COLORADO CHILD PROTECTION OMBUDSMAN BOARD

PUBLIC MEETING
November 10, 2016

Record of Proceedings

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 Judicial Center, 1300 Broadway, Conference Room 1F, Denver, Colorado, 80202 at 9:04 AM by Chairman, Judge Ken Plotz.

A quorum of the Board was present.

PRESENT AT THE MEETING

Board Members
Chairman Ken Plotz
Vice-Chairman Ginny Riley*
Charles Greenacre
Pax Moultrie
Victoria Shuler*
Peg Rudden
Sarie Ates-Patterson*
Simone Jones*
Karen Beye
Dee Martinez

Absent Members
Connie Linn

Others Present
Stephanie Villafuerte, Child Protection Ombudsman
Sabrina Burbidge, Deputy Ombudsman
Jordan Steffen, Communications and Policy Director
Karen Nielsen, Manager of Intake and Administration
Melissa Vigil, Child Protection Systems Analyst
Sueanna Johnson, Asst. Atty. General*

* Participated by Telephone

PRESENT FROM THE PUBLIC
Lucinda Connely – CDHS
Robert Burnes – Member of the Public

AGENDA ITEMS

I. PUBLIC COMMENT

None

II. APPROVAL OF MINUTES

October 13, 2016 Meeting Minutes

Change to the meeting minutes on page 3 reflecting that the board was not setting a salary range but that they were setting a salary for the Child Protection Ombudsman.

Ms. Dee Martinez made a motion to approve the minutes of October 13, 2016. Ms. Karen Beye seconded the motion. The motion passed unanimously.

October 20, 2016 Meeting Minutes

Change to the meeting minutes to reflect the correct page numbers.

Ms. Dee Martinez made a motion to approve the minutes of October 20, 2016. Ms. Peg Rudden seconded the motion. The motion passed unanimously with the abstention of Pax Moultrie.

III. EXECUTIVE DIRECTOR REPORT

1. Financial Report

Ms. Villafuerte provided the board members with the current financial report and expenditures.
FY 16-17 Budget: $591,646
Year to Date: $368,590
Ms. Villafuerte reported that in terms of spending for the FY 16-17 she does not foresee any shortages. She further reported that she is in the process of submitting our FY 17-18 Budget request. The office is asking for the following:

a. A second full-time Child Protection Systems Analyst position  
b. The other half-time for the Communications and Policy Director position  
c. Legal services from the attorney general’s office  
d. Small adjustments for employee cost of living increases and health care costs

2. Agency Update

**Non-Systemic/Systemic Complaints:**

Ms. Burbidge indicated that the complaint numbers continue to increase. The following are the current numbers:

- FY 16-17 (year to date): 215  
- October 2016: 47

Ms. Burbidge also touched on the Systemic complaints. She reports that the office is still gathering information and doing research on the five systemic complaints but specifically working on the following two cases:

1. Disparity in statewide adoption subsidies  
2. Restraints on juveniles in DYC (WRAP)

Ms. Villafuerte provided the board with an update on the progress of those two systemic complaints. She further reported that there are other systemic complaints and issues but the office does not have the staff to address all these concerns.

The following is a list of the current open Systemic Complaints:

1. Disparity in statewide adoption subsidies  
2. Delayed finalization of adoptions  
3. Restraints on juveniles in DYC (WRAP)  
4. Rural human services workload disparity  
5. Pediatric Mental Health Services

There was more discussion from board members about these two systemic complaints and in general about the office drafting procedures to investigate these issues.
The group talked about the difference between individual cases versus a systemic complaint. Ms. Villafuerte reported that she sees systemic complaints as those that have statewide implications and involves multiple agencies and/or multiple cases. She indicated that the CPO is currently working on formulating a definition of what constitutes a systemic complaint and is developing a strategic plan on how the CPO will resource these complex issues. Ms. Villafuerte indicates that resourcing will need to come from community partners who have specific expertise in areas that the CPO may not. This will be an ongoing conversation between the staff and board.

**Internal Operating Infrastructure:**

Ms. Villafuerte indicated that the office is continuing to work with the State Court Administrators Office to complete the CPO/Ombudsman Personnel Rules.

Ms. Villafuerte also continues work on the Fiscal Policies and Operating Procedures.

Ms. Villafuerte reported that all employee’s job descriptions/evaluation forms are completed and that employees have had their performance evaluations.

Ms. Villafuerte further reported that CPO is using the new database in real time. She thanked Melissa Vigil for all her hard work on the database. She invited all board members to come to a staffing and witness the new database in action.

**Outreach and Communications:**

Ms. Villafuerte talked about the importance of educating the stakeholders and public about this office. She referenced the FY 2016-17 Performance Plan. She provided the group with a list of the CPO October 2016 Outreach and Communication Activities.

**Ombudsman October Outreach/Communications Activities**

- October 4, 2016: Meeting with Cody Belzley, pediatric health care specialist
- October 5, 2016: Meeting with complainant on Adoption Subsidy issue
- October 7, 2016: Telephone conference with Dr. Kathleen Wells, pediatric health care
- October 25, 2016: Meeting with Denver Human Services Director Don Mares/Joe Homlar
- October 26, 2016: Meeting with Douglas County Human Services Adoption Specialists
October Presentations

- October 13, 2016: Ombudsman Presentation (Broomfield/Adams Judicial meeting)/Sabrina Burbidge
- October 25, 2016: Ombudsman Presentation Colorado Foster Parent Association (Breckenridge)/Sabrina Burbidge

Other Activities

- Sabrina Burbidge and Melissa Vigil attended the National Symposium on Juvenile Services in Denver October 31-November 3, 2016 to receive training on Division of Youth Services policies and practices.

Legislative Session

The goal of the CPO will be to follow legislation that impacts the area of child maltreatment. The CPO will be thoughtful on what bills it will weigh in on as it is important to remember that the CPO is to educate, not merely advocate on behalf of every child related bill.

SMART Act

Ms. Steffen explained the SMART Act. This Act requires the CPO to produce a strategic plan and quarterly performance reports. She reported that she submitted the SMART Act Performance Report for November 2016. She stated that she is preparing the second quarter SMART Act Performance Report that is due January 2017. The reports go to the Governor’s Office, the Legislators, the JBC, and is also posted on our website.

CPO Open House

Save the Date for CPO Open House on January 19, 2017; 4:30-6:30 p.m.

IV. OUT OF TOWN BOARD MEETING

The out of town board meeting is tentatively scheduled for May 11, 2017, at 12:00 PM in Fort Morgan.

Simone Jones indicated that she is working on identifying opportunities in Fort Morgan. The meeting place will still need to be determined.

There was some discussion about meeting the legal requirement to hold one out of town board meeting. Sueanna Johnson, Asst. Atty. General, indicated that the meeting in May 2017 would comply with the statute.
Chairman, Judge Plotz indicated that the CPO Board acknowledges that one meeting per fiscal year needs to be held in a rural jurisdiction.

Judge Greenacre moved that the out of town meeting in this Fiscal Year 2016-2017 be held in May 2017.

Sarie Patterson seconded the motion.

The motion passed unanimously.

V. BOARD VICE CHAIR POSITION

Chairman Judge Plotz indicated that Ginny Riley would like to resign from her position as Vice-Chair but will remain on the board through the end of her term.

Chairman Judge Plotz, asked for volunteers. There were none. Judge Plotz then asked Simone Jones if she would be the Vice Chair and she agreed.

Peg Rudden moved that Simone Jones be appointed Vice Chair of the CPO Board effective immediately.

Karen Beye seconded the motion.

The motion passed unanimously.

VI. BOARD DOCUMENT RETENTION POLICY

Sueanna Johnson, Asst. Atty. General indicated that part of the board duties are to develop a document retention policy for the board records. She indicated that these documents include the development of the board, the hiring and/or evaluation of the ombudsman, information related to the ombudsman process, and executive session documentation. She stated that these are documents that staff should not retain. She reported that the Board Chairman shall be responsible for those documents and that she has a box and will be transferring it to Chairman, and in his absence would go to the Vice Chair.

Ms. Villafuerte reported that she also has a draft of a CPO document retention policy and that she would be happy to share that with the board if necessary.

There was some discussion about putting the board document retention policy into the CPO Board by-laws.

Peg Rudden made a motion that the CPO Board will develop a document retention policy in the near future and that the Chairman and in his or her absence the Vice Chair will be the custodian of those documents. The documents include the development of the CPO board, the hiring
and/or evaluation of the ombudsman, information related to the ombudsman hiring process, and executive session documentation.

Judge Greenacre seconded the motion.

The motion passed unanimously.

**VII. OMBUDSMAN EVALUATION PROCESS**

Sueanna Johnson, Asst. Atty. General indicated that she has received some questions from a few board members and/or how they want to see the future evaluation of the ombudsman. She reported that she is on schedule to provide the board with a draft by mid-November. She reported that the evaluation needs to have an administrative function. She stated that some of the board members have suggested a 360 evaluation for the future. Ms. Johnson suggested that board members send information and ideas her way.

Ms. Villafuerte suggested that she would reach out to Judicial HR to see if they have a process in place to conduct a 360-degree evaluation of employees. Ms. Villafuerte reminded the group that the judicial department receives $20k to provide human resource and accounting services and that the CPO does not have money in its annual budget to contract for human resource services.

**VIII. 2017 BOARD MEETING SCHEDULE**

The Board discussed the 2017 meeting schedule. The group agreed that they could meet less frequently. By law the Board is required to meet two times annually. The members stated that they would be in favor of meeting every other month rather than once a month.

There was discussion that the board would still like to receive an Executive Summary and Legislative Report from the Ombudsman although they would not be meeting. Ms. Villafuerte agreed to get these reports to them monthly.

Judge Greenacre made a motion that December 2016 meeting be cancelled and that effective January 2017 the CPO board meetings should be held every other month for three hours, from 8 a.m. to 11 a.m. The new meeting dates will be held in:

January
March
May
July
September
November

Dee Martinez seconded the motion.
The motion passed unanimously.

VIII. JANUARY MEETING AGENDA ITEMS

1. Board organization structure/sub-committees
2. Follow up on out of town board meeting for May 2017
3. CPO staff to call Judicial HR about 360 Evaluation process for Ombudsman

ADJOURN

Chairman, Judge Plotz moved to adjourn. Ms. Simone Jones made a motion to end the meeting. Peg Rudden seconded the motion. The motion passed unanimously.

The Board formally adjourned the meeting at 11:03 AM.

ATTESTATION

As Board Chair and Board Vice-Chair, I attest that these minutes of the open public meeting held on November 11, 2016 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

3/7/2017

Board Vice-Chair

Date

3/15/17