, because the county would only recognize the previous three months for retroactive reimbursement; even though our case continuously slipped through the cracks of administration for months on end, at no fault of our own. So we take issue with the idea that we are expected to accept such neglect, to the detriment of meeting JJ.'s personal needs, only to be told that we have to repay a clerical error 6 months after the error was discovered? And in light of the fact that we were told the funds we were receiving, were indeed the exceptional rate not the therapeutic rate.

This inattention is also indicated by the fact that JJ. still does not have Bridges to Health services. These services should have been in place over a year ago, and they are still not finalized. Again and again this child's needs have been neglected, under the guise of miscommunication between agencies and/or errors in the administration of paper work and procedure. In the mean time we struggle as a family, to make sure that this child receives every possible avenue of support, so that he can grow up to his fullest potential.

2. JJ. has been in care for over three years, he has been freed for adoption since May of 2015 and his adoption packet has still not been provided to the court. According to Buffalo Urban League, his adoption packet was complete and ready to be submitted prior to his parents signing over their parental rights. Now we are approaching a year later and it does not seem as if we are any closer to adoption now than we were 7 months ago when his parents gave up their rights. In due processes we are told again and again that this is the result of miscommunication and confusion on the part of the county and Buffalo Urban, with respect to the process of completing the adoption packet and having it submitted to the court.

3. We have been told on a number of occasions that we are expected to keep therapeutic children in our home, without question, even though we are working with a non-therapeutic agency. We had a disruptive child in our home who spent 30 days in the Children's Psychiatric Center. Resultantly, we were criticized and retaliated against when we asked for the child to be removed, for the child's own benefit. Such a decision is difficult to make, but it was and is made with the best interest of all the children in our home, in mind. In addition we should not be retaliated against nor chastised for making such a difficult decision, especially when we voiced that it was in the best interest for a struggling child, and the other children in our home.

It is for these reasons that we feel it necessary to make a formal complaint. It seems as though these cases have been either neglected or mishandled on several accounts, to the detriment of these children who are already in the midst of family crisis, that no child should ever have to endure. We realize that no system this large is ever as efficient as one would hope it to be. However, our expectation is that in such lacking, these matters will be aggressively addressed and made right on all accounts.

Sincerely,

Brian and Tammy Sheldon

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John J. Mills,

This letter is to update you as to the context of our complaint of retaliatory actions, by Buffalo Urban League. Following our initial complaint against Buffalo Urban League, and the request to transfer agencies, the Buffalo Urban home-find supervisor said that leaving their agency during the adoption process would be a dangerous action on our part. When asked as to what she meant by that, she stated that there were a number of reasons why this was so, pointing out that they would not be able to protect us against any involvement with C.P.S. that may occur. "Coincidentally" enough, the same day that a C.P.S. investigation against us was opened, Buffalo Urban, surrendered our case to Child and Family Services of Erie County.

As of May 1st the result of that investigation was declared unfounded. To that end, let me say that on the Foster Side of things, Erie County has been wonderfully supportive to us. Based on the issues that emerged from C.P.S, there is little doubt this is the result of Buffalo Urban tainting the real issues and smearing our name as a retaliatory tactic. Which compromised the investigation process, making an unbiased investigation into the real issues exceptionally difficult.

We have been told at the county level that JJ's adoption packet is now at the Erie County court house, waiting for a docket number. Again please note that while we were with B.U.L. his adoption was stalled for nearly a year. When our files were transferred to the County much of our information was missing from the Adoption packet. Even with missing documentation and a

C.P.S. investigation, the County worker managed to finish in two months what B.U.L could not in nearly a year. Let me take a minute to give you an idea as to the types of things that are missing from James' file. The county has made several attempts to get all of JJ.' documentation from Buffalo Urban League. The latest incident came to light on 5/12/2016 at JJ's permanency hearing. At the hearing it came out that documentation, with regard to the surrender of parental rights is missing. One county worker said that she had sent it to Buffalo Urban, since they were the foster agency at the time these documents were signed by his parents.

Again, Buffalo Urban League, has stated on many occasions that the issue was that the county was being uncooperative. But it would seem in hindsight that it was just the opposite, that Buffalo Urban were the ones being negligent and uncooperative. Which leads us to believe, that such actions have been either grossly negligent, acts of retaliation, or a combination of both. Resultantly, JJ has been lost in the foster system for four years. He has been freed for adoption for a year, and we are being told that it could be as much as another 3 months before we see any hope of finalization. Which, is a far cry from the 6 months that we were initially told, prior to his parents' surrender.

That all being said, I think it is time for us to move ahead with our complaint against Buffalo Urban League. Within the past two months of being with Children and Family of Erie County, more has been accomplished on JJ.'s behalf than during our tenure at Buffalo Urban. In retrospect we believe, as we have always suspected, Buffalo Urban has been culpable in all of this. In the wake of these matters, irreparable damage to both foster parents and more importantly the foster Children, has occurred. The question that plagues me in all of this, is who is going to be held responsible? Not for necessarily for the sake of justice, but so that this does not continue to be the status quo, where by Buffalo Urban League can continue to dismissively act in such an unprofessional manner. So if Mr. Mills is willing we would appreciate your help and efforts to move forward with this at the state level.

Sincerely,

Brian and Tammy Sheldon