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Office of Ombudsperson for Families

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mn.gov/ombudfam/

AT A GLANCE

- In 2014, Minnesota’s child population was 1,391,302. Of the total child population, 28,784 children were alleged victims of child maltreatment.
- Minnesota ranked #1 in the nation, two years in a row, in overall child well-being (2016 KIDS COUNT Data Book). However, 47% (13,525) of all accepted maltreatment reports in Minnesota involved American Indian children and children of color. American Indian children were 5.4 times more likely than a White child to be subjects of an accepted maltreatment report. African-American/Black children and children identified as two or more races comprised more than half of all the children of color in accepted maltreatment reports. [See Disparities Data at a Glance chart.]
- In 2015, the Office received 1,972 calls for assistance; consulted and resolved 44% of the case circumstances; and conducted 58 investigations.
- For FY 2017, approximately 85% of the Agency’s spending is budgeted from the General Fund and 15% from the Special Revenue Fund.
- Four full-time Ombudspersons operate independently, but in collaboration with the Minnesota Indian Affairs Council, Council for Minnesotans of African Heritage, Council on Asian-Pacific Minnesotans and the Minnesota Latino Affairs Council. Each Council appoints a volunteer community-specific board that is advisory to the Ombudspersons.

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.

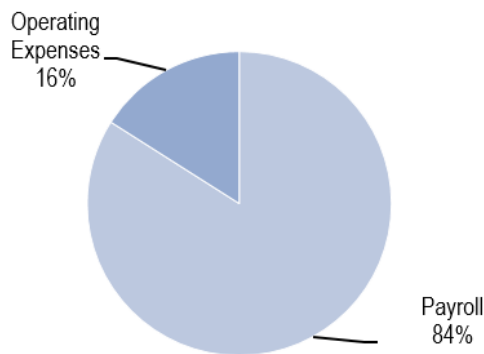
Our mission is to ensure that children and families are protected by law in all child placement proceedings conducted by public and private agencies and organizations.

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

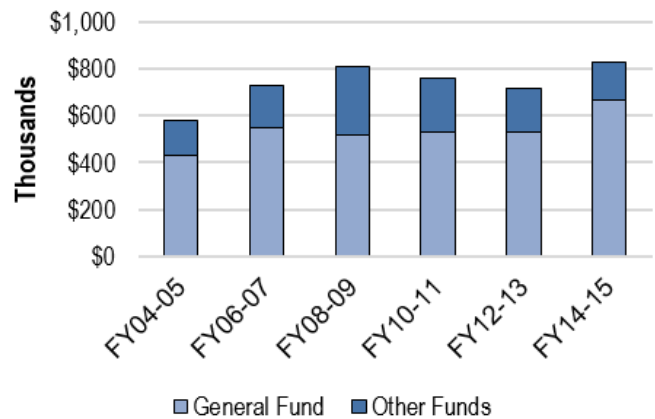
BUDGET

**Spending by Category
FY 15 Actual**



Source: BPAS

Historical Spending



Source: Consolidated Fund Statement

DISPARITIES DATA AT A GLANCE

Maltreatment type by race/ethnicity

Race/Ethnicity	2014 child population est.	Total unique children	Neglect (non-medical)	Physical abuse	Sexual Abuse	Mental injury	Medical neglect
African-American/Black	110,137	4,907	3,475	1,319	498	14	56
American Indian	24,478	1,917	1,551	378	154	26	24
Asian/Pacific Islander	76,569	662	392	212	73	6	8
White	1,001,557	14,625	9,497	4,392	1,845	191	164
Two or more races	69,085	3,227	2,336	826	392	31	33
Unknown/declined	N/A	634	418	190	59	1	3
Total Children	1,281,826	25,972	17,669	7,317	3,021	269	288
Hispanic ethnicity-any race	109,476	2,812	1,942	755	325	20	35

Source: Minnesota's Child Welfare Report 2014, Report to the 2015 Minnesota Legislature [Table 4, Maltreatment type by race/ethnicity, p. 8]

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: Violations of the Indian Child Welfare Act; 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/feed her infant; no transportation to visitations; cannot get into treatment in a timely manner; inadequate housing; lack of understanding the court process/system; the public defender (parents' attorney) not being helpful; and the child protection workers' lack of cultural sensitivity. [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); Reviewed Minnesota Child Maltreatment Intake, Screening and Response Path Guidelines 2015, Minnesota Department of Human Services Children's Justice Act (CJA) Task Force; Minnesota Child Welfare Training System (MNCWTS), 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>2013</i>	<i>2014</i>	<i>2015</i>
Quantity	Complaints and Inquiries received*	592	808	1,972
Quantity	Consultations/resolutions	284	310	861
Quantity	Investigations	19	29	58

*This measure tracks the number of calls/complaints to the Office of Ombudsperson for Families to make inquiries, to lodge a complaint, or request information about the child protection system and how to navigate it.

Executive Order 14-15, dated September 22, 2014, created the Governor’s Task Force on the Protection of Children to advise the Governor and Legislature on system and practice improvements in the child protection system at all levels of government within the State of Minnesota. The Task Force was ordered to provide initial recommendations and convey its findings in a report to the Governor’s Office, the Legislature and the public by December 31, 2014, and final recommendations by March 31, 2015. At the same time, counties were making fast changes to their screening and intake process. These significant policy changes resulted in an increased number of cases being screened in at the county level, which in turn led to more complaints to the Office of Ombudsperson for Families on open child protection cases.

In addition, on January 1, 2015, the Northstar Care for Children law took effect. This new law consolidated and simplified three child welfare programs: family foster care, Kingship Assistance (which replaced Relative Custody Assistance) and Adoption Assistance to support families caring for children who must be removed from the home for reasons of child protection, delinquency or disability. This also resulted in an increased number of telephone calls to the Office of Ombudsperson for Families.

M.S. 257.0755 (<https://www.revisor.mn.gov/statutes/?id=257.0755>) provides the legal authority for the Office of Ombudsperson for Families

Expenditures By Fund

	Actual	Actual	Actual	Estimate	Forecasted Base		Governor's Recommendation	
	FY14	FY15	FY16	FY17	FY18	FY19	FY18	FY19
1000 - General	319	348	380	465	453	453	543	551
2001 - Other Misc Special Revenue	58	103	66	96	147	151	147	151
Total	377	451	446	561	600	604	690	702
<i>Biennial Change</i>				179		197		385
<i>Biennial % Change</i>				22		20		38
<i>Governor's Change from Base</i>								188
<i>Governor's % Change from Base</i>								16

Expenditures by Program

Program: Ombudspersons For Families	377	451	446	561	600	604	690	702
Total	377	451	446	561	600	604	690	702

Expenditures by Category

Compensation	319	379	380	400	428	434	515	529
Operating Expenses	58	71	66	161	172	170	175	173
Other Financial Transactions	0	1						
Total	377	451	446	561	600	604	690	702
<u>Full-Time Equivalents</u>	4.1	4.6	4.7	4.8	5.0	5.0	6.0	6.0

1000 - General

	Actual	Actual	Actual	Estimate	Forecast Base		Governor's Recommendation	
	FY14	FY15	FY16	FY17	FY18	FY19	FY18	FY19
Balance Forward In	0	14	0	12	0	0	0	0
Direct Appropriation	333	334	392	453	453	453	543	551
Expenditures	319	348	380	465	453	453	543	551
Balance Forward Out	14	0	12	0	0	0	0	0
<i>Biennial Change in Expenditures</i>				178		61		249
<i>Biennial % Change in Expenditures</i>				27		7		29
<i>Gov's Exp Change from Base</i>								188
<i>Gov's Exp % Change from Base</i>								21
Full-Time Equivalents	3.9	4.1	4.6	4.8	5.0	5.0	6.0	6.0

2001 - Other Misc Special Revenue

	Actual	Actual	Actual	Estimate	Forecast Base		Governor's Recommendation	
	FY14	FY15	FY16	FY17	FY18	FY19	FY18	FY19
Balance Forward In	91	126	115	141	137	82	137	82
Net Transfers	92	92	92	92	92	92	92	92
Expenditures	58	103	66	96	147	151	147	151
Balance Forward Out	125	115	141	137	82	23	82	23
<i>Biennial Change in Expenditures</i>				1		136		136
<i>Biennial % Change in Expenditures</i>				1		84		84
<i>Gov's Exp Change from Base</i>								0
<i>Gov's Exp % Change from Base</i>								0
Full-Time Equivalents	0.1	0.5	0.0	0	0	0	0	0

Office of Ombudsperson for Families

FY18-19 Biennial Budget Change Item

Change Item Title: Operating Adjustment

Fiscal Impact (\$000s)	FY 2018	FY 2019	FY 2020	FY 2021
General Fund				
Expenditures	7	12	12	12
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	7	12	12	12
FTEs	0	0	0	0

Recommendation:

The Governor recommends \$19,000 in FY 2018-19 and \$24,000 in FY 2020-21 from the general fund to maintain the current level of service delivery at the Office of Ombudsperson for Families.

Rationale/Background:

Each year, employer-paid health care contributions, pension contributions, FICA and Medicare, along with other salary and compensation-related costs increase. Other operating costs, like rent and lease, fuel and utilities, and IT and legal services also grow. This cost growth puts pressure on agency operating budgets that remain flat from year to year.

Agencies face challenging decisions to manage these costs within existing budgets, while maintaining the services Minnesotans expect. From year to year, agencies find ways to become more efficient with existing resources. However, cost growth typically outstrips efficiencies, and without additional resources added to agency budgets, service delivery erodes.

For the Office of Ombudsperson for Families, an erosion of services means slower response to, and less investigations of, child welfare complaints received by the office, thus resulting in Minnesota's children being less safe.

Proposal:

The Governor recommends increasing agency operating budgets to maintain the delivery of current services. For the Office of Ombudsperson for Families, this funding will cover expected and anticipated employee compensation growth, including anticipated compensation increases and employer-paid pension costs.

Results:

This proposal is intended to allow agencies to continue to provide current levels of service and information to the public.

Statutory Change(s):

N.A.

Office of Ombudsperson for Families

FY18-19 Biennial Budget Change Item

Change Item Title: Full-time Investigator Staff

Fiscal Impact (\$000s)	FY 2018	FY 2019	FY 2020	FY 2021
General Fund				
Expenditures	85	88	88	88
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	83	86	86	86
FTEs	1	1	1	1

Recommendation:

The Governor recommends \$169,000 in FY 2018-19, and \$176,000 in FY 2020-21, from the general fund to hire a 1.0 FTE investigator. The agency serves as a resource for families of color and American Indian families impacted by child welfare social service agencies. The ombudspersons receive complaints, conduct investigations, monitor for compliance with laws and non-discrimination, and provide recommendations to social services agencies and the courts. The agency has seen a sizeable increase in the number of inquiries fielded and investigations completed: the agency reported 1,972 complaints or inquiries and 58 investigations in 2015, up from 808 complaints or inquiries and 29 investigations in 2014. Due to staffing limitations, the agency is limited to the number of investigations it conducts, which would be alleviated with this request. The agency's general fund base of \$906,000 in FY 2018-19 funds four full-time ombudspersons and a part-time office manager; this request represents a 19% increase over the general fund base in FY 2018-19.

Rationale/Background:

In 2015, the Office received 1,972 calls for assistance; consulted and resolved 44% of the case circumstances; and conducted 58 investigations. The adding of an investigator will allow the office to conduct more investigations.

In addition, adding an investigator will allow the Office to ensure that children and their families are guaranteed fair treatment, especially on racial grounds, by all agencies that provide child welfare services based on the following key elements: (1) Create a referral center in the office to assist families in finding the resources that they need to maintain safety and stability when they are dealing with child abuse issues; (2) Follow-up with county agencies when child abuse complaints are not screened in for further county investigation; (3) Assist families in navigating inter-systems and across systems (achievement gap/education, juvenile justice, housing, substance/chemical abuse services, etc.) when families are represented in more than one system; (4) Develop an external citizen satisfaction survey of Minnesota's counties, child welfare services and child placing agencies; and (5) Identify trends and/or systemic problems and issues.

Proposal:

The intended result is that all families in Minnesota's child welfare system are equitably supported to ensure that children have safety and permanency in their own homes. The partners that we need to achieve our desired results are the Minnesota Department of Human Services, Minnesota State Guardian ad Litem Program, Minnesota Courts, and Minnesota Legislature.

Equity and Inclusion:

In 2014, Minnesota's child population was 1,391,302. Of the total child population, 28,784 children were alleged victims of child maltreatment. Minnesota ranked #1 in the nation, two years in a row, in overall child well-being (CDF, 6/21/16). However, 47% (13,525) of all accepted maltreatment reports in Minnesota involved American Indian children and children of color. American Indian children were 5.4 times more likely than a White child to be subjects of an accepted maltreatment report. African-American/Black children and children identified as two or more races comprised more than half of all the children of color in accepted maltreatment reports.

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Statutory Change(s):

None. M.S. 257.0755 provides the legal authority for the Office of Ombudsperson for Families Statutory Change(s):