



CHILD PROTECTION OMBUDSMAN of COLORADO

COLORADO CHILD PROTECTION OMBUDSMAN BOARD

PUBLIC MEETING

September 28, 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 was convened in Alamosa, CO at 9:04 a.m. by Chair Benjamin Rounsborg.

A quorum of the Board was present.

INTRODUCTIONS

PRESENT AT THE MEETING

Board Members

Benjamin Rounsborg, Board Chair
Brian Bernhard
Commissioner Charles Tedesco
Dr. Coral Steffey
Hannah Seigel Proff
Connie Vigil
Aaron Miltenberger

Others Present

Janna Fischer, Senior Assistant Attorney General
Stephanie Villafuerte, Ombudsman
Jordan Steffen, Deputy Ombudsman
Michael Teague, Director of Public Affairs
Bryan Kelley, Public Policy Analyst
Karen Nielsen, Director of Administrative Services
Amanda Pennington, Director of Client Services
Claire Hooker, Senior Client Services Analyst
Wendy Oldenbrook, Client Services Analyst

Brittany Cornelius, Client Services Analyst

PRESENT FROM THE PUBLIC

Angel Sanchez, 12th Judicial District
Matthew Tulley, San Luis Valley Joint Interagency Oversight Group
Judy McNeilsmith, La Puente
Tara Bay, Adelante Family Resource Center
Sierra Maestas, Saguache County DSS
Himant Ellis, Saguache County DSS

INTRODUCTIONS

Chair Ben Rounsborg and Ombudsman Stephanie Villafuerte facilitated the meeting in person at the San Luis Valley Behavioral Health Group Community Conference Center 8745B County Rd 9 S., Alamosa, CO 81101

At the commencement of the meeting, each person introduced themselves.

BOARD MEMBER UPDATES

Ombudsman Villafuerte welcomed everyone and introduced the newly appointed CPO Board Chair Ben Rounsborg. Additionally, she introduced two new board members – Hannah Seigel Proff and Connie Vigil. She also announced that board member Judge Amanda Hopkins has stepped down from her appointment so she may focus on her increased workload as chief judge of the 12th Judicial District. Ombudsman Villafuerte and board members expressed their gratitude for her service on the Board and wished her well.

Senior Assistant Attorney General Janna Fischer reported that the CPO is working with the office of Chief Justice Brian Boatright to fill the vacated position and that the replacement appointee will serve out the remainder of that term.

BOARD BUSINESS

SAAG Fischer reminded board members that the November 9, 2023, meeting will predominately be focused on Board training by her office.

REVIEW AND APPROVAL OF MINUTES

July 26, 2023, Meeting Minutes

Chair Rounsborg entertained a motion to approve the final minutes of the meeting held on July 26, 2023. Dr. Coral Steffey made a motion to approve the final minutes of the July 26, 2023, meeting. Brian Bernhard seconded the motion. The motion passed unanimously.

EXECUTIVE DIRECTOR REPORT

Financial Report and Budget

FY 2022-23 Budget – Ombudsman Villafuerte provided board members with the CPO's final FY 2022-23 budget report. She reported that the agency is funded by general fund dollars by the General Assembly. She reported

that the agency had a surplus of \$59,000 that was a result of vacancy savings. She shared that leadership allocated surplus funds to provide staff with bonuses, training and facilitated the setup of upgraded at-home computer equipment.

Legal Services Report – Ombudsman Villafuerte provided the Board with the CPO’s final FY 2022-23 legal services report. She shared that the CPO exceeded the allocated \$13,000 legal services funds and went over by approximately \$20,000. Specifically, the CPO utilized the legal services extensively to address services not provided by the SCAO. These included services related to human resources management, payroll and procurement.

SAAG Fischer reported that it is commonplace for agencies to frequently assess their legal budgets. Ombudsman Villafuerte stated that the CPO is working with the Department of Law to increase the budget and that she anticipates that the agency will continue to utilize its legal services budget in Fiscal Year 2023-24.

Board members thanked SAAG Fischer for her expertise and ongoing support of the CPO.

FY 2023-24 Budget – Ombudsman Villafuerte reported that the new fiscal year began on July 1, 2023. She stated that the CPO budget this year is a little over \$2.1 million. She stated the increase in the budget is due to:

- Transition of Public Information Coordinator to FTE position
- Public Policy Analyst position
- Contract Investigator Services
- Reclassification and/or Salary Adjustments
- Equity, Diversity and Inclusion Consultation and Strategic Support
- Tori Shuler Youth Program
- Operations budget restoration
- Funding to administer the two legislative created task forces

Deputy Ombudsman Jordan Steffen elaborated on her role in agency procurement, navigating Bidnet Direct, and the upcoming posting of Request for Proposals (RFP) for the Contract Investigator Services position, the Equity, Diversity and Inclusion Consultation and Strategic Support and the Tori Shuler Youth Program. She reported that she continues to oversee these procurement matters in collaboration with SAAG Fischer.

Ombudsman Villafuerte also stated that the CPO is initiating the start of the new budget cycle for FY 2024-25.

AGENCY OPERATIONS UPDATE

GENERAL OPERATIONS

Office of Administrative Services for Independent Agencies (ASIA)

Ombudsman Villafuerte provided a historical account of the Memorandum of Understanding (MOU) between the CPO and the State Court Administrator’s Office (SCAO). She detailed the legislative process involved with Senate Bill 23-228, which established ASIA. Ombudsman Villafuerte stated that like the CPO, similar independent agencies housed within the Judicial Branch have also outgrown their original memorandums of understanding with SCAO and require additional administrative support services. These services include the administration of payroll and benefits, human resource management and accounting and procurement support.

ASIA will serve as an independent entity with dedicated staff and an autonomous director that serves the sole purpose of providing administrative services to the independent agencies housed within the Judicial Branch. These agencies include the CPO, Office of the Public Guardian, Colorado Commission on Judicial Discipline, the Independent Ethics Commission, and the Bridges program which will come online in 2024. These entities will comprise the Board that will oversee the hiring of the director of ASIA and provide ongoing oversight of the department. She reported that ASIA will be responsible for its future budget requests. Collaborating to ensure the office receives the necessary support services.

Ombudsman Villafuerte stated that she will serve as chair of the ASIA Board for the first year, to help establish the agency. She reported that she has coordinated the preliminary meetings of the ASIA RFP and helped to secure assistance with drafting the executive director's job description and soliciting applicants. Ombudsman Villafuerte reported that the executive director will be selected before the end of the calendar year.

Ralph L. Carr Building Space Needs Assessment

Ombudsman Villafuerte stated that the use and occupancy of the Ralph Carr Judicial Center has been greatly impacted by the COVID-19 pandemic and the hybrid office environment. Like the CPO many agencies have grown during the last three years placing additional stressors on the best utilization of space. As a result, the SCAO will be initiating a building-wide space needs assessment. The revised space needs assessment will comprehensively analyze the building's existing use, space requirements, and potential future needs to ensure that the building is used to its maximum potential.

Ombudsman Villafuerte reported that the agency has outgrown its current workspace, resulting in crowded working conditions and challenges related to employee concentration due to the absence of private offices. She stated that the assessment will be necessary for the CPO to identify our current and future requirements such as expansion or even relocation within the building.

Staff Growth and Development

Human Resources Support and Assessment –

Ombudsman Villafuerte reported that Kristen Mahlin, Owner and Founder of Coach Craft, LLC, has continued her work to support the CPO's human resource needs. She reported that Ms. Mahlin completed her survey of the agency. Using this information, Ms. Mahlin is working with the agency to evaluate personnel rules and to craft updated job descriptions and evaluations. Ms. Mahlin continues to serve as a resource for both agency leadership and staff.

Staff Changes -

Congratulations Michael Teague

Ombudsman Villafuerte reported that Michael Teague was promoted from the agency's part-time Communications Coordinator to the full-time Public Affairs Director as part of its Fiscal Year 2023-24 Budget Request. She reported that Director Teague will continue his efforts to streamline communications and expand outreach, while also taking on the role of legislative liaison.

Welcome Bryan Kelley

Ombudsman Villafuerte stated that the CPO is excited to welcome Bryan Kelley to the team as the agency's first policy analyst. Mr. Kelley will be instrumental in supporting the CPO's ongoing

task forces with research, as well as supporting the agency's public policy initiatives and legislative work.

Mr. Kelley introduced himself and stated that he brings more than a decade of experience in public policy, including time researching and writing about national and state initiatives. Prior to joining the CPO, he reported that he worked for the National Conference of the States and Education Commission of the States.

Best Wishes Tiffany Lewis

Ombudsman Villafuerte reported that Tiffany Lewis resigned her position as a client services analyst. Ms. Lewis has accepted an exciting opportunity with the Adams 12 School District.

The CPO is Hiring

Ombudsman Villafuerte stated that with Ms. Lewis' departure, the CPO is hiring a full-time client services analyst, and that the CPO hopes to have a new analyst join the team by the end of November.

United States Ombudsman Conference

Ombudsman Villafuerte reported that the United States Ombudsman Association (USOA) hosted its 42nd Annual Conference in Atlanta, Georgia during the week of September 11, 2023. She reported that a multitude of ombudsman offices across the country attended the conference.

The CPO was excited to bring nine members of the team to the conference. She stated that some of the CPO's newer staff were able to participate in the two-day New Ombudsman Training, and all nine team members were able to attend diverse training on subjects such as strategic planning, mindfulness, and diversity, equity, and inclusion. CPO staff were also able to take advantage of several networking events with other ombudsman offices representing dozens of states and other countries. Additionally, three CPO staff presented at the conference.

Agency staff shared their insights and experiences gained at the conference.

Ombudsman Villafuerte and Deputy Ombudsman Steffen discussed the distinctions between ombudsman offices based on jurisdiction and specialty and that people's preferences sometimes lean away from government transparency, and that ombudsmen work presents this challenge in striking a balance between serving citizens' interests and working effectively with the agencies that serve them.

Ombudsman Villafuerte also announced that Deputy Ombudsman Steffen assumed the position of President of the USOA.

PUBLIC POLICY

Child Welfare System Interim Study Committee

Ombudsman Villafuerte reported that in May 2023, the Colorado General Assembly formed the Child Welfare System Interim Study Committee to meet prior to the beginning of the 2024 legislative session. She provided insights into the structure and decision-making process of the interim committee and reported that they plan to meet five times from June to October to analyze issues facing the state's child protection systems. As a result, the committee may introduce up to five bills to carry forward during the 2024 legislative session.

The CPO delivered testimony twice: first on June 27, 2023, on the agency's services and four systemic issues facing youth, families, and communities in Colorado. These issues included insufficient monthly contacts from county agencies with the parents involved in their child welfare cases, the absence of statewide ethical standards for caseworkers and any law or regulation to take adverse action against an individual who acts unethically or unlawfully, a critique of the Colorado Family Safety Assessment Tool and a lack of consistent and transparent quality care standards for children and youth in residential treatment facilities. Secondly on July 18, 2023, where Ombudsman Villafuerte provided members with an update on both the Timothy Montoya Task Force to Prevent Youth from Running from Out-of-Home Placement and the statewide Mandatory Reporting Task Force.

Ombudsman Villafuerte stated that at the request of legislators, the CPO has provided three bill concepts that the committee will vote on. One establishes a working group to create caseworker certification criteria and another commissions a third-party assessment of the Colorado Family Safety Assessment Tool. The third bill concept forms a standing commission within the CPO that brings together diverse stakeholders to analyze statewide child welfare issues and introduce policy recommendations to the Colorado General Assembly.

CPO staff provided the group with a more comprehensive elaboration on the three bill concepts. The group engaged in a more-in-depth discussion exploring their individual experiences and how these bill concepts impact their work, families, and communities.

Ombudsman Villafuerte said that the interim committee will vote to select five bills to move forward in the 2024 legislative session.

The Board took a break at 10:22 a.m. The meeting resumed at 10:34 a.m.

The CPO's Policy Collaborative for Children and Families

Deputy Ombudsman Steffen provided background information on the formation and origins of both task forces. She reported that the CPO continues its work to administer the two legislatively created task forces, the Timothy Montoya Task Force to Prevent Children from Running Away from Out-of-home Placement (Timothy Montoya Task Force) established by House Bill 22-1375 and the Mandatory Reporting Task Force established by House Bill 22-1240.

Timothy Montoya Task Force (TMTF) -

Deputy Ombudsman Steffen reported that the Timothy Montoya Task Force to Prevent Youth from Running from Out-of-Home Placement met four times between May and September.

The task force met to identify and analyze behaviors that constitute running away from care, best practices for preventing and addressing runaway behavior, and how entities can coordinate a thorough and consistent response to youth who run away from care. Conversations addressed the importance of differentiating between "runaway behavior" and age-appropriate behaviors, and the need to determine which behaviors should prompt the filing of a missing report about a child.

Deputy Ombudsman Steffen stated that the TMTF is marking its one-year anniversary, and the group will release its first interim report on October 1, 2023. The Task Force has outlined its goals for the upcoming year, which include: (1) Development of a statewide absconder unit; (2) Development of a State Standardized Policy and Response Manual; and (3) Temporary Placement Options for Youth Who Runaway from Care.

Mandatory Reporting Task Force (MRTF) –

Deputy Ombudsman Steffen reported that the Mandatory Reporting Task Force met four times between June and September 2023. She stated that the MRTF is marking its one-year anniversary in November 2023, and the interim report is due on December 1, 2023.

Task Force members participated in panel discussions comprised of members in the medical, behavioral health, education, legal and law enforcement fields, as well as the advocacy fields. Panel members discussed their personal and professional experiences in serving as mandatory reporters in Colorado. This included their reasons for making calls and outcomes of those calls.

Deputy Ombudsman stated that conversations shifted toward a focus on professionals charged with receiving reports from mandatory reporters. Members representing CDHS and county departments presented their protocols for receiving reports of abuse and neglect. Task force members then discussed the effectiveness of those processes and possible alternative tracks.

The group engaged in a discussion, expressing their concerns about how to locate the online training, training procedures, and the legal aspects surrounding mandatory reporting.

Deputy Ombudsman Steffen reported that information on both the TMTF and MRTF are located on the CPO website.

At 11:11 a.m. Ms. Seigel Proff left the meeting.

NEW PROGRAMMING CHANGES**Tori Shuler Youth Program**

Deputy Ombudsman Steffen stated that the CPO requested funds to establish the CPO Tori Shuler Youth Program. Ms. Shuler previously served as a CPO Advisory board member. These funds were awarded and will be utilized to engage youth in the CPO's systemic public policy initiatives and service provision. This is distinct from the role of the Director of Public Affairs, who is charged with producing communication and outreach materials which will utilize and capture the information and insight gleaned from this program.

This program will be used to ensure that the CPO is able to continuously coordinate with organizations that work with youth and young adults, so the agency is constantly engaged with their lived-experience. This access and communication will help the CPO develop subject matter expertise and work to develop more youth-centered approaches to its work. The CPO wants to ensure it is not only able to connect with youth and young adults, but that the agency may also fairly compensate them as well.

The group engaged in a discussion on strategies for effectively communicating with youth in the community.

Equity, Diversity and Inclusion Consultation and Strategic Support

Deputy Ombudsman Steffen stated that the CPO must ensure that its staff and the CPO Advisory Board, are appropriately trained regarding equity, diversity, and inclusion (EDI) principles so the agency may not only appropriately handle cases involving concerns of racism and exclusion, but the agency may also serve as the most effective advocates for citizens who call with these concerns.

She reported that this funding will allow the CPO to look inward to determine if its own practices, messaging, and actions are compliant with EDI principles while also ensuring that the agency is integrating these principles into its own work. The CPO has made efforts to engage with community members to secure an EDI vendor and

has also drafted the RFP for an outside vendor. Deputy Ombudsman Steffen will send the Board the draft for this position.

Investigator Position

Deputy Ombudsman Steffen reported that the CPO has posted an RFP for a part-time investigator position. Director Amanda Pennington reported that the investigator position will play a pivotal role in providing support for the ongoing work and gathering essential information for the Client Services Team. The investigator is also necessary to conduct specialized investigations into concerns about facilities that house Colorado youth.

CLIENT SERVICES

Program Overview

Director Pennington stated that for a fourth consecutive year, the CPO opened a record number of cases. During Fiscal Year 2022-23, the CPO opened a record 1,119 cases resulting in an average increase of 15%. The agency closed 1,083 cases during the same period.

The CPO has two major types of cases, one is a resource referral/education and the second which involves a deeper case review. She reported that the resource referral/education cases are typically resolved in thirty minutes to one hour whereas the deeper case reviews that are categorized as “Closed with Support.” On average, each of these cases required 4.7 hours of work by a client services analyst (CSA) and were opened for an average of 87 days.

Client Services Regionalization

Director Pennington stated that to identify and respond to case practice trends and patterns, the CPO regionalized its case assignments and CSA’s. Each CSA is now dedicated to handling cases from a set list of counties. The intent is to allow CSAs to become intimately familiar with the practices and issues facing each jurisdiction. It also fosters strong relationships between CSA’s and providers and agencies in specific jurisdictions. The regionalized mode was implemented at the start of the current fiscal year. CSA’s have already started to identify issues within their assigned regions.

The CPO adopted the Colorado Human Services Directors Association map. The state is categorized into six regions – Northwest, Southwest, San Luis Valley, Southeast, Northeast and the Metro area.

Case Highlight

Director Pennington reported that the CPO sent a letter to the Colorado Department of Human Services (CDHS) outlining concerns with current practice by the Washington County Department of Human Services (WCDHS). Through a detailed review of many child welfare cases, the CPO identified that concerns about how individual child welfare cases were handled, as well as possible systemic bias in the administration of child welfare services to many other children and their families. Specifically, the CPO’s review revealed concerns that certain WCDHS staff members may have evidenced bias towards parents and held negative opinions of them. This bias may have impacted the WCDHS’ willingness to provide families with the required services and care expected by state regulations and best practice standards.

The CPO recommended the CDHS do the following: (1) Conduct an audit of child welfare assessments and cases; (2) Review the degree to which those potentially impacted by bias have been notified of potential impropriety; and (3) Respond to the 64 potential violations found within six specific cases. The CDHS acknowledged receipt of the referral and is working to address the concerns with the WCDHS. The CDHS estimated that they will have a formal response to the CPO by the end of September 2023.

Child Welfare Training System

Director Pennington reported that the CPO would like to highlight a resource library for child welfare topics presented by the Child Welfare Training System. The website contains many useful resources from caseworker job aids to community town halls on relevant topics. The Child Welfare Training System is available to community members and is free to access.

COMMUNICATIONS

Media Relations

Director Teague reported that the CPO has adopted a proactive stance to media relations. He reported that it is important that the CPO engage with the public and the media. He reported that the CPO engages with journalists and reporters to provide information, media interviews or offer expert commentary. He stated that it is also important to reach out to local publications so that both rural and front range communities are aware of what the CPO does. The CPO crafts and distributes regular press releases to inform the media, the public and stakeholders about significant developments or announcements. He reported that the choice of strategy depends on the specific goals and needs of the CPO and the nature of the message being communicated.

Outreach and Connections

Director Teague reported that the CPO understand the importance of outreach and connections and the crucial role it plays in achieving communication objectives, conveying accurate narrative, audience engagement, and collaboration. He stated that the CPO is in the process of creating targeted campaigns aimed at reaching individuals where they are located or most active.

Community Engagement –

Director Teague reported that in June, the CPO had its first table at the Celebration of Educational Excellence Resource Fair. The Colorado Department of Higher Education event recognizes young people involved in foster care or youth services who have graduated from high school, received a GED, or obtained a college degree. The agency communicated with several youth who experienced foster care and promoted the launch of the new Tori Shuler Youth Voice Program.

Marketing and Outreach –

Director Teague shared a slideshow presentation with the group, focusing on the CPO's launch of its first digital promotion campaign directly targeting youth, caregivers, professionals and rural communities through Google Search Ads and LinkedIn Promotions. He stated that the pilot campaign accumulated 37,232 digital impressions among youth, caregivers, child protection professionals and other stakeholders in counties and regions across Colorado. This compared to a combined 21,460 organic impressions from March 2022 – March 2023 across the CPO LinkedIn, Twitter, and newsletter.

The group engaged in a discussion about which social media platforms to utilize for the specific targeting of youth.

At 11:33 a.m. the formal Board business was concluded.

COMMUNITY DISCUSSION/PUBLIC COMMENT

The CPO Board and agency staff opened the floor to questions and discussions with community members and service providers. The discussion focused on specific challenges, issues, and successes that different agencies and programs are experiencing that are affecting children and families within their broader communities.

CLOSING REMARKS

Ombudsman Villafuerte extended her gratitude to all board members, CPO agency staff, and the community members from the San Luis Valley for their active participation and valuable contributions during the meeting. She stated that she looks forward to continued collaboration and that the CPO can enhance our service delivery to provide more comprehensive regional resources to ensure better-informed decision making at a deeper level.

ADJOURN

Chair Rounsborg entertained a motion to adjourn. Mr. Aaron Miltenberger made a motion to adjourn. Ms. Connie Vigil seconded the motion. The motion passed unanimously.

The Board formally adjourned the meeting at 11:57 a.m.

ATTESTATION

As Board Chair and Board Vice-Chair, I attest that these minutes of the open public meeting held on September 28, 2023, 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

11/9/2023

Date



Board Vice-Chair

11.10.2023

Date

