THE COLORADO CHILD PROTECTION OMBUDSMAN BOARD

PUBLIC COMPLAINT PROCESS

ARTICLE I: AUTHORITY

Section 19-3.3-102(3)(a)(IV), C.R.S., requires the Colorado Child Protection Ombudsman Board (the "Board") to develop a public complaint process related to the Child Protection Ombudsman (the "Ombudsman").

ARTICLE II: GENERAL GUIDELINES

Before filing a complaint, the following general guidelines should be considered:

1. The public complaint process addressed in this policy is only intended to address performance-related issues with the Ombudsman. Specifically, this policy addresses whether the Ombudsman acted ethically or complied with agency procedures.

2. The public complaint process addressed in this policy is not intended to appeal the outcome or result of a case submitted to the Office of the Child Protection Ombudsman (the "Office").

ARTICLE III: PROCEDURES

Section 3.1 Procedure for Filing a Complaint.

Any person who has a complaint against the Ombudsman related to his or her performance, and who cannot resolve the issue through discussion directly with the Ombudsman, may file a complaint with the Board. The following procedures must be followed for submission of a public complaint:

1. The complaint must be in writing, and must include the name, address and telephone number of the person submitting the complaint.

2. The complaint shall set forth, as precisely as reasonably possible, the nature of the complaint and the efforts, if any, to resolve the complaint.
3. The complaint must be submitted with the following designated attention to the below address:

Office of the Colorado Child Protection Ombudsman
ATTN: PUBLIC COMPLAINT CONCERNING OMBUDSMAN
Ralph L. Carr Judicial Building
1300 Broadway, Suite 430
Denver, Colorado 80203

4. Once received, the Office of the Child Protection Ombudsman Staff ("Office") shall immediately forward the public complaint unopened to the Board Chair.

Section 3.2 Procedure for Resolution of Public Complaint.

Once a complaint is filed against the Ombudsman and received by the Board Chair, the following procedures address resolution of the matter:

1. The Chair or his or her designee will review the public complaint and determine, in his or her discretion, whether additional information is necessary from the individual. The Board Chair or designee shall send to the individual within thirty days an acknowledgment that the complaint was received.

2. The Chair or his or her designee shall notify the Ombudsman within the same thirty days that a complaint needs to be addressed at the next regularly scheduled meeting so the topic may be placed on the Board’s agenda.

3. The public complaint will be distributed to the Board members in advance of the next regularly scheduled meeting for their review.

4. At the meeting, the Board shall discuss the complaint in public, unless the contents of the complaint addresses personnel issues related to the Ombudsman or the Chair, in his or her discretion, determines that the issue may cause potential embarrassment to the individual complainant.

5. If the complaint must be discussed in Executive Session, the Board Chair will call for a motion to enter into Executive Session.
6. In order to resolve the complaint, the Board may need to discuss the complaint with the Ombudsman or obtain additional information.

7. Following the Board's discussion concerning the grievance, whether in public or in Executive Session, the Board shall in public session and by majority vote determine what, if any action, should be taken in response to the complaint. The Board, as delegated to the Chair, shall provide a written response to the complainant notifying the complainant and the Ombudsman of the Board's determination.

8. The complaint shall be resolved as expeditiously as resources allow.

ARTICLE IV: AMENDMENTS

Section 4.1 Procedures.

This Public Complaint Process may be amended or repealed, in whole or in part, by a majority vote at any publicly noticed meeting of the Board and shall be effective upon adoption or amendment.

Section 4.2 Distribution.

The Chair, as may be delegated to the Ombudsman, shall provide a copy of the latest version of this Public Complaint Process to all new Board members upon their appointment, and to any other person who requests a copy. The latest version of the Public Complaint Process shall be made available to the public via the Office website.

Section 4.3 History.

Adopted and effective by the Board on July 13, 2017.

CHILD PROTECTION OMBUDSMAN BOARD:

KENNETH PLOTO
Board Chair

SIMONE JONES
Board Vice-Chair