



CHILD PROTECTION OMBUDSMAN of COLORADO

COLORADO CHILD PROTECTION OMBUDSMAN BOARD SUBCOMMITTEE ON THE ANNUAL CHILD PROTECTION OMBUDSMAN PERFORMANCE EVALUATION

PUBLIC MEETING

March 23, 2023

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 Subcommittee on the Annual Child Protection Ombudsman Performance Evaluation (Subcommittee) was convened via Zoom teleconference at 1:07 p.m. by Chair Ann Roan.

PRESENT AT THE MEETING

Board Members

Ann Roan, Chair
Brian Bernhard
Jerene Petersen

Others Present

Stephanie Villafuerte, Ombudsman
Jordan Steffen, Deputy Ombudsman
Janna Fisher, Assistant Attorney General
Kristen Mahlin, Coach Craft, LLC

PRESENT FROM THE PUBLIC

None

INTRODUCTIONS

Chair Roan welcomed everyone and thanked them for volunteering for the Subcommittee. She encouraged those present to jump in and help guide the conversation.

DISCUSSION

Chair Roan reviewed the requirements of the CPO enabling statute and the requirements of the Board. She compared the current job description to the forms currently being used to evaluate the ombudsman. That review showed that there are areas of the current evaluation that go beyond the Board's purview.

Chair Roan identified three goals for the Subcommittee:

1. Create an online, anonymous evaluation for the Board and staff. This will require an analysis of the content of the evaluation and the required technical aspects.
2. Streamline the current process to remove clunky aspects of the evaluation and make it easier to compile data.
3. Consider the timing of the evaluation process so the evaluation aligns with the budget request timelines for the agency.

Jerene Petersen stated that the current process requires too much time and work for the Board and the ombudsman. Additionally, she wanted to make sure the evaluation ensures there is a public accounting of what the agency is doing to address the issues and needs of the child protection system.

Brian Bernhard stated he has extensive experience in professional human resource management. He has managed similar processes for the firm where he works and recently went through the process of creating an online evaluation tool. He agreed with Chair Roan that the evaluation needs to mimic the purview of the Board.

Mr. Bernhard recommended an engagement survey for the CPO staff. He advised that the survey focus on the experience of the employee with the agency and not the employee's relationship with the ombudsman, as that is where the lines get blurred. He said he is not comfortable evaluating some of the human resources elements currently contained in the evaluation distributed to the Board. He also suggested some inexpensive tools to help administer this survey, such as Survey Monkey.

Ombudsman Villafuerte introduced Kristen Mahlin, who has been obtained by the CPO as a human resource consultant to advise the CPO and the Board on human resource practices for the remainder of Fiscal Year 2022-23. Everyone welcomed Ms. Mahlin and she introduced herself to the group.

Chair Roan stated that the CPO Board Bylaws (which were approved during the March 9, 2023, CPO Board meeting) now require there is a staff evaluation for each annual evaluation. Ms. Petersen said she agreed with this effort as it is helpful for the Board and the ombudsman to have this information. Mr. Bernhard said this practice is done regularly when completing such evaluations. This practice may help build trust and longevity within the agency.

The Subcommittee discussed the importance of providing staff with the opportunity to provide this type of feedback. However, the Subcommittee also discussed the importance of holding the line and ensuring the Board is not improperly extending its role. There was agreement that the Board should not be in the habit of directing the ombudsman on how to direct their staff. As such, it was decided how the Board will use the evaluations provided by staff.

Ms. Mahlin stated this work mimics a lot of the work she is currently doing for the CPO. She suggested that it would be beneficial for Ombudsman Villafuerte to provide the Board with recommendations as to what information would be valuable to someone in the position. Mr. Bernhard stated that this process could be

similar to a 360 review, which looks at all the components of the ombudsman's work. Ms. Mahlin stated that a 360 may help to identify trends which the person being evaluated may later use to help improve practice.

Chair Roan raised past concerns regarding the use of the 360 evaluations, which would include seeking the input of the agencies and entities which the CPO is often tasked with reviewing. The Subcommittee ultimately decided that the engagement survey will be sufficient for the evaluation.

Ms. Petersen stated the current evaluation does not get to the notion of the ombudsman's actual performance; in that it is dependent on the ombudsman to self-report their actions. Ms. Mahlin stated this is where a numerical scoring and/or a yes or no completion model is helpful. Mr. Bernhard agreed with the numerical scoring and stated that the Subcommittee should consider the value of some of the items included in the current evaluation and whether they are relevant or helpful. He suggested condensing many into yes or no questions.

Ombudsman Villafuerte suggested considering primary competencies the Board may evaluate for the position. Narrowing the discussion here may help the Board avoid getting stuck in the administrative aspects of the position.

The Subcommittee discussed which competencies should be included on the evaluation form.

Ms. Petersen suggested that the ombudsman's relationship with the Colorado Department of Human Services and county departments should be considered. Chair Roan suggested this could be problematic because of the nature of the ombudsman's relationships with such agencies, stating that a tense relationship may be a sign that the ombudsman is fulfilling their duties. Ombudsman Villafuerte agreed with Chair Roan, stating that while she works very hard to maintain productive and professional relationships, the statutory charge of the role requires her to sit in an oversight position.

Chair Roan stated that agencies such as county departments are not the clients the agency serves and do not provide a proper measure of ombudsman performance. Ms. Petersen disagreed and stated it was a key role. Ombudsman Villafuerte suggested that the performance measure was less about the relationships with outside agencies, and more about the performance of delivering services to citizens. Mr. Bernhard agreed with Ombudsman Villafuerte and said that perspective will do more to advance the overall goal of the agency.

Ms. Mahlin stated similar surveys are sometimes done by the federal government, and often they are correlated with a "leadership" core competency.

The Subcommittee then discussed ideas as to how the evaluation could account for agency output. Ombudsman Villafuerte stated that she is in the process of seeking third-party assistance with analyzing CPO data and working to determine how to best extract that information. The goal of this is to create some sort of metric to show what the agency is doing to address the issues presented to it. Ms. Petersen said that was sufficient to address her points.

Chair Roan then suggested that communication should be a core competency in the evaluation.

The Subcommittee agreed that the core competencies are: (1) Leadership; (2) Communication; (3) Knowledge and Expertise; (4) Responsiveness; (5) Public Profile; and (6) Human Resources/Staff Development.

The Subcommittee agreed that Ms. Mahlin would help to draft a new evaluation form to reflect these competencies. During the next meeting, the group will review this form and the ombudsman self-evaluation form.

Chair Roan stated that she wants all the applicable forms to be finalized by the Subcommittee and presented to the full CPO Board during the meeting on May 11, 2023. She also stated that training will need to be created for the Board – and reduced to writing – prior to the administration of the new evaluation form.

ADJOURN

The Subcommittee adjourned the meeting at 3:06 p.m.

ATTESTATION

As Board Chair and Board Vice-Chair, I attest that these minutes of the open public meeting held on March 23, 2023, of the Child Protection Ombudsman Board Subcommittee on the Annual Child Protection Ombudsman Performance Evaluation 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.

Ann M. Roan

Board Chair

May 16, 2023

Date

Judith Maszy

Board Vice-Chair

May 16, 2023

Date

