



CHILD PROTECTION OMBUDSMAN of COLORADO

COLORADO CHILD PROTECTION OMBUDSMAN BOARD

PUBLIC MEETING

January 11, 2024

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 via Zoom teleconference at 8:05 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
Charles Tedesco
Hannah Seigel Proff
Connie Vigil
Aaron Miltenberger
Judge Ann Meinster

Others Present

Janna Fischer, Senior Assistant Attorney General
Hanna Rose, Department of Law Paralegal
Jordan Steffen, Deputy Ombudsman
Bryan Kelley, Public Policy Analyst
Karen Nielsen, Director of Administrative Services
Amanda Pennington, Director of Client Services
Claire Hooker, Senior Client Services Analyst
Abigail Koch, Client Services Analyst
Meredith Sullivan, Client Services Analyst
Morgan Baptist, Client Services Analyst

PRESENT FROM THE PUBLIC

Dawn Anderson
Rosemary VanGorder

INTRODUCTIONS

Chair Rounsborg and Deputy Ombudsman Jordan Steffen facilitated the meeting via Zoom teleconference. Chair Rounsborg welcomed everyone.

REVIEW AND APPROVAL OF MINUTES

November 9, 2023, Meeting Minutes

Chair Rounsborg entertained a motion to approve the final minutes of the meeting held on November 9, 2023. Hannah Seigel Proff made a motion to approve the final minutes of the November 9, 2023, meeting. Aaron Miltenberger seconded the motion. The motion passed unanimously.

PUBLIC COMMENT

None

AGENCY OPERATIONS

Deputy Ombudsman Steffen delivered the agency operations report.

Ralph Carr Judicial Center Vandalism

Deputy Ombudsman Steffen stated that there was vandalism in the Ralph Carr Judicial Center (RCJC) on January 2, 2024, which caused extensive water damage to the building. The building is currently closed to the public and employees. The CPO suite was damaged as a result of this incident. The CPO leadership team is working closely with building management and the State Court Administrator’s Office (SCAO) to assess the damage and to secure electronic equipment and documentation from the suite to maintain continuity of operations.

The CPO is in the process of looking for temporary office space close to the Capital to conduct business and be present during legislative session.

Deputy Ombudsman Steffen reported that until the CPO knows more about the extent of the damage that Board meetings would remain on Zoom. The CPO will provide ongoing updates to the Board regarding the status of the building.

Senior Assistant Attorney General Janna Fischer reported that the Attorney General’s offices have also been affected by the vandalism in the RCJC and that their department is also collaborating closely with SCAO and building management.

The Board expressed gratitude to the staff for their resilience in moving forward. They are relieved that everyone is safe, and that staff were able to grab some of the electronic equipment and that documents are secured. They assured all staff that they were in their thoughts during this disruptive time.

Staff Growth and Development

Tori Shuler Youth Voice Program – Deputy Ombudsman Steffen reported that during Fiscal Year 2023-24, the CPO received funds to establish the Tori Shuler Youth Voice Program. This program is specifically designed to uplift the experiences and voice of youth and young people with lived experience in the child welfare system. To help the CPO implement this program, the agency has contracted with Ms. Shuler and Fostering Great Ideas. Through this contract the CPO will connect one-on-one with young people with lived experience, with the goal of integrating their experiences and feedback into policies the CPO is working on, as well as receive feedback on CPO programs and messaging.

Deputy Ombudsman reported that as a result of this funding the CPO was proud to host the first Foster Youth Voice Celebration on January 4, 2024. Ms. Shuler was the Mistress of Ceremonies, guiding the event with enthusiasm and professionalism. She reported that it was a heartfelt celebration dedicated to 17 young people with lived experience in the foster care system and their accomplishments. She reported that more than 50 people attended the event and that it was a memorable experience for all involved.

Those board members that were able to attend shared their feedback on the event, expressing their gratitude for the opportunity to participate. They reported that they were pleased to be able to engage in such a meaningful and impactful experience.

Equity, Diversity and Inclusion Training and Support – Deputy Ombudsman Steffen reported that the CPO received one-time funding as part of its Fiscal Year 2023-224 budget to contract with a third party to assist the agency with equity, diversity and inclusion support and training. The CPO has started working to bring Doris Tolliver with Health Management Associates Inc. on board to begin this important work. Ms. Tolliver has also been involved in several similar training courses across Colorado and nationally.

CPO Staff In-Service Day – Deputy Ombudsman Steffen stated that Kristen Mahlin, Owner and Founder of CoachCraft, LLC, has continued her work to support the CPO’s human resources programs. Ms. Mahlin will lead the agency through an in-service day on January 16, 2024.

During this time, Ms. Mahlin will provide the staff with additional information about the role of HR, discuss developments in the CPO’s HR program and provide an opportunity to debrief regarding the event that have taken place at the Ralph L. Carr Judicial Center.

SAAG Fischer and her team members from the Department of Law will also provide the staff with additional information about Americans with Disabilities Act (ADA) and Family and Medical Leave Insurance (FMLI) Employee Programs and Status, the Colorado Open Records Act and Open Meetings Law and Reporting

Staff Changes -

Welcome Morgan Baptist – Deputy Ombudsman Steffen said that the agency is excited to welcome the newest Client Services Analyst Morgan Baptist to the agency. Morgan joins us after several years with the Jefferson County Human Services Department.

Best Wishes Wendy Oldenbrook and Michael Teague – Deputy Ombudsman Steffen reported that Wendy Oldenbrook and Michael Teague have left their positions as client services analyst and director of public affairs, respectively.

The CPO is Hiring – Deputy Ombudsman stated that the CPO is working to fill current vacancies, as well as bring on a new position. She said that the CPO posted for an investigator position and that this

position is intended to help assist the Client Services Team with complicated cases that require additional support. The CPO will begin hosting interviews for the position early this year.

She also reported that the CPO is also accepting applications for a client services analyst. This individual will fill the vacancy created by Ms. Oldenbrook's departure. The CPO will continue accepting applications through January 2024 and will hold interviews shortly after.

ADMINISTRATIVE SERVICES FOR INDEPENDENT AGENCIES (ASIA)

Deputy Ombudsman Steffen reported that during the past few years, SCAO has pulled back on providing payroll, accounting, budgeting and human resources to the independent agencies. Therefore, Senate Bill 23-228 was created to develop an agency that provides centralized administrative and fiscal support services, previously provided by the SCAO, for the smaller, new and any future independent agencies not otherwise appropriated central support services staff called ASIA.

She reported that after several months, several of the independent agencies on the ASIA Board have been engaged in a hiring process to hire the director of ASIA. Unfortunately, they were unable to fill the position when the final candidate declined the position. Ombudsman Stephanie Villafuerte did provide an update to the Joint Budget Committee (JBC) during the agency's presentation last month.

SAAG Fischer stated that ASIA has its own counsel within the Department of Law that is not associated with another counsel that represents the other independent offices.

EXECUTIVE DIRECTOR REPORT

Deputy Ombudsman Steffen delivered the executive director report. The Board was provided with a copy of the CPO's financial and legal expense reports.

Financial Report

FY 2023-24 Budget – Deputy Ombudsman Steffen stated that the CPO currently has a balance of approximately \$737,000, which places the agency a little bit under where it should be halfway through Fiscal Year 2023-24.

Legal Services Report – Deputy Ombudsman Steffen reported that the CPO has a FY 2023-24 legal services budget of \$13,000 and that there is \$6,000 remaining. In previous years, the CPO had exceeded our legal services budget but when the office approached the Department of Law expressing the desire to be mindful of the overage in expenditures, the agency was informed that this was in line with their preferred operating procedures.

FY 2024-25 Budget Request – Deputy Ombudsman Steffen reported that the CPO convened a meeting in September 2023 with the JBC budget analyst to discuss the CPO's FY 2024-25 budget request. She reported that the CPO will be asking for a \$264,00 increase to the agency's bottom line. The CPO's request includes five decision items. First, the CPO is requesting a 1.0 FTE data analyst position to develop, build and implement an external reporting system using the current CPO's case management system database.

Rosemary VanGorder joined the meeting at 8:33 a.m.

Second, the CPO is requesting a 1.0 FTE for a second senior client services analyst for the agency. Deputy Ombudsman Steffen reported that this position will provide supervisory support and assist the Client Services Team in addressing questions and concerns brought to the agency by citizens.

The third item is a 1.0 FTE administrative office specialist to provide additional administrative support to the agency.

The fourth budget request is for IT upgrades and support which includes a one-time cost to replace the existing server, security software, staff and office equipment replacement and database upgrades to accommodate the agency's increased growth.

Lastly, the CPO is seeking funds for communications to support outreach and education initiatives through social media ad campaigns, materials and in-person outreach events.

Deputy Ombudsman Steffen reported that figure setting is next week. After meeting with the JBC analyst, they noted that the JBC is operating under tight constraints this year and that the CPO understands the agency must approach its budget requests thoughtfully. The agency will update the Board as the request advances through the approval process.

Deputy Ombudsman Steffen further reported that the CPO has also made a supplemental request for this fiscal year to hire a third-party vendor to complete a workload study. This study would evaluate the caseloads on the client services team and other departments within the agency and would help make informed decisions around anticipating staffing needs, budget requirements, and resource allocations to support future growth and strategic initiatives.

Hannah Rose joined the meeting at 8:38 a.m.

SAAG Fischer introduced Ms. Rose. She is a paralegal in her unit that supports the CPO and other mental health programs.

CLIENT SERVICES

Amanda Pennington, Director of Client Services, delivered the Client Services update.

Program Overview

Director Pennington reported that since September, the CPO opened 386 cases and that November 2023 was a record-breaking month for incoming cases. She stated that the CPO has already received 39 cases for the first third of the month of January which is also turning out to be a busy month.

Director Pennington stated that the client services analysts are currently averaging 40-50 cases each, despite agency vacancies. The team is working diligently in their efforts to minimize the impact on clients while ensuring adherence to the agency's customer service standards.

Case Trend Data - Director Pennington reported that the CPO currently tracks approximately 20 types of trends in child protection cases. When an analyst identifies a case trend at case closure, it indicates that the trend or topic was relevant to the case. She reported that these trends are tracked in our case management system both in individual cases and systemically. Examples of trends include:

- Custody Involved Cases
- Discrimination/Bias
- Domestic Violence
- Non-Court Involved Case/Family Assessment Response Cases
- Parent Engagement/Absence of Required Contact

- Kinship Passover/Overuse of Foster Placement
- Lack of Resources (placements, staff, services)
- Disability/ADA
- Restraints and Seclusion
- Substance Use

Case Highlights - Director Pennington reported that during the past two years, the CPO has seen marked increases in cases impacted by family time (parenting and sibling visitation), substance use, disabilities and the use of restraints on youth.

She reported that the CPO continues to monitor existing trends and consider the need for new trends. Trends that have been recently added include Personnel/Conduct and Administrative Foster Care Reviews.

Director Pennington reported receiving more positive feedback from clients than ever before, indicating satisfaction with the services her team is providing.

Deputy Director Steffen acknowledged Director Pennington and her team for their collaboration and dedication in working with clients.

PUBLIC POLICY

Deputy Ombudsman Steffen delivered the public policy report.

The CPO's Policy Collaborative for Children and Families

Deputy Ombudsman Steffen 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 – Deputy Ombudsman Steffen said that the Timothy Montoya Task Force to Prevent Youth from Running from Out-of-Home Placement is in its second year. She stated that the group has met four times between October 2023 and January 2024.

Additionally, the Timothy Montoya Task Force submitted its interim report on October 1, 2023.

Deputy Ombudsman Steffen reported that this task force has divided itself into two specific categories of work: prevention and intervention, to streamline their efforts and focus on specific areas of work. The prevention subcommittee is focusing on prevention strategies and a pre and post assessment tool aimed at supporting children and young people before they decide to run away from a facility and when they return to the facility. Meanwhile the intervention subcommittee is focusing on establishing statewide response team and standard guidelines for effectively responding to children and young people who have run away from care.

There was a discussion regarding the recommendations, including deliberations on where this response team would be housed.

Mandatory Reporting Task Force – Deputy Ombudsman Steffen stated that the Mandatory Reporting Task Force met three times between October 2023 and January 2024.

Additionally, the Mandatory Reporting Task Force submitted its interim report on January 2, 2024.

She stated that the task force redirected its focus towards examining the definition of neglect in Colorado, as a part of ongoing efforts to refine the criteria for intervention. The task force discussions aimed to narrow down the scope of neglect and identify qualifying circumstances for intervention. The group also explored examples from other states where certain exclusions for neglect have been implemented, particularly in case where factors such as socioeconomic status, availability of services, disability status for care givers, or the status of being unhoused or unaccompanied minor status.

There was a discussion about what exclusions might look like and what reporting neglect might look like or not would look like.

Deputy Ombudsman Steffen reported that this task force will also partake in the subcommittee model where they will look into blurred lines and alternative reporting and where families can be connected with alternative resources or systems.

This task force work has strong public and media engagement, and all meeting recordings, recaps and minutes are available to the public and accessible on the CPO website. She encouraged everyone to attend.

Deputy Ombudsman Steffen thanked Bryan Kelley for his extensive research and comprehensive memorandums concerning both task forces.

Colorado General Assembly

Deputy Ombudsman Steffen reported that the Colorado General Assembly convened on January 10, 2024.

SMART Act Presentations -

According to statute, the CPO is mandated to deliver its annual SMART Act presentations during January 2024. The agency will present to the Joint Judicial Committees on January 12, 2024, and the Joint Health and Human Services on January 18, 2024.

Child Welfare System Interim Study Committee -

Deputy Ombudsman Steffen stated that in May, the Colorado General Assembly formed the Child Welfare System Interim Study Committee to meet in the interim before the 2024 legislative session. The goal of the interim committee was to analyze issues with the state's child protection systems.

She reported that Ombudsman Villafuerte testified before the committee twice during the information gathering phase of the committee. The CPO presented 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.

During the committee's final hearing, members reviewed 10 proposed bills during the final meeting in October 2024. The CPO worked closely with legislators to draft three of those bills. Those bills included:

- Bill 7: Child Welfare System Tools In pertinent part, this bill requires the CPO to contract with a third-party vendor to conduct an audit of the current safety and risk assessment tools.

- Bill 8: Child Welfare Worker Task Force This bill would form the Child Welfare Worker Task Force within the CPO. The purpose of the task force is to analyze child welfare worker training, certification, and grievance procedures, develop accountability standards for child welfare workers, and make recommendations regarding how to implement the accountability standards.
- Bill 10: Commission on Child Protection This bill would create the Commission on Child Protection within the CPO. This commission would serve as an advisory organization with the goal of improving collaboration of multiple state agencies to provide services to children in the child protection system.

Deputy Ombudsman Steffen stated that ultimately, Bill 7 (now designated Bill E) was selected to move forward. The CPO will continue to work with Majority Leader Duran as the legislation moves forward.

News Article -

Deputy Ombudsman Steffen referenced a recent news article, about child welfare worker in Larimer County who is facing criminal charges after they failed to check on children who were the subject of abuse and neglect reports and then filed false paperwork claiming they did.

She stated that this article highlights its relevance to the agency’s current concerns and priorities, underscoring the importance of addressing the accountability standards for child welfare workers. The agency intends to pursue reconsideration of the legislation proposed in the interim committee and has initiated discussion with legislators.

There was discussion regarding the agency’s stance on the recommendations that came out of the article, particularly those concerning strengthening regulations and oversight. Deputy Ombudsman Steffen reported that the CPO does believe generally that there should be more standardized mechanisms of oversight particularly in how families are notified when they are impacted and how the workforce also be supported. Hence why the CPO proposed the formation of a task force aimed at conveying various stakeholders to address and provide insights on this issue.

Deputy Ombudsman reported that there is a link to the draft bill in the CPO Operations Update. The CPO would appreciate any feedback.

Bill of Rights for Foster Youth –

Deputy Ombudsman reported that the CPO is also in support of the Foster Youth Bill of Rights Bill currently progressing through legislation. The legislation supports foster youth having the right to freedom of discrimination or harassment on the basis of gender identity and gender expression. It also gives foster youth the right to be referred to by their preferred name and pronouns and guarantees they may attend or refuse religious services.

The CPO will keep board members informed of any upcoming events or hearings.

CLOSING REMARKS

Chair Rounsberg thanked the board and staff for all their work.

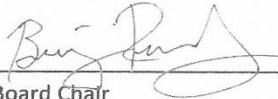
ADJOURN

Chair Rounsberg entertained a motion to adjourn. Ms. Connie Vigil made a motion to adjourn. Ms. Seigel Proff seconded the motion. The motion passed unanimously.

The Board formally adjourned the meeting at 9:11 a.m.

ATTESTATION

As Board Chair and Board Vice-Chair, I attest that these minutes of the open public meeting held on January 11, 2024, 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

3/14/2024

Date



Board Vice-Chair

3/22/2024

Date

