

**COLORADO CHILD PROTECTION OMBUDSMAN BOARD**

**PUBLIC MEETING**

**July 17, 2018**

**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 Alamosa County Administration Building, Commissioners Room, Alamosa, Colorado, 81101 at 9:09 AM by Board Chairman, Kenneth Plotz.

A quorum of the Board was present.

**PRESENT AT THE MEETING**

**Board Members**

Chairman Kenneth Plotz  
Vice Chair Simone Jones  
Pax Moultrie  
Karen Beye  
Victoria Shuler  
Peg Rudden  
Connie Linn  
Charles Greenacre  
Kyle Forti

**Others Present**

Stephanie Villafuerte, Child Protection Ombudsman  
Jordan Steffen, Communications and Policy Director  
Karen Nielsen, Administrative Coordinator  
Melissa Vigil, Child Protection Systems Analyst  
Caroline Parker, Child Protection Systems Analyst  
Sara Embrey, Child Protection Systems Analyst

**PRESENT FROM THE PUBLIC**

None

Judge Ken Plotz opened the meeting. He stated that the CPO board and staff members were meeting in Alamosa as part of the statutory requirement to hold one annual meeting outside of the Denver metro area. Judge Plotz indicated that the group met with child protection community leaders the prior day to this meeting and was appreciative of everyone's hospitality.

**AGENDA ITEMS**

**I. PUBLIC COMMENT**

None

**II. REVIEW AND APPROVAL OF MINUTES**

*May 10, 2018, Meeting Minutes*

Ms. Beye made a motion to approve the minutes of May 10, 2018. Ms. Linn seconded the motion. Judge Greenacre abstained from the vote because he was not present for the May 10, 2018, meeting. The motion passed unanimously by all other board members.

**III. EXECUTIVE DIRECTOR REPORT**

**A. Financial Report**

Ms. Villafuerte provided the board members with the CPO's most recent year end budget report. She stated that the report does not reflect all final closeout expenses for FY 17-18. The September report will reflect all final budget numbers.

Ms. Villafuerte indicated that the office has been working with SCAO Budget and Accounting departments to redraft our financial statements. The goal will be to provide the board with greater detail on the agency's expenditures. This new report will be used starting September 2018.

Ms. Villafuerte indicated that CPO is currently under budget for FY 17-18 and will be reverting approximately \$40k back to the General Assembly. These savings are due to staff vacancy savings from two positions.

There was some discussion about how the money is reverted back to the General Assembly. Ms. Villafuerte reported that she is working with SCAO budget office to learn more about this process.

**B. Agency Update**

Cases

*Individual Complaints*

Ms. Villafuerte provided the board with year to date case numbers. She reported that the CPO had 611 FY 17-18 individual complaints. In FY 16-17 the agency had 577 individual complaints. Ms. Villafuerte indicated that the data indicates that the CPO is reaching more citizens and stakeholders in smaller jurisdictions and in rural communities.

There was some discussion from board members about how the CPO gathers data on citizen calls. Ms. Steffen, director of communications and policy, explained that the agency tracks complaints by the county where the agency is located. There were some suggestions about whether it would be more useful to gather information from the county where a citizen resides. Staff agreed to consider this possible new data point as a possible database revision.

Ms. Villafuerte indicated that another issue related to individual complaints is the statewide grievance process. Currently, the CPO, county and the state all have separate complaint processes. Often citizens get confused and frustrated about these multiple processes. The CPO statute requires the CPO to review the statewide grievance process to ensure that it is working well for citizens. The CPO engaged in this review approximately 6 years ago but it needs to be re-reviewed. As such, the CPO is currently meeting with the Colorado Department of Human Services (CDHS) about how the CPO could assist in streamlining these multiple complaint systems. The board raised some concerns about the CPO possibly taking additional complaints from other agencies. They were concerned about possible work load issues that could burden the agency's resources. Ms. Villafuerte assured the board that the agency would not be taking over the statewide grievance process but rather wants to make sure that the CPO is helping citizens calls get to the appropriate authority. The board thought that the CPO should consider writing a report on those grievance systems.

### *Systemic Complaints*

#### El Pueblo

Ms. Villafuerte indicated that CPO continues to work on the El Pueblo investigation. This investigation will focus heavily on the effectiveness of the state licensing system and the interplay with child protection agencies. The agency hopes to complete the report on September 1, 2018.

### **C. Internal Operations**

#### Office Buildout

Ms. Villafuerte reported that the two new additional offices are built were completed by the June 30, 2018 deadline. She encouraged the board members to stop by and see the new office spaces. The office has now been built out to full capacity and can now accommodate 9 members. The agency will fill 8 of those nine offices by Fall of 2018.

## New Staff

Ms. Sara Embrey, the newest Child Protection Systems Analyst introduced herself and talked about her work experience. Ms. Villafuerte indicated that CPO is delighted to have her join the team.

Ms. Villafuerte indicated that CPO still has two additional positions to fill. One is the newly allocated Child Protection Systems Analyst (CPSA) position. This person will focus on concerns related to the Division of Youth Services/Residential Child Care Facilities. The other vacant position is the Deputy Ombudsman position. Ms. Villafuerte reported that CPO has begun the hiring process for the CPSA position. The goal will be to fill this position by mid-September.

## CPO Case Practices and Operating Procedures

Ms. Villafuerte reported that in May, the CPO initiated a scheduled review of its *Case Practices and Operating Procedures*. She indicated that during the past months, CPO staff have spent a great deal of time studying practices at ombudsman offices across the country and assessing the needs of the citizens and entities contacting our office.

Ms. Villafuerte stated that CPO staff is changing how the office is taking calls. She reported that the office wants to provide the public with clear expectations about the services that the CPO can offer. Past policies and practices have given citizens the belief that we are a 'policing' entity that has authority to change the outcomes of their cases. This has caused frustration for citizens when they learn the CPO has no such authority. The new policies focus on 'true' ombudsman work which is to be neutral, objective and to assist citizens in navigating the child protection system.

Ms. Steffen indicated that in June 2018, several CPO Board members provided staff with insight and guidance on the new policies. She stated that all of this information, reflection and insight were used to draft a revised version of the policies which the CPO feels will better address and serve the children and families of Colorado.

Ms. Steffen highlighted some of the more significant policy changes. The new policies are expected to be completed by August 1, 2018. Ms. Villafuerte stated that the board will receive a copy when these are completed.

## CPO Fiscal Year 2018-19 SMART Act Performance Plan

In June, the CPO submitted its Performance Plan for Fiscal Year 2018-19. The plan detailed goals and strategies for the agency for the upcoming three fiscal years. In drafting the new plan, the CPO reviewed the key metrics completed by staff during the past fiscal year and what areas the CPO will focus attention on in the upcoming fiscal year. By design, the three strategic policy initiatives (SPI) listed in the Fiscal Year 2017-18 Performance Plan will carry into the current fiscal year. Those three SPIs center on advancing the CPO's communication and outreach efforts, streamlining CPO case practices while ensuring quality services and expanding the CPO's staff

expertise within the child protection system. This fiscal year, however, the SPI were adjusted to reflect meaningful goals and metrics that correlate with the CPO's revised Case Practices and Operating Procedures. Per statute, the Fiscal Year 2018-19 Performance Plan was submitted to the Colorado Office of State Planning and Budgeting and Planning on June 13, 2018 and was published on the CPO's website on July 2, 2018.

Ms. Villafuerte added that one of her goals is to also increase ongoing training and outside educational opportunities for staff. These include:

United States Ombudsman Association (USOA)

Ms. Villafuerte indicated that three staff members will attend the 2018 United States Ombudsman Association's Annual Conference in Portland, Oregon in September 2018. Ms. Villafuerte indicated that CPO also submitted a proposal to present at this conference. The proposal was accepted and that she and Ms. Steffen will present on communication processes that ensure transparency and accountability for ombudsman offices.

International Ombudsman Association (IOA)

Ms. Villafuerte indicated that CPO just sent Caroline Parker to Irvine, California to participate in a five-day professional development course which covered the fundamentals of the organizational ombudsman role. She learned about principles of mediation, confidentiality, neutrality, and independence. She reported that in addition, Ms. Parker practiced key ombudsman skills of listening, asking questions, clarifying, generating options and moving to actions throughout the ombudsman process.

**D. Public Policy Updates**

Adoption Assistance Stakeholder Meeting ONE

Ms. Villafuerte indicated that CPO hosted the first of four stakeholder meetings regarding legislation to amend Colorado's adoption assistance statute. She stated that roughly 30 stakeholders attended the meeting in-person and by phone. Ms. Villafuerte indicated that roughly 16 counties – urban and metro – were represented. She reported that during the meeting, the group discussed concerns, suggestions and strengths of the current adoption assistance statute. She stated that the group is working with Sen. Jim Smallwood, who intends to sponsor the legislation in the 2019 session.

Information Sharing Stakeholder Group

Ms. Villafuerte reported that the CPO convened and will be leading four stakeholder groups to discuss improving how municipal court data is shared between jurisdictions and agencies. She stated that more than 30 agencies are expected to participate in the stakeholder group. The goal of this work group is to determine how to ensure that child protection agencies have access to all criminal justice records that may have a bearing on child safety. Ms. Villafuerte reported that Sen. Rhonda Fields will be participating in the stakeholder group and intends to carry the resulting legislation during the 2019 session.

### Mandatory Reporter Training

Ms. Villafuerte reported the CPO has received several inquiries from mandated reporters about Colorado's mandatory reporting laws. These inquiries were the result of several high-profile cases of educators who failed to make child abuse reports. Citizens wanted clarity regarding their statutory obligations. Ms. Villafuerte reviewed the laws and the CDHS statewide mandatory reporter training. She discovered inconsistencies between the law and the training that could be causing confusion for mandated reporters. Ms. Villafuerte reported that she has set a meeting with the CDHS to suggest changes and to update these trainings.

### CDHS/CPO MOU

Ms. Villafuerte additionally stated that the CPO and CDHS have started the process of revising the MOU between the two agencies. She reported that in addition to seeking a streamlined complaint process that the CPO is also working to add that the CPO develop a protocol for receiving notifications of child fatalities, near fatalities and egregious incidents to determine if an independent analysis is necessary. She stated that CPO is trying to finalize the MOU before the change in administration.

## **E. Outreach Activities**

Ms. Villafuerte directed the board members to the list of the offices most recent outreach activities.

### **May 2018**

*May 15, 2018: Renee Teague, Lutheran Family Services Adoption Unit*

*May 15, 2018: Laura Soloman, CDHS Differential Response*

*May 21, 2018: Representative Johnathan Singer*

*May 24, 2018: Andrew Olsen, Arapahoe County Human Services*

*May 30, 2018: Jonathan Wofford/Michelle Ferrera, Conejos County Human Services*

### **June 2018**

*June 6, 2018: Denver Post, Chris Osher (Mandated Reporters)*

*June 8, 2018: Colorado Office of Dispute Resolution, Sharon Sturges*

*June 13, 2018: James Connell, CDHS Montezuma County SME*

*June 18-20, 2018: Montezuma County Trip (12 meetings)*

*June 21, 2018: CDHS PREA Compliance Officer, Natasha Schafer*

*June 28, 2018: Council of State Governments Juvenile Justice Reform, Nina Salomon*

### **July 2018**

*July 9, 2018: County Attorney Meeting on Adoption Assistance/ Stakeholder Meeting (2 meetings)/40 people*

## **F. Advisory Board Discussion**

Ms. Villafuerte solicited advice from board members regarding how the CPO should approach

cases where there has been an insufficient response by a community agency to a child protection concern. Unlike many of the cases the CPO receives, these are calls that involve a lack of response to an initial concern as opposed to actions that have already been taken by an agency in an already filed or existing case. Ms. Villafuerte presented an example of such a case. There was a discussion about the case by CPO staff and board members. The discussion included suggestions that the CPO work more closely with the supervising entities of such agencies because they possess the statutory authority to require action where the CPO does not possess such authority.

**IV. Board Business**

Special board meeting

The board will hold a special board meeting in executive session on August 16, 2018 at 9:30 a.m. The meeting will be held so that the board can obtain legal advice from the attorney general's office regarding human service matters. CPO staff and the Child Protection Ombudsman are not required to attend.

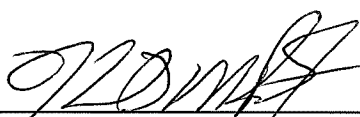
**ADJOURN**

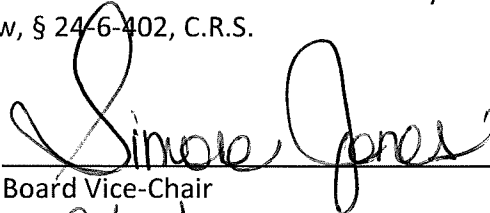
Judge Ken Plotz moved to adjourn. Judge Greenacre made a motion to adjourn which was seconded by Ms. Linn. The motion passed unanimously.

The Board formally adjourned the meeting at 11:15 AM.

**ATTESTATION**

As Board Chair and Board Vice-Chair, I attest that these minutes of the open public meeting held on July 17, 2018, 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  
9/13/2018  
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Date

  
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Board Vice-Chair  
9/13/18  
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Date