

**COLORADO CHILD PROTECTION OMBUDSMAN BOARD**

**PUBLIC MEETING  
October 13, 2016**

**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 Judicial Center, 1300 Broadway, Conference Room 1B, Denver, Colorado 80202 at 9:08 AM by Chairman, Judge Ken Plotz.

A quorum of the Board was present.

**Present at the Meeting**

**Board Members**

Chairman Ken Plotz  
Charles Greenacre\*  
Victoria Shuler\*  
Sarie Ates-Patterson\*  
Karen Beye

Vice-Chairman Ginny Riley\*  
Pax Moultrie  
Connie Linn  
Simone Jones  
Dee Martinez

*\* Participated by Telephone*

**Others Present**

Stephanie Villafuerte, Child Protection Ombudsman  
Sabrina Burbidge, Deputy Ombudsman  
Karen Nielsen, Manager of Intake and Administration  
Melissa Vigil, Child Protection Systems Analyst  
Sueanna Johnson, Asst. Atty. General

## **From the Public**

No one attended from the public.

## **AGENDA ITEMS**

### **I. Public Comment - None**

### **II. APPROVAL OF MINUTES**

Ms. Connie Linn made a motion to approve the minutes of September 8, 2016. Ms. Simone Jones seconded the motion. The motion passed unanimously.

### **III. EXECUTIVE DIRECTOR REPORT**

#### 1. Financial Report -

Ms. Villafuerte provided the board members with the current financial report and expenditures. The CPO fiscal year began July 1, 2016 and extends through June 30, 2017.

FY 16-17 Budget: \$591,646

Year to Date: \$428,980

Ms. Villafuerte reported that the FY 17-18 Budget is due November 1, 2016. She stated that the office is working with the JBC Analyst and that there are very few changes. The office is asking for the following:

- a. 1 FTE for an additional Child Protection Systems Analyst
- b. .5 FTE to bring the Communications and Policy Director position to full-time status

#### 2. Agency Update –

##### ***Non-Systemic/Systemic Complaints:***

Ms. Villafuerte indicated that the complaint numbers continue to increase. The current numbers are as follows:

- o FY 16-17 (year to date): 163
- o September 2016: 58

In an effort to standardize oversight of all contacts and complaints and to incorporate more of a team approach, the office has instituted a new approval process to staff new and closed complaints/contacts on a weekly basis. She reported that the new database system allows for documenting these staffings and requires a documented approval process by the Ombudsman for the opening and closing of all complaints and contacts.

Stephanie Villafuerte briefly summarized the current systemic complaints the CPO is researching. She reported that the office currently has five open Systemic complaints under review and that there are other systemic complaints that have come to the CPO; however, reviews have not begun on these due to the complexity of issues and staffing needs. The following is a list of the current open Systemic Complaints:

- o Disparity in statewide adoption subsidies
- o Delayed finalization of adoptions
- o Restraints on juveniles in DYC (WRAP)
- o Rural human services workload disparity
- o Pediatric Mental Health Services

Sueanna Johnson, CPO's Attorney General advised the board, when discussing specific systemic cases, that all federal, state and HIPAA laws must be adhered to when acting as an agent or representative of the office. Chair, Judge Plotz reported that he believes that the board should only speak in generalities when discussing these matters.

There was discussion from board members about the office contracting with subject matter experts or utilizing interns to assist in research on specialized systemic matters. Ms. Villafuerte reported this is something she will evaluate moving forward, as the CPO would need specific data to demonstrate the need to the Joint Budget Committee when pursuing funding.

### ***Internal Operating Infrastructure:***

Ms. Villafuerte indicated that the office is working with the State Court Administrators Office on the completion of the CPO/Ombudsman Personnel Rules, as well as the Attorney General on the completion of the Fiscal Policies and Operating Procedures. She also reported that a document retention policy for the office is in the process of being completed.

She reported that all employee job descriptions/evaluation forms are completed and that employees will each have completed an evaluation by November 1, 2016.

Ms. Villafuerte referenced the CPO's Performance Report and that advised that it can be found on the CPO website. Ms. Villafuerte encouraged the board to contact her with any questions.

### ***Out of Town Board Meeting:***

There was discussion about meeting the statutory requirement for holding an out of town board meeting. It is tentatively scheduled for May 11, 2017, at 12:00 PM. Discussion occurred around the meeting being held in the 13<sup>th</sup> Judicial District, scheduled around other previously scheduled meetings in the region. Simone Jones agreed to begin contacting members of the Court Improvement Project in the area to discuss meeting locations and potential dates.

Chairman, Judge Plotz requested a motion to hold the out of town meeting in May 2017 in Fort Morgan, Colorado. Judge Charles Greenacre made a motion for the out of town meeting, Connie Linn seconded the motion. The motion passed unanimously.

### ***Outreach and Communications:***

Stephanie Villafuerte discussed the importance of educating stakeholders and the public about the office. She discussed the FY 2016-17 Performance Plan which includes the agency's strategic plan. The strategic plan provides an outline regarding the CPO's

plan for meeting outreach goals and objectives. She provided the board with a list of September Outreach and Communication Activities the CPO participated in.

## **VI. Next Steps**

Ms. Villafuerte reported that the office will continue to work on internal operating infrastructure/policies and preparing the FY 17-18 Budget.

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At 10:08 AM, at the request of Chairman, Judge Plotz, Ms. Karen Beye made a motion to enter into executive session for the purpose of receiving legal advice concerning the Child Protection Ombudsman's Performance Evaluation process and salary. Dee Martinez seconded the motion. The motion passed unanimously.

**Executive Session was held to for the Board to receive legal advice pursuant to § 24-6-402(3)(a)(II), C.R.S.**

**The Executive Session was recorded in compliance with § 24-6-402(2)(d.5)(I)(A), C.R.S.**

### **Return to Open Meeting**

Pax Moultrie made a motion to return the meeting to open session. Karen Beye seconded the motion. The motion passed unanimously.

At 11:52 AM, Chairman, Judge Plotz returned the meeting to open session.

## **RESOLUTION**

### **1. Child Protection Ombudsman Performance Plan:**

Sueanna Johnson, CPO's Attorney General summarized the process for evaluating the Child Protection Ombudsman moving forward including the establishment of a time line, evaluation forms, complaint surveys, along with staff and stakeholder surveys. Ms. Sueanna Johnson reported that she will provide evaluation forms directly to the board. The Board determined the current

evaluation for the Child Protection Ombudsman will be completed by December 2017.

Pax Moultrie made a motion to approve the performance plan. Karen Beye seconded the motion. There was no discussion. The motion passed unanimously.

## 2. Child Protection Ombudsman Immediate Evaluation:

Sueanna Johnson, CPO's Attorney General summarized the timeline that the Child Protection Ombudsman will be evaluated from January 1, 2016 through December 2016. She talked about changes to the initial evaluation forms that the board adopted. She stated that she will provide the forms to the board members by October 31, 2016. Ms. Johnson reported that following receipt of the completed evaluations, she and Judge Plotz will work to aggregate the data as well as the individual evaluations by the board members. Sueanna Johnson will provide a draft evaluation to the board no later than November 28, 2016. The evaluation will then be discussed and approved on December 8, 2016.

Pax Moultrie made a motion to approve the immediate evaluation process. Sarie Ates-Patterson seconded the motion. There was no discussion. The motion passed unanimously.

## 3. Child Protection Ombudsman Salary:

Sueanna Johnson, CPO's Attorney General indicated that it is up to the board to set the salary for the Ombudsman position. Chairman Judge Plotz will write a memo that the Child Protection Ombudsman Salary that is approved by the General Assembly that Ombudsman salary for the FY 17-18 be increased to \$115,000.00 based on the information provided by the State Court Administrators Office.

Pax Moultrie made a motion to approve the Child Protection Ombudsman salary range. Karen Beye seconded the motion. There was no discussion. The motion passed unanimously.

**ADJOURN**

Chairman, Judge Plotz moved to adjourn. Ms. Karen Beye made a motion to end the meeting. Pax Moultrie seconded the motion. The motion passed unanimously.

The Board formally adjourned the meeting at 12:04 PM.

**ATTESTATION**

As Board Chair and Board Vice-Chair, I attest that these minutes of the open public meeting held on October 13, 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.

  
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Board Chair

  
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Board Vice-Chair

1/10/17  
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Date

12/12/16  
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Date