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**Office of Ombudsperson for Families**

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[mn.gov/ombudfam/](http://mn.gov/ombudfam/)

**AT A GLANCE**

- In 2017, Minnesota’s child population was 1,298,657. Of the total child population, 39,606 children were alleged victims of child maltreatment.
- Minnesota ranked #4 in the nation in overall child well-being (2017 KIDS COUNT Data Book). However, Minnesota continues to have some of the nation’s largest racial disparities. Compared to White children, based on child population estimates, American Indian children were over 17 times more likely to experience care, children identified as two or more races were over 4 times more likely to experience care and African American children were over 3 times more likely to experience care.
- For FY 2017, approximately 84% of the Agency’s spending is budgeted from the General Fund and 16% 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 Council on Latino Affairs. 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.

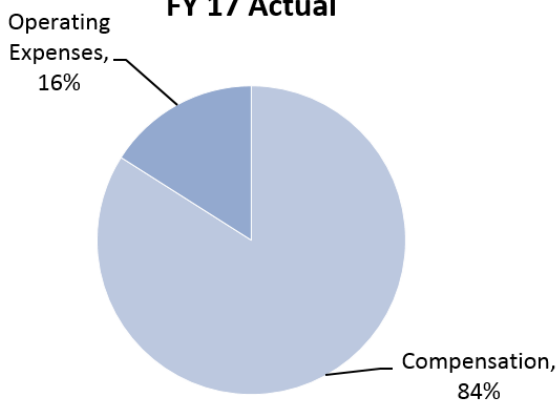
Our mission is to ensure that children and families are protected by law in all child placement proceedings conducted by public and private agencies and organizations.

OBFF contributes to the following statewide outcomes:

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

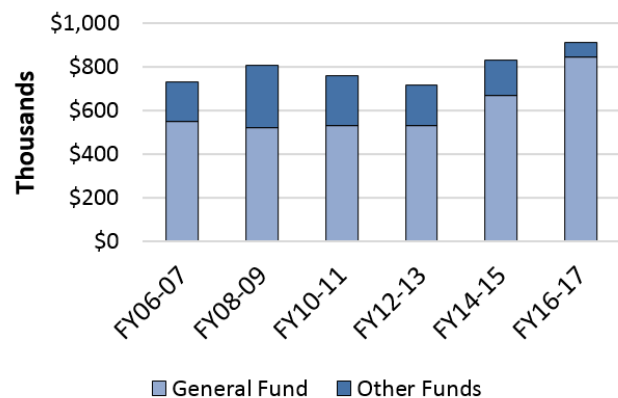
**BUDGET**

**Spending by Category  
FY 17 Actual**



Source: Budget Planning & Analysis System (BPAS)

**Historical Spending**



Source: Consolidated Fund Statement

## DISPARITIES DATA AT A GLANCE

Minnesota Children in Out-of-Home Care 2016

<i>Race/Ethnicity</i>	<i>2015 Number</i>	<i>2015 Percent</i>	<i>2016 Number</i>	<i>2016 Percent</i>	<i>All MN Kids 2016 Number</i>	<i>All MN Kids 2016 Percent</i>
African American/Black	2,348	17%	2,423	16%	122,535	9%
American Indian	2,617	19%	2,946	20%	26,515	2%
Asian	248	2%	296	2%	79,013	6%
Pacific Islander	13	<1%	17	<1%	1,226	<1%
Unknown/declined	146	1%	235	2%	--	--
Two or more races	2,049	15%	2,277	15%	70,937	6%
White	6,191	46%	6,810	45%	990,412	77%
<b>Total</b>	<b>13,612</b>	<b>100%</b>	<b>15,004</b>	<b>100%</b>	<b>1,290,638</b>	<b>100%</b>
Hispanic (any race)*	1,292	10%	1,426	10%	113,525	9%

Source: Minnesota Department of Human Services

\*Counties, the state, and the U.S. Census Bureau disaggregates data for people of Hispanic heritage as Hispanic people may attribute themselves to different races. These numbers are already included in the totals and are dispersed between the different race/ethnicity categories above listed.

### STRATEGIES

To accomplish its mission, OBFF 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 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; no transportation to visitations; cannot get into treatment in a timely manner; inadequate housing; lack of understanding of the court process/system; the public defender (parents' attorney) not being helpful; and the child protection workers' lack of cultural sensitivity. [Note: OBFF 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); 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 reducing racial disparities and disproportionality in child welfare; and improving outcomes for children and their families involved in child protection cases.

## RESULTS

<i>Name of Measure</i>	<i>2015 Report</i>	<i>2016 Report</i>	<i>2017 Report</i>
Complaints and Inquiries received*	1,972	2,221	2,290
Consultations/resolutions	861	809	918
Investigations	58	86	111

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

Governor Mark Dayton’s Task Force on the Protection of Children met from September 2014 through March 2015 and developed 93 recommendations for improvements to the State of Minnesota’s Child Protection System. The Minnesota Legislature quickly acted on several of the Task Force’s recommendations, which resulted in an increased number of cases being screened in at the county level. According to the 2016 Department of Human Services Out-of-home Care and Permanency Report Summary, there has been an increase of over 15,000 reports received annually.

Additional statistics calculated that screened-out reports decreased from 70.3% in 2014 to 67.5% in 2015. This means that an additional 3% of reports were screened-in for assessment or investigation.

All of the changes put forth by the Minnesota Legislature and the Task Force affected greatly the number of telephone calls and complaints to the OBFF, which is illustrated in the above graph. Due to the increase, the OBFF provided more consultations and case resolutions to complainants, as well as the number of Child in Need of Protection or Services (CHIPS) cases that were investigated. The statewide ripple effect of the increases in calls have affected the social services agencies, the courts, the state Guardian ad Litem Program, other major stakeholders, and OBFF itself. For instance, the number one reason for the call volume increase is parental drug abuse followed by alleged neglect, respectively, 2,091 (27.1%) and 1,894 (24.5%). (Minnesota’s Out-of-home Care and Permanency Report, 2016).

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, Kinship 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 OBFF.

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

# Ombudsperson for Families

# Agency Expenditure Overview

(Dollars in Thousands)

	Actual FY16	Actual FY17	Actual FY18	Estimate FY19	Forecast Base		Governor's Recommendation	
					FY20	FY21	FY20	FY21
<b><u>Expenditures by Fund</u></b>								
1000 - General	380	465	454	472	467	467	714	723
2001 - Other Misc Special Revenue	66	2	5	138	159	161	159	161
<b>Total</b>	<b>446</b>	<b>467</b>	<b>460</b>	<b>610</b>	<b>626</b>	<b>628</b>	<b>873</b>	<b>884</b>
Biennial Change				156		184		687
Biennial % Change				17		17		64
Governor's Change from Base								503
Governor's % Change from Base								40
<b><u>Expenditures by Program</u></b>								
Ombudspersons for Families	446	467	460	610	626	628	873	884
<b>Total</b>	<b>446</b>	<b>467</b>	<b>460</b>	<b>610</b>	<b>626</b>	<b>628</b>	<b>873</b>	<b>884</b>
<b><u>Expenditures by Category</u></b>								
Compensation	380	391	372	418	439	442	686	698
Operating Expenses	66	76	85	182	177	176	177	176
Capital Outlay-Real Property				10	10	10	10	10
Other Financial Transaction		0	3					
<b>Total</b>	<b>446</b>	<b>467</b>	<b>460</b>	<b>610</b>	<b>626</b>	<b>628</b>	<b>873</b>	<b>884</b>
<b><u>Full-Time Equivalent</u></b>								
	<b>4.66</b>	<b>4.77</b>	<b>4.50</b>	<b>5.00</b>	<b>5.00</b>	<b>5.00</b>	<b>8.00</b>	<b>8.00</b>

(Dollars in Thousands)

	Actual FY16	Actual FY17	Actual FY18	Estimate FY19	Forecast Base FY20 FY21		Governor's Recommendation FY20 FY21	
<b>1000 - General</b>								
Balance Forward In		12		6				
Direct Appropriation	392	453	460	466	467	467	714	723
Balance Forward Out	12		6					
<b>Expenditures</b>	<b>380</b>	<b>465</b>	<b>454</b>	<b>472</b>	<b>467</b>	<b>467</b>	<b>714</b>	<b>723</b>
Biennial Change in Expenditures				81		8		511
Biennial % Change in Expenditures				10		1		55
Governor's Change from Base								503
Governor's % Change from Base								54
Full-Time Equivalent	4.63	4.77	4.50	5.00	5.00	5.00	8.00	8.00

**2001 - Other Misc Special Revenue**

Balance Forward In	115	144	234	321	275	208	275	208
Transfers In	92	92	92	92	92	92	92	92
Balance Forward Out	141	234	321	275	208	139	208	139
<b>Expenditures</b>	<b>66</b>	<b>2</b>	<b>5</b>	<b>138</b>	<b>159</b>	<b>161</b>	<b>159</b>	<b>161</b>
Biennial Change in Expenditures				75		177		177
Biennial % Change in Expenditures				110		124		124
Governor's Change from Base								0
Governor's % Change from Base								0
Full-Time Equivalent	0.03							

(Dollars in Thousands)

	FY19	FY20	FY21	Biennium 2020-21
<b>Direct</b>				
<b>Fund: 1000 - General</b>				
FY2019 Appropriations	466	466	466	932
Base Adjustments				
Pension Allocation		1	1	2
<b>Forecast Base</b>	<b>466</b>	<b>467</b>	<b>467</b>	<b>934</b>
<b>Change Items</b>				
Addition of Two Full-Time Investigators & Intake Worker		247	256	503
<b>Total Governor's Recommendations</b>	<b>466</b>	<b>714</b>	<b>723</b>	<b>1,437</b>
<b>Dedicated</b>				
<b>Fund: 2001 - Other Misc Special Revenue</b>				
Planned Spending	138	159	161	320
Forecast Base	138	159	161	320
<b>Total Governor's Recommendations</b>	<b>138</b>	<b>159</b>	<b>161</b>	<b>320</b>

# Office of Ombudsperson for Families

## FY 2020-21 Biennial Budget Change Item

### Change Item Title: Addition of Investigators and an Intake Worker

Fiscal Impact (\$000s)	FY 2020	FY 2021	FY 2022	FY 2023
General Fund				
Expenditures	247	256	256	256
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	247	256	256	256
<b>FTEs</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>

### Recommendation:

The Governor recommends additional funding for three staff positions at the Office of Ombudsperson for Families (OBFF).

### Rationale/Background:

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, kinship assistance (which replaced relative custody assistance) and adoption assistance to support family caring for children who must be removed from the home for reasons of child protection, delinquency or disability. These also resulted in an increased number of telephone calls to the OBFF.

Additionally, in 2017, the Office received 2,290 calls for assistance; consulted and resolved 40% of the case circumstances; and conducted 111 investigations.

The 2018 Minnesota legislative session established a Foster Care Sibling Bill of Rights for children who enter foster care. Effective August 1, 2018, child welfare agency staff are required to provide a copy of the Sibling Bill of Rights Commissioner’s Form to children at the time they enter foster care and to adult siblings of a child entering foster care, when known, and to their foster care provider. The law also provided that if there are questions or complaints, the Office of Ombudsperson for Families (OBFF) should be contacted. The implementation of this new law will increase the number of calls, inquiries, complaints and requests for investigations.

### Proposal:

Presently, there are four full-time community-specific ombudspersons and one full-time office administrative specialist. The intake worker will assist the office administrative specialist in the increased number of telephone and email traffic to the OBFF and streamline the intake process so that the calls can be directed to the community-specific ombudsperson in a timely manner. The addition of the two full-time investigators will allow the office to conduct more investigations in a timely manner and ensure that children and their families are guaranteed fair treatment, especially on racial grounds, by all agencies that provide child welfare services.

The addition of these positions will allow OBFF to: (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.

**Equity and Inclusion:**

In 2017 Minnesota’s child population was 1,298,657. Of the total child population, 39,606 children were alleged victims of child maltreatment. Minnesota ranked #4 in the nation in overall child well-being according to the 2017 Annual National Annie E. Casey Kids Count Profile. According to the 2016 Out-of-Home Care and Permanency Report from the Department of Human Services, there were 15,004 children who experienced 15,654 placement episodes during 2016. From 2015 to 2016, there was a 10.2 percent increase in the overall number of children who experienced out-of-home care. White children remain the largest group, both entering care and continuing in care, however, disproportionality remains a significant concern for children in out-of-home placement. Compared to White children, based on child population estimates, American Indian children were 17.6 times more likely to experience care, children identified as two or more faces were 4.8 times more likely to experience care and African-American children were over 3.1 times more likely to experience care.

**Results:**

The intended result is that all children in Minnesota’s child welfare system are equitably supported and that the agencies who have children in foster care are in compliance with the new Foster Care Sibling Bill of Rights and that the complaints from the children and other interested persons are handled in a timely manner.

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. We will work with state partners to achieve our desired results including the Minnesota Department of Human Services, Minnesota State Guardian ad Litem Program, Minnesota Courts, and Minnesota Legislature.

<i>Type of Measure</i>	<i>Name of Measure</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>
Quantity	Complaints and Inquiries received*	1,975	2,221	2,290
Quality	Consultations/resolutions	861	809	918
Results	Investigations	58	86	111

The implementation of this new law will substantially increase the number of calls, inquiries, complaints and requests for investigations on an already overburdened and strained staff of the OBFF. Presently, there are four full-time community-specific ombudspersons and one full-time office administrative specialist. The intake worker will assist the office administrative specialist in the increased number of telephone and email traffic to the OBFF and streamline the intake process so that the calls can be directed to the community-specific ombudsperson in a timely manner.

**Statutory Change:**

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