

COLORADO CHILD PROTECTION OMBUDSMAN BOARD

PUBLIC MEETING

January 10, 2019

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 Building, Room 1F, Denver, Colorado, 80203 at 8:08 AM by Board Chairman, Kenneth Plotz.

A quorum of the Board was present.

PRESENT AT THE MEETING

Board Members

Chairman Kenneth Plotz
Darlene Martinez
Peg Rudden
Karen Beyé
Connie Linn

On the Phone

Victoria Shuler
Vice Chairman Simone Jones
Charles Greenacre

Others Present

Sueanna Johnson, Deputy Attorney General
Stephanie Villafuerte, Child Protection Ombudsman
Jordan Steffen, Deputy Ombudsman
Kati Makelky, Chief Analyst – Division of Child Welfare
Natasha Mitchell, Chief Analyst – Division of Youth Services
Karen Nielsen, Director of Administrative Services
Caroline Parker, Policy and Legislative Analyst
Melissa Vigil, Child Protection Systems Analyst
Sara Embrey, Child Protection Systems Analyst

PRESENT FROM THE PUBLIC

None

AGENDA ITEMS

I. PUBLIC COMMENT

None

II. REVIEW AND APPROVAL OF MINUTES

September 13, 2018, Meeting Minutes

Chair, Judge Plotz requested a motion to approve the final minutes of September 13, 2018. Ms. Linn made a motion to approve the final minutes of September 13, 2018, and Ms. Beye seconded the motion. The motion passed unanimously.

November 8, 2018, Meeting Minutes

Chair, Judge Plotz requested a motion to approve the minutes of November 8, 2018. Ms. Martinez made a motion to approve the minutes of November 8, 2018, and Ms. Linn seconded the motion. The motion passed unanimously.

III. BEGINNING REMARKS

Ombudsman Annual Evaluation

Deputy Attorney General, Sueanna Johnson asked the board to submit their Ombudsman evaluation forms to her as soon as possible so Judge Greenacre can summarize the board remarks in time for an upcoming meeting.

IV. EXECUTIVE DIRECTOR REPORT

A. Financial Report

Ms. Villafuerte provided the board members with the CPO’s FY 2018-2019 year-to date operating budget reports. She reported that the CPO budget is sufficient and that the vacancy savings from the first part of the year has allowed the office to make some changes to the Salesforce database and some updates to the website.

B. Legal Budget

Ms. Villafuerte provided the board with a year-to date legal budget report. She reported that because the CPO legal budget increased the CPO has been able to solicit more legal advice to

develop thorough policies. She reported that she has worked with Ms. Johnson to refine the Ombudsman and CPO employee Conflict of Interest Policies, and the Ombudsman Leave Policy.

C. Policies

Conflict of Interest Policies

Ms. Villafuerte reported that the Conflict of Interest Policies are now in both the Ombudsman and CPO Employee Handbooks.

Ombudsman Leave Policy

Ms. Villafuerte reported that per the board's recommendation, she has revised the Ombudsman Leave Policy. She reported that the existing policy required the Ombudsman to get approval for any leave over two weeks. Under the new policy the Ombudsman will need approval for any leave over three days. Ms. Villafuerte will bring the new policy to the next board meeting for board approval.

D. Agency Update

CHILD WELFARE SERVICES

Individual Complaints

Ms. Makelky provided the board with year to date case numbers. She reported that CPO has had 290 cases from July through January 9, 2019.

Systemic Complaints

Montezuma County

Ms. Villafuerte reported that the CPO is still working on the Montezuma County case. It is anticipated that the final report will be completed by March 2019.

There were some questions from board members about whether the CPO engaged the new director at MCDSS regarding the CPO's concerns. Ms. Villafuerte indicated that she and Ms. Steffen met with the new director in October 2018 and presented a detailed letter with all the CPO concerns. CPO board members reported that they believe that the new director has a unique opportunity to effect change.

Colorado Child Care Assistance Program (CCCAP)

Ms. Makelky reported that the CPO team has completed the briefing on CCCAP. The brief addresses a recent bill that was believed to “prioritize” foster families for the CCCAP benefit but does not. It is anticipated that the brief will be published in Spring 2019.

El Pueblo Boys and Girls Ranch

Ms. Villafuerte reported that CPO is still working on the El Pueblo report and hope to have it published in March 2019.

Mandatory Reporting

Ms. Villafuerte reported that CPO has completed its research on the mandatory reporting statute. The CPO will produce an issue brief on gaps that exist in the mandatory reporting law. It is anticipated that this will be published in Spring 2019.

TRAILS Modernization

The CPO continues to monitor the roll out of the new Trails system. The complaints to the CPO on this issue have slowed down.

Families First Prevention Services Act (FFPSA)

Ms. Makelky directed the board members to the handout of the Family First Prevention Services Act Summary. She reported that the FFPSA includes historic reforms to help keep children and youth safely with their families and avoid the traumatic experience of entering foster care or residential care. Ms. Makelky stated that Colorado mobilized a state, county, and stakeholder collaborative to create a Road Map that represents planning and initial implementation of the FFPSA. She stated that the effort began in March 2018 and will continue over the next year to develop recommendations for Colorado’s plan for effective integration and implementation of the FFPSA.

DIVISION OF YOUTH SERVICES

Ms. Mitchell reported that since she joined the CPO on October 1, 2018, she immediately started strategizing how best to build the CPO’s new Division of Youth Services (DYS) program. She reported that the program will serve a variety of functions, including responding to inquiries from citizens about the DHS, educating stakeholders and the community about the CPO’s services and providing recommendations for improvements to the DHS. Ms. Mitchell stated that CPO will ensure that the public, stakeholders and legislators are informed of this process. She reported that the CPO has created a supplemental to its SMART Act reports for Fiscal Year 2018-2019. She

directed the board to the DYS Strategic Plan and explained that the document outlines the CPO's strategy for building the program during quarters two and three of this fiscal year. Ms. Mitchell reported that the strategic policy initiatives will be integrated into the CPO's Fiscal Year 2019-2020 Performance Plan.

Individual Complaints

Ms. Mitchell reported that she currently has six open cases.

Ms. Mitchell continues to educate the CPO staff on her cases and DYS policy and practices.

Community Collaboration

Ms. Mitchell reported that she is working with the DYS leadership team to improve communication between youth and the CPO. Ms. Mitchell stated that she is working with DYS to discuss logistics and resources required for installing the CPO's number on the DYS "blue phones."

Ms. Mitchell further reported that she is also developing literature, such as brochures and posters that detail the CPO's services. The goal would be to disseminate these throughout all the DYS facilities. Ms. Mitchell provided the group with a list of the committees she is participating in.

There was some discussion around making sure that the CPO is also working with family advocates and regional parent support groups as well. The group also stated that it was great for the CPO to finally have a staff member that is an expert in the DYS system.

E. Communications

Salesforce/Database/Website

Ms. Steffen reported that the CPO has been making changes to our Salesforce internal database. She reported that the CPO database now reflects the new policies from September 2018, which includes:

- Statement of Contact Verification
- Statement of Confidentiality
- Statement of Consent
- Statement of Legal Notification
- Contact Represented by Legal Counsel

Ms. Steffen also stated that the database can now interact with the website and that the data will eventually be reflected in our website dashboard.

Ms. Steffen further reported that CPO is currently exploring how the office can highlight the DYS work that we have been doing.

There was some discussion about the website and how well done the board members believe it is.

Job Posting

Ms. Steffen indicated that CPO is in the process of looking to hire a part-time contractor as a Communications and Outreach Coordinator. She reported that this position would be responsible for getting CPO products in the hands of those it will impact the most including the news media. Jordan further reported that if the position is successful then the CPO would ask for the funding for the other half-time position next fiscal year.

F. 2019 Legislative Session

Ms. Steffen reported that this has been a busy legislative session. She reported that Ms. Parker is at the capitol full-time this year as CPO's Policy and Legislative Analyst.

Ms. Parker directed the board members to the CPO 2019 Legislative Issues spreadsheet indicating that this is a list of bills that the CPO is actively monitoring on our website. She reported that the CPO continues to build relationships with legislators and that the office will continue to monitor a list of bill topics/titles that we anticipate seeing later in the session, but which have not yet been introduced.

Adoption Subsidies

Ms. Steffen reported that the group has completed the final draft legislation that will strengthen and improve the program statewide. She stated that the CPO has received feedback from providers, CDHS, county human services agencies and community partners. Senator Smallwood no longer plans to sponsor the legislation in the 2019 session, so the CPO is looking for another sponsor.

Municipal Court Records Access

Ms. Parker reported that the CPO hosted its fourth Information Sharing Stakeholder meeting. She reported that more than 30 agencies have participated in the stakeholder groups including members of law enforcement, victim advocates, child welfare and municipal court judges and administrators.

Ms. Parker reported that the goal of the group is to determine how child protection stakeholders can get access to municipal court criminal records to ensure that they have full information on a family while making decisions that impact child safety.

Ms. Parker indicated that next steps include bringing together the leaders of various information technology systems to figure out how to share municipal court data with other public agencies. She stated that the group is looking at low cost solutions to allow access to their data. Ms. Parker reported that CPO is working with Representative Mike Weissman and Senator Rhonda Fields to work on identifying legislation for a pilot program.

G. Ombudsman Outreach Activities

Ms. Villafuerte directed the board members to the handout of the offices outreach activities for the last few months. She reported that the office continues to have conversations with our partners, increase our education, visibility and accessibility to the public and stakeholders about what we do regarding improvement of processes and promoting better outcomes for children and families receiving child protection services in Colorado.

November 2018

- November 7, 2018 Colorado Department of Human Services Child Welfare Conference
- November 29, 2018 Office of Colorado's Child Protection Ombudsman SMART Act Presentation to Joint Judiciary Committee

December 2018

- December 10, 2018 Reoccurring Quarterly Meeting between Office of Colorado's Child Protection Ombudsman and Colorado Department of Human Services
- December 11, 2018 Colorado Woman's Bar Association Legislative Reception
- December 14, 2018 Colorado Department of Human Services Permanency Task Force
- December 19, 2018 Colorado Children's Trust Fund Meeting
- December 21, 2018 Meeting with Senator Rhonda Fields

The board took a break at 9:47 AM. Meeting resumed at 10:01 AM.

H. Ombudsman 360 Evaluation FY 2019-2020

Ms. Villafuerte stated that the CPO works closely with the Colorado Judicial Human Resources Department (hereinafter Department) and that after the last board meeting the members thought it would be helpful to get some guidance on how to conduct a 360 evaluation for the Ombudsman. As such, Ms. Palutke, Deputy Director, with the Department was invited to speak to the board members on this process.

Ms. Palutke reported the Department has what's called the Partner Evaluation System. She stated that part of this system includes a formal annual performance evaluation and the other part is a 360 evaluation. Ms. Palutke reported that the 360 evaluation is optional for their districts, but many districts do complete them. She reported that the formal evaluation that every employee receives consists of eight factors; such as problem solving, organizational skills, communication, customer service and professional development to name a few. Ms. Palutke reported that the 360 evaluation is used for peers, direct reports and customers to evaluate the individual on the same eight factors, but it allows the evaluator to use a scale (1 through 6 rating scale) and comment box on why they chose the number they did. She indicated that the information goes back anonymously to the manager or supervisor and is used by the manager to create and complete the evaluation. The person and their manager provide three to six names of other individuals they would like to evaluate that individual. Ms. Palutke reported that research

shows it good to have at least eight to ten additional evaluators in the pool to complete the evaluation.

There was some discussion about allowing for a larger pool since the Ombudsman has contacts with legislators, community agencies, CDHS, County DHS and stakeholder groups. Ms. Palutke reported that the CPO could allow for as many responses as the board wanted as long as the board narrowed down the core criteria and comment boxes were limited to a number of characters.

There was more discussion around how the evaluation responses are sent out-- the mail or electronically. Ms. Palutke reported that the Department uses an electronic survey program and that the board members would be able to customize and utilize their survey program. She further reported that her department would be able to pull and calculate the responses for them. Ms. Palutke said she would just need a list of the evaluators and contact information.

There was also discussion around time frames and how long the evaluators would have to respond. Ms. Palutke reported that they typically use a three to four-week time frame but that they also send out a two-week reminder. She reported that her office would need one week to send out the survey. Ms. Palutke stated that they would craft and send out information to the evaluators in advance explaining what the objective is, why the CPO board is doing this and what they plan to do with the information. She reported that this allows for a better response rate.

Ms. Palutke reported that once the responses are in they would be available within 24 hours. She reported that her office would be willing to sit down with Ms. Johnson and the board if necessary but that she believes she would be just turning over the raw data to the board.

Ms. Johnson reported that since she is advising the board on the 360 evaluation for Ms. Villafuerte, she will send the existing ombudsman evaluation form to Ms. Palutke to get some suggestions on the types of things that could be commented on. Ms. Johnson stated then that she will take this information back to the board members to finalize the evaluation competencies.

Ms. Villafuerte asked Ms. Palutke how the Department determines what is a "useful sample or group." Ms. Palutke reported that you must have a larger number of evaluators to have a useful sample or group but that it would be a good idea for Ms. Villafuerte and the board to come up with a list of evaluators from the different types of groups she works with.

There was some discussion around should these evaluators be evaluating Ms. Villafuerte or the office. Ms. Palutke reported that the board would have to be clear about which they were evaluating, however, there could be questions specific to both. Ms. Johnson reminded the group that the board members responsibility is to evaluate the Ombudsman, not the office.

It was concluded that Ms. Villafuerte will provide the board with a list of stakeholders in categories on who the survey should be sent to. Ms. Johnson will work with Ms. Palutke to get her

a copy of the existing Ombudsman evaluation and then eventually draft and send out the survey. The board members were in favor of this process.

CONCLUDING REMARKS

Judge Plotz reminded the board members that they will meet in executive session on February 7, 2019, at 9:00 AM to review and finalize the Ombudsman's 2018 evaluation.

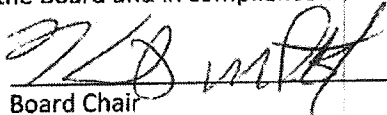
ADJOURN

Chair, Judge Plotz requested a motion to adjourn. Ms. Linn made the motion to adjourn which was seconded by Ms. Rudden. The motion passed unanimously.

The Board formally adjourned the meeting at 10:27 AM.

ATTESTATION

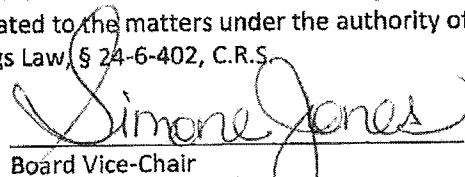
As Board Chair and Board Vice-Chair, I attest that these minutes of the open public meeting held on January 10, 2019, of the Colorado Child Protection Ombudsman Board substantially reflect the substance of the discussion and action taken related to the matters under the authority of the Board and in compliance with the Open Meetings Law, § 24-6-402, C.R.S.



Board Chair

May 21 2019

Date



Board Vice-Chair

5/22/19

Date