



# CHILD PROTECTION OMBUDSMAN of COLORADO

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## COLORADO CHILD PROTECTION OMBUDSMAN BOARD

PUBLIC MEETING  
November 14, 2019

### Record of Proceedings

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*Notice of this meeting was provided pursuant to the Colorado Open Meetings Law, § 24-6-402, C.R.S.*

#### **CONVENE:**

The meeting of the Child Protection Ombudsman Board was convened in the Ralph L. Carr Building, Room 1F, Denver, Colorado, 80203 at 8:10 a.m. by Board Chairman, Kenneth Plotz.

A quorum of the Board was present.

#### **INTRODUCTIONS:**

#### **PRESENT AT THE MEETING**

##### **Board Members**

Kenneth Plotz, Chairman  
Eldridge Greer  
Pax Moultrie  
Karen Beye  
Dee Martinez  
Peg Rudden  
Connie Linn

##### **Board Members on Phone**

Simone Jones, Vice Chairman  
Richard Krugman  
Victoria Shuler

##### **Others Present**

Sueanna Johnson, Deputy Attorney General  
Stephanie Villafuerte, Child Protection Ombudsman  
Jordan Steffen, Deputy Ombudsman  
Karen Nielsen, Director of Administrative Services  
Sara Embrey, Chief Analyst – Division of Child Welfare  
Amanda Pennington – Child Protection Systems Analyst  
Claire Hooker – Child Protection Systems Analyst

## **PRESENT FROM THE PUBLIC**

None

## **PUBLIC COMMENT:**

None

## **REVIEW AND APPROVAL OF MINUTES:**

### September 12, 2019, Meeting Minutes

Chairman Plotz entertained a motion to approve the final minutes of September 12, 2019. Dr. Krugman made a motion to approve the final minutes of September 12, 2019, and Ms. Martinez seconded the motion. The motion passed unanimously, minus Ms. Linn and Ms. Rudden, who were a few minutes late.

*At 8:15 a.m. Ms. Rudden joined the meeting.*

## **EXECUTIVE DIRECTOR REPORT:**

### **Financial Report**

Ms. Villafuerte provided board members with the CPO's current FY 19-20 operating budget report. She directed the Board to the Excel spreadsheet that has all the line item expenditures. Ms. Villafuerte stated that the CPO has a FY 19-20 operating budget of \$990,000 and that there is \$634,000 remaining. She reported that the majority of the budget goes to staff payroll and benefits. Ms. Villafuerte stated that the CPO is under budget due to two vacancies.

Ms. Villafuerte reported that the CPO has submitted the budget to the State Court Administrator's Office for FY 20-21. She stated that she is asking for \$77,000 additional funds for marketing efforts and for increased salaries for agency staff, excluding the Ombudsman and Deputy Ombudsman.

There was discussion regarding the costs associated with additional marketing efforts. Ms. Villafuerte stated that Barefoot PR will help produce the CPO quarterly electronic newsletter, website updates and future FY 19-20 Annual Report. She reported that it is more cost effective to hire Barefoot PR to assist with our monthly marketing efforts than it is to have a full-time staff member dedicated to such duties. Ms. Villafuerte reported that the first CPO quarterly newsletter/annual report went out in September 2019 and that the second newsletter will be sent out in January 2020.

*At 8:23 a.m. Ms. Linn joined the meeting.*

Ms. Villafuerte reminded the Board that the CPO did not request additional funding for FY 19-20. She stated that she plans to appear in front of the Joint Budget Committee (JBC) in January-February 2020 to present the agency's budget request. Ms. Villafuerte reported that she will continue to keep the Board informed of the outcome of the hearings.

There was discussion around the Governor's Office cutting state funding due to the shortfalls in state's reserves. Ms. Villafuerte reported that the office provided the JBC with a five-year long-range plan to project what the CPO expenditures will be. Ms. Steffen reported that this long-range plan includes one analyst and one administrative person, provided caseloads continue to rise. She reported that this need would involve cases that include more complex subject matter which would require more resources, and cases involving systems other than child welfare.

## **Legal Services Report**

Ms. Villafuerte provided the Board with the CPO's FY 19-20 legal budget report. She reported that the CPO has been allocated \$13,000 and has spent \$2,200 in FY 19-20. She stated that the CPO continues to utilize Deputy AG Johnson's expertise.

## **Human Resource Updates**

### ***Personnel***

Ms. Villafuerte reported that Claire Hooker is the CPO's newest Child Protection Systems Analyst (CPSA).

Ms. Hooker introduced herself. She reported that she started at the CPO in mid-October. She spent 11 years at Denver Department of Human Services as an ongoing caseworker; working with Family Integrated Drug Court and as a Treatment Team Facilitator and then as the Program Administrator for the Treatment Team. She stated that she is very passionate about working with children and families and is happy to be a part of the team.

Ms. Villafuerte reminded the Board that the CPO received many applicants for the Chief Analyst – Division of Youth Services (CA-DYS) position, but none appeared to be a good fit. Ms. Villafuerte stated that she has put the CA-DYS position on hold until after the new year. She reported that she continues to reach out to other colleagues to see if they know anyone who might be interested.

Ms. Villafuerte stated that although the position has not been filled, the analysts continue to take the Division of Youth Services (DYS) complaints. She reported that Ms. Pennington has taken the lead on the DYS calls and the CPO has seven DYS cases at this time.

There was discussion about the number of DYS cases the previous CA-DYS had. Ms. Embrey reported that the previous CA-DYS had around 20 cases. Board members asked Ms. Villafuerte if there is a skill or quality that the CPO is looking for in the CA-DYS applicants. Ms. Villafuerte reported that the CPO is struggling to find individuals who have subject matter expertise, the ability to analyze rules and regulations and those with a high level of writing skills. She stated that she's considering the idea of just having generalists vs specialists. Ms. Villafuerte reported that she has started to bring in subject experts to supplement the CPO staff's skill set. Ms. Villafuerte reported that she continues to review the CPO hiring process and the level of expertise needed for the positions and evaluate what training staff can benefit from.

## **CPO Appointed Vacancies**

Ms. Villafuerte reported that the CPO is still waiting for the Governor's office to appoint a CPO staff member to the Colorado Department of Health and Environment- Child Fatality Prevention System Team (CDPHE-CFPS). She reported that the CPO is statutorily required to have a position on the CDPHE-CFPS team, and that the CPO filled out the application in April 2019.

## **Board Member Terms - Vacancies**

Ms. Villafuerte congratulated Ms. Moultrie on her appointment to a 1<sup>st</sup> Judicial District Court magistrate position.



Ms. Villafuerte reported that there are still four board appointments open, Ms. Martinez and Ms. Linn submitted their applications to the Governor's Office in March 2019 and that she is waiting to hear back on their re-appointments.

Ms. Villafuerte further stated that the House Minority Leader has received an applicant for the former/current foster parent board seat appointment in August 2019. She reported that she continues to be in contact with the House Minority Leader on the position.

Ms. Villafuerte addressed the current Chief Justice vacancy. She reported that the appointment requires the individual to be attorney that has previously practiced defending juveniles in a criminal proceeding. She stated that she has received and submitted an applicant for this appointment in August 2019 and that she is working with the Chief Justice to get the seat filled.

Ms. Villafuerte stated that she is working with AG Johnson to fill the appointments as quickly as possible. AG Johnson stated that she has also sent out emails to encourage the Chief Justice and the Governor's Office to fill the vacancies because of the necessity to have quorum and go into executive session. AG Johnson stated that she will allow both Ms. Martinez and Ms. Linn to be voting board members until their re-appointments are finalized.

#### ***Quarterly Staff Retreat***

Ms. Villafuerte reported that the CPO has scheduled a full-day staff retreat for December 12, 2019. She reported that the goal of this retreat is to discuss the CPO FY 20-21 Strategic Plan and for the team to continue to develop the staff culture, maintain this level of performance and to honor and maintain new skills that staff have learned.

Ms. Steffen reported that part of the strategic plan includes the CPO Public Policy Program she has been working on. She reported that during the staff retreat the team will be defining these projects: child fatality, municipal court records, Foster Care Bill of Rights and behavioral health.

Ms. Steffen reported that the CPO is committed to developing thoughtful and transparent processes and criteria for selecting policy issues to explore, engaging stakeholders, and facilitating the implementation of solutions. She reported that Barefoot PR is a large part of this strategic plan and will continue to assist the CPO with the delivery of our message to the public on a regular basis.

*At 8:58 a.m. Richard Krugman left the meeting.*

#### **CPO Outreach**

##### ***Conferences/Presentations***

Ms. Villafuerte provided the Board with the CPO Outreach Summary. She reported that the CPO continues to participate in community outreach and updates the outreach document regularly.

Ms. Villafuerte also reported that she, Ms. Embrey and Ms. Pennington presented at the Office of Respondent Parents' Counsel Annual Conference in Steamboat Springs, Colorado. She reported that the team presented on the type of concerns that the CPO receives from parents. She reported that the team presentation was very well received.

Ms. Villafuerte stated that she is now the co-chair for the United States Ombudsman Association's (USOA) child welfare subcommittee. She reported that she is learning from her colleagues about what is going on around the country.

Ms. Villafuerte reported that she presented at the USOA Conference in mid-September regarding how Ombudsman reports and recommendations can be leveraged to create and make systemic policy change for children and families, as well as discussing some of the trends the CPO is seeing. She stated that the presentation went great and was very well received.

There was discussion about how other ombudsman offices are doing systemic reports. Ms. Villafuerte reported that after talking to other colleagues at the conference that it is clear that the CPO is working very hard to make sure that report recommendations are being implemented. This is a unique approach that is unlike most offices in the country. She provided the group with examples of what other ombudsman offices are doing and reported that the CPO takes a more proactive approach.

### **CHILD WELFARE SERVICES**

Ms. Embrey reported that the CPO is excited to have Ms. Hooker on the team. She reported that the CPO is fulfilling all its obligations, including external meetings and handling citizens' calls. Ms. Embrey reported that the CPO has seen an increase in the complexity of the cases. She further reported that the CPO continues to have an increase in the number of compliance concern letters that are issued. She reported that Ms. Pennington has written more compliance concern letters in the last six months than the CPO issued during the four prior years. Ms. Embrey assured the group that the CPO is working closely with our county human services departments and that the CPO analysts are staying on top of their caseloads and deadlines.

Ms. Embrey reminded the group that Ms. Pennington is the CPO contact for all DYS related calls. Ms. Embrey stated that she and Ms. Pennington toured the Marvin W. Foote Youth Services Center on October 31, 2019. She reported that they met with the director and discussed the changes he is making on taking a "sanctuary environment" approach to working with the youth in the facility.

Ms. Embrey reported that the CPO is working with key DYS staff to track data on types of requests the CPO is making to them and keeping the discussion flowing at the Juvenile Round Table Meetings that the CPO will be hosting. She reported that the CPO has plans to visit other DYS facilities.

Ms. Embrey stated that the CPO has developed a Child Welfare Outreach Plan. She reported that the CPO is hosting its first Child Protection Ombudsman (CPO)/County & State Information Session in December 2019. She reported that the CPO will be hosting these meetings on a quarterly basis with the hope to hold the meetings in various parts of the state to encourage maximum participation. Ms. Embrey reported that the goal of the information sessions is to provide an overview of the office and receive feedback from our partners to better inform our case practices.

There was discussion from the Board about developing those relationships and what a great plan it was.

*At 9:12 a.m. Victoria Shuler joined the meeting in person.*

*The Board took a break at 9:16 a.m. The meeting resumed at 9:35 a.m.*

## **BOARD BUSINESS**

### **Ombudsman Evaluation**

Melanie Ulrich, Total Compensation Manager with the Colorado Judicial Department was invited to the board meeting to discuss how an Executive Director Evaluation process should look.

Ms. Ulrich reported that a proper evaluation should consist of achievements and outcomes on established objectives, whether the director modeled the core values of the office and what is important for the board. She further talked about sources for the evaluation process, objective and subjective approaches, how to document the review, how to process the review and common problems boards may experience during the review process.

There was general discussion on the current process and what the board can do differently. The group decided that Ms. Villafuerte will send out core values to the board and that AG Johnson will send out evaluation forms to the board. Next, the board will discuss a quarterly internal process for the Ombudsman evaluation which will include what the objectives are, what about the current process is or isn't working, what's important to the Board and then discuss the 360 evaluation.

### **Board Meeting**

The next CPO board meeting will be held at the Ralph L. Carr building, Denver, Colorado at 8:00 a.m. on Thursday, January 9, 2020.

### **ADJOURN**

The Board formally adjourned the meeting at 10:24 a.m.

### **ATTESTATION**

As Board Chair and Board Vice-Chair, I attest that these minutes of the open public meeting held on November 14, 2019, of the Colorado Child Protection Ombudsman Board substantially reflect the substance of the discussion and action taken related to the matters under the authority of the Board and in compliance with the Open Meetings Law, § 24-6-402, C.R.S.

Board Chair

Date

Board Vice-Chair

Date

