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<http://mn.gov/ombudfam/>

AT A GLANCE

- In 2012, children of color and American Indian children made up approximately 20% of Minnesota’s child population, but represented more than half of all children in out-of-home placements.
- In 2012 we received more than 500 calls for assistance; utilized conflict resolution/mediation to mitigate 90% of the case circumstances; formally investigated 12 cases.
- Approximately 78% of the agency’s budget comes from the General Fund and approximately 22% from other miscellaneous funds.
- Four full-time Ombudspersons operate independently, but in collaboration with the Indian Affairs Council, the Chicano Latino Affairs Council, the Council on Black Minnesotans, and the Council on Asian-Pacific Minnesotans. These four community-specific boards comprise the full board that advises the Office.

PURPOSE

The Office of Ombudsperson for Families (OBFF) is an independent state agency whose goals are: (1.) to reduce racial and ethnic disparities and disproportionality in Minnesota’s child welfare system (2.) to improve outcomes for children and their families involved in child protection cases; (3.) to ensure that all laws governing the protection of children and their families are implemented in a culturally and linguistically competent manner and (4.) to ensure that laws protecting children and families are adhered to in decision-making processes. We work to resolve complaints from families who have been negatively impacted by child welfare social service agencies.

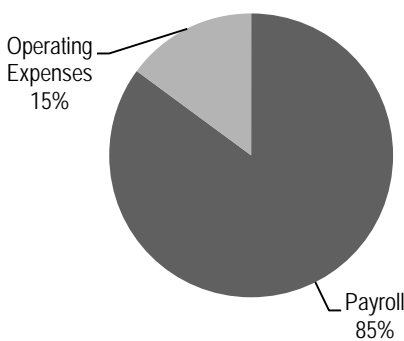
Our mission is to ensure that children and families are protected by law in all child placement proceedings conducted by public and private agencies and organizations.

The Office of the Ombudspersons for Families contributes to the following statewide outcomes:

- Strong and stable families and communities
- People in Minnesota are safe
- Efficient and accountable government services

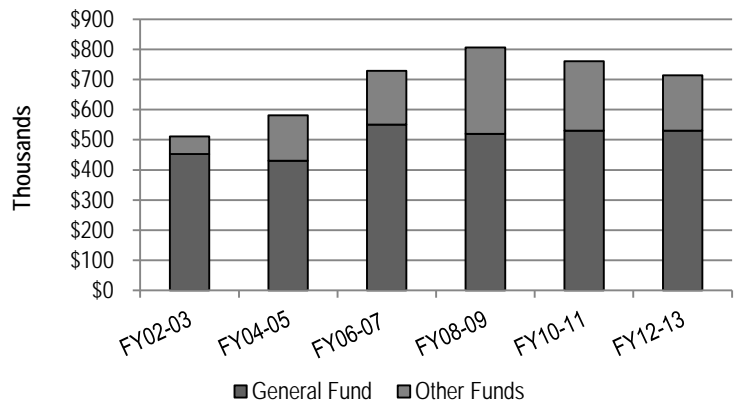
BUDGET

Spending by Category
FY 13 Actual



Source: SWIFT

Historical Spending



Source: Consolidated Fund Statement

DISPARITIES DATA AT A GLANCE

Number of All Children Placed in Out-of-home Care, 2012

	African American/Black	American Indian	Asian/Pacific Islander	White	Hispanic ethnicity-any race	Two or more races	Unknown or declined
Total Placement settings*	2,461	1,772	296	5,522	1,082	1,319	83

Source: DHS Minnesota Child Welfare Report – 2012; Report to the 2013 Minnesota Legislature

*Placement settings include: Relative and non-relative foster families or pre-adoptive homes; juvenile correctional facilities; group homes, residential treatment centers, foster care with shift staff, and intermediate care facilities for the mentally retarded. Remarks: Children of color and American Indian children make up approximately 20% of Minnesota’s child population, but more than half of all children in out-of-home placements.

Children in Out-of-home Care (OHC) per 1,000 by Race/Ethnicity, 2012

Race	Number	2012: A non-White child is...
African American/Black	24.0	4.4 times more likely than a White child to be placed in OHC
American Indian	78.1	14.3 times more likely than a White child to be placed in OHC
Asian/Pacific Islander	4.1	n/a
Hispanic ethnicity-any race	10.2	2 times more likely than a White child to be placed in OHC
Two or more races	19.7	3.6 times more likely than a White child to be placed in OHC

Source: DHS Report Section II – 2012 Children in Out-of-home Care (White children in OHC per 1,000 is 5.5)

STRATEGIES

To accomplish its mission, the Office of Ombudsperson for Families uses the following strategies:

- **Investigation** - Through case investigations, the Ombudspersons make recommendations on cases regarding non-compliance with state or federal laws and policies. These cases include, but are not limited to: possible bias, discrimination, lack of culturally appropriate services and inadequate linguistic and cultural sensitivity.
- **Taking complaints** - Complaints include a person making a specific claim against a county child welfare agency, or its agent; a public or private child placing agency, or its agent; the courts; the Guardian Ad Litem Program; and others. A person may call to complain about current laws, policies, and practices.

Specific examples of types of complaints received and resolved include, but are not limited to the following: Children are not placed with their families or relatives; relatives and families are not being considered for permanency placement; a mother is not allowed appropriate visitation time to breastfeed her infant; the social worker and/or Guardian ad Litem do not speak the clients’ language, nor are interpreter services being provided; no transportation to visitations; cannot get into treatment in a timely manner; inadequate housing; failure to provide linguistically and culturally appropriate mental health services. Note: The Office of Ombudsperson for Families does not provide direct services or programs, nor do the Ombudspersons have enforcement over their recommendations.

- **Monitoring** – (a) Monitor agency compliance with all laws governing child protection and placement that impact children of color and American Indian children; (b) document and monitor court activities in order to heighten awareness of diverse belief systems and family relationships; (c) ensure experts from the appropriate community of color including tribal advocates are used as court advocates and are consulted in placement decisions that involve children of color and American Indian children; (d) ensure guardians ad litem and other individuals from communities of color and American Indian are used in court proceedings to advocate on behalf of children of color and American Indian children; and (e) provide training programs for bilingual workers.
- **Public Policy development** - Through public policy development, the Ombudspersons work to effect policy changes when current policies do not reflect best practices. Examples of some of the initiatives on which the Ombudspersons have worked include: Minnesota Supreme Court Children’s Justice Initiative (CJI); Minnesota Department of Human Services Children’s Justice Act (CJA) Task Force; Minnesota Child Welfare Training System (MNCWTS), Central Steering Committee; Ramsey County Citizen Advisory Panel; and Hennepin County Child Protection Task Force. These initiatives and task forces have had

an ongoing and positive impact on eliminating racial disparities and disproportionality in child welfare, and improving outcomes for children and their families involved in child protection cases.

RESULTS

<i>Type of Measure</i>	<i>Name of Measure</i>	<i>Previous</i>	<i>Current</i>	<i>Dates</i>
Quantity	Complaints/calls received *	524	553	2010 & 2012
Quantity	Investigations	17	12	2010 & 2012

* This measure tracks the number of people who contact the Office of Ombudsperson for Families to make inquiries or request information about the child protection system and how to navigate it.

M.S. 257.0755 provides the legal authority for the Office of Ombudsperson for Families.

Expenditures By Fund

	Actual		Actual FY14	Estimate FY15	Forecast Base		Governor's Recommendation	
	FY12	FY13			FY16	FY17	FY16	FY17
1000 - General	265	265	319	348	334	334	392	453
2001 - Other Misc Special Rev	94	90	58	100	153	148	153	148
Total	359	356	377	448	487	482	545	601
<i>Biennial Change</i>				111		143		320
<i>Biennial % Change</i>				16		17		39
<i>Governor's Change from Base</i>								177
<i>Governor's % Change from Base</i>								18

Expenditures by Program

Program: Ombudspersons For Families	359	356	377	448	487	482	545	601
Total	359	356	377	448	487	482	545	601

Expenditures by Category

Compensation	302	303	319	359	395	389	453	508
Operating Expenses	57	53	58	89	92	93	92	93
Other Financial Transactions	0		0					
Total	359	356	377	448	487	482	545	601

Full-Time Equivalent

	4.4	4.0	4.1	4.5	4.5	4.5	5.0	5.0
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(Dollars in Thousands)

1000 - General

	Actual		Actual FY 14	Estimate FY15	Forecast Base		Governor's Recommendation	
	FY12	FY 13			FY16	FY17	FY16	FY17
Balance Forward In		0		14				
Direct Appropriation	265	265	333	334	334	334	392	453
Expenditures	265	265	319	348	334	334	392	453
Balance Forward Out	0		14					
<i>Biennial Change in Expenditures</i>				137		1		178
<i>Biennial % Change in Expenditures</i>				26		0		27
<i>Gov's Exp Change from Base</i>								177
<i>Gov's Exp % Change from Base</i>								26
FTEs	4.0	3.8	3.9	4.3	4.0	3.9	4.5	4.4

2001 - Other Misc Special Rev

	Actual		Actual FY 14	Estimate FY15	Forecast Base		Governor's Recommendation	
	FY12	FY 13			FY16	FY17	FY16	FY17
Balance Forward In	91	90	91	125	117	56	117	56
Receipts	0			0	0	0	0	0
Net Transfers	92	92	92	92	92	92	92	92
Expenditures	94	90	58	100	153	148	153	148
Balance Forward Out	89	91	125	117	56		56	
<i>Biennial Change in Expenditures</i>				(26)		142		142
<i>Biennial % Change in Expenditures</i>				(14)		90		90
<i>Gov's Exp Change from Base</i>								0
<i>Gov's Exp % Change from Base</i>								0
FTEs	0.4	0.2	0.1	0.2	0.5	0.6	0.5	0.6

Ombudsperson for Families

FY16-17 Biennial Budget Change Item

Change Item: Operating Adjustment

Fiscal Impact (\$000s)	FY 2016	FY 2017	FY 2018	FY 2019
General Fund				
Expenditures	58	119	119	119
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	58	119	119	119
FTEs	0.5	0.5	0.5	0.5

Recommendation:

The Governor recommends additional funding for compensation related costs associated with the delivery of Ombudsperson for Families (OBFF) services.

Rationale/Background:

OBFF compensation costs rise each year due to labor contract settlements and changes in employer-paid contributions for insurance, FICA, Medicare, retirement, and other factors. This pressure, which has built gradually over a number of biennia, has resulted in a situation in which ombudsperson compensation exceeds OBFF's General Fund appropriation. OBFF is managing the shortfall in FY15 by reducing its sole office administrative specialist to part-time. This approach transfers office administrative duties to ombudspersons, forcing a reduction in the time they spend working with families and child welfare agencies involved in child protection cases. Compensation costs in excess of OBFF's General Fund appropriation are being paid for out of a \$92,000 per year transfer that has historically supported agency operations. The use of this transfer to cover compensation requires ombudspersons to forego or reduce operational activities that are critical to its mission, such as holding workshops or attending court proceedings. Longer-term, managing ombudsperson compensation within OBFF's existing appropriation would necessitate additional cost saving measures, such as the elimination of the office administrative specialist position, reductions in ombudsperson work hours, and the loss of office space.

Proposal:

The Governor recommends increasing OBFF's General Fund appropriation by \$58,000 in FY16 and \$119,000 in FY17. These increases are intended to fully fund compensation costs associated with four full-time ombudspersons and one full-time office administrative specialist.

Results:

By fully funding the ombudsperson positions in FY 16-17 and restoring the office administrative specialist to full-time, this recommendation enables ombudspersons to spend more time and energy working directly with families in need of assistance. Key results include the number of complaints addressed in an effective and timely manner, investigations of social service agency inventions, and reductions in racial and ethnic disparities in the child welfare system.

Statutory Change(s):

N.A.