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Office of Ombudsperson for Families

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

AT A GLANCE

- Minnesota has 1,301,219 children with 37,649 children alleged victims of maltreatment.
- Minnesota ranks 3rd in the US for overall child well-being, up from 4th (2021 KIDS COUNT Data Book).
- Minnesota saw a reduction in the number of children in out-of-home care, by 0.9% from 2018 to 2019.
- More **children stay longer in out-of-home placements** and the number of kids of two or more races in out-of-home care continues to increase. Rates for African American/black, and white children have decreased; the rate for Latino/ Hispanic as well as Asian/ Pacific Islander children remained the same.
 - African American children were **2.6** times more likely, and those identified as
 - Children of two or more races were **5.8** times more likely than white children to experience care, based on Minnesota population estimates from 2019 (Minnesota’s *Out-of-home Care and Permanency Report, 2020*).

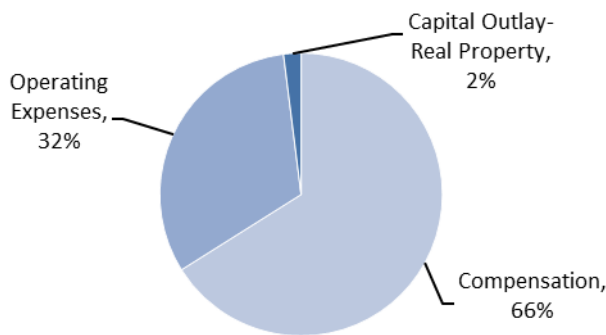
PURPOSE

The Office of Ombudsperson for Families (OBFF) is an independent state agency whose goals are to: (1) reduce racial and ethnic disparities and disproportionality in Minnesota’s child welfare system; (2) improve outcomes for children and families involved in child protection cases; (3) ensure all laws governing the protection of children and families are implemented in a culturally and linguistically competent manner; and (4) ensure adherence to laws protecting children and families 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.

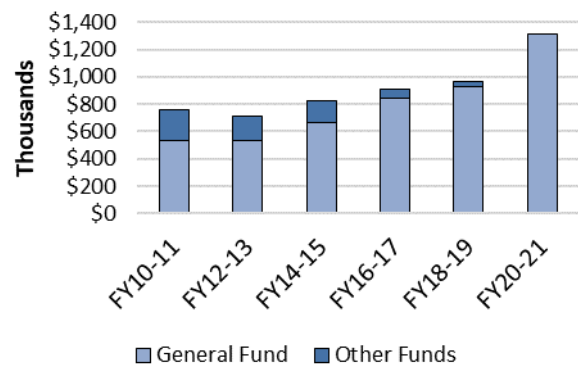
BUDGET

**Spending by Category
FY 2021 Actual**



Source: Budget Planning & Analysis System (BPAS)

Historical Spending



Source: Consolidated Fund Statement

Characteristics of Children in Out-Of-Home Care: Number and percentage by race/ethnicity of children in care in 2019, and 2020

<i>Race/Ethnicity</i>	<i>2019 Enterers</i>	<i>2019 %</i>	<i>2019 Continuers</i>	<i>2019 %</i>	<i>2020 Enterers</i>	<i>2020 %</i>	<i>2020 Continuers</i>	<i>2020 %</i>
African American/Black	931	15.2%	1,502	15.9%	664	13.8%	1,352	15.4%
American Indian	827	13.5%	2,243	23.7%	706	14.7%	1,884	21.4%
Asian Pacific Islander	105	1.7%	163	1.7%	61	1.3%	144	1.6%
Two or more races	1,245	20.3%	1,643	17.3%	1,029	21.4%	1,840	20.9%
Unknown/declined	123	2.0%	114	1.2%	84	1.7%	80	0.9%
White*	2,890	47.2%	3,811	40.2%	2,268	47.1%	3,497	39.8%
Total	6,121	100%	9,476	100%	4,812	100%	8,797	100%
Hispanic (any race)	617	10.1%	1,000	10.6%	516	10.7%	878	10%

Source: Minnesota Department of Human Services

*White children remain the largest group, both entering and continuing in care in 2020, accounting for 47.1% of enterers and 39.8% of continuers. African American/Black children’s percentage of enterers, at 15.4% was surpassed this year by children identified as Two or More Races and became enterers at 20.9%.

STRATEGIES

- **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: Children not placed with their families or relatives; relatives and families not being considered for permanency placement; transportation limitations; untimely or unavailable treatment; inadequate housing; confusion from the court process/system; unhelpful public entities (e.g., county child protection, public defender office); and lack of cultural sensitivity.
- **Investigation** - 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.
- **Monitoring** – (a) Monitor agency compliance with all laws governing child protection and placement that impact children of color; (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 are used as court advocates and are consulted in placement decisions that involve children of color; (d) ensure Guardians ad Litem and other individuals from communities of color are used in court proceedings to advocate on behalf of children of color; and (e) provide training programs for bilingual workers.
- **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 the 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>2019 Report</i>	<i>2020 Report</i>
Complaints and Inquiries received*	2,586	1,601
Consultations/resolutions	1,068	705
Investigations	122	64

**This measure tracks the number of calls/complaints to OBFF to make inquiries, lodge a complaint, or request information about the child protection system and how to navigate it. The Office of Ombudsperson for American Indian Families was created July 1, 2021, and now services Minnesota Families of American Indian heritage.*

Changes in Minnesota Child Protection Laws (2015) greatly affected the number of telephone calls and complaints to the OBFF (2017-2019). Consequently, the OBFF provided more consultations and case resolutions to complainants, as well as more investigations of CHIPS cases. As noted in Minnesota’s Annual Child Maltreatment Report, 2020, fewer reports were made to child protection agencies during the COVID-19 pandemic, resulting in fewer alleged victims being screened in for child protection reports and fewer children entering out-of-home care. Pre-pandemic, Title IV-E of the Social Security Act made possible the use of Title IV reimbursement for a portion of the costs for placement prevention services for children and their caregivers determined eligible. These provisions were added in the Family First Prevention Services Act (FFPSA) of 2018. The OBFF participated in the following workgroups to assist MN DHS in drafting its five-year FFPSA plan: identifying candidacy; description of the types of prevention services and programs expected to improve outcomes for children and families; how those services/programs will be monitored; and defining Qualified Residential Treatment Programs (QRTP) as promising, supported, or well-supported practices.

As a result of the foregoing, the OBFF, community members, and legislators made a recommendation to the Department of Human Services (DHS) to create an African American Child and Family Well Being Unit. DHS’ Child Safety and Prevention Division received funding and has fully staffed the African American Child and Family Well Being Unit. This unit will work in collaboration with the OBFF to support safety and best practices for culturally affirming prevention and family preservation strategies. This will be a focused effort on understanding and addressing the disproportionate overrepresentation in Minnesota’s child protection, foster care, and permanency systems for African American children and families.

The OBFF continues a working relationship with Partnerships for Permanence and Annie E. Casey Foundation. Through this collaboration, we have developed Leaders Changing the System (LCS) Network Advisors (2020). This group is comprised of child welfare community leaders, experts, allies and advocates, targeting young adults who have aged out of child welfare as an adoptee or foster youth. The purpose of the network is to share knowledge, resources, and help develop strategies to elevate the voices of Black young leaders and seasoned professionals with lived experience. LCS is a coalition of individuals with personal experience and expertise that can help reform strategies/practices that directly impact Black families and children represented in the child welfare system. In this climate of racial justice awareness, the creation of such a network is timely and necessary.

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 FY20	Actual FY21	Actual FY22	Estimate FY23	Forecast Base		Governor's Recommendation	
					FY24	FY25	FY24	FY25

Expenditures by Fund

1000 - General	621	695	494	983	744	744	759	776
2001 - Other Misc Special Revenue	0				58	89	58	89
Total	621	695	494	983	802	833	817	865
Biennial Change				161		158		205
Biennial % Change				12		11		14
Governor's Change from Base								47
Governor's % Change from Base								3

Expenditures by Program

Ombudspersons for Families	621	695	494	983	802	833	817	865
Total	621	695	494	983	802	833	817	865

Expenditures by Category

Compensation	423	460	378	517	650	647	665	679
Operating Expenses	189	222	115	466	152	186	152	186
Capital Outlay-Real Property		12	0					
Other Financial Transaction	9	1	1					
Total	621	695	494	983	802	833	817	865

Full-Time Equivalent

	4.81	4.81	4.86	5.50	7.00	7.00	7.00	7.00
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Ombudsperson for Families

Agency Financing by Fund

(Dollars in Thousands)

	Actual FY20	Actual FY21	Actual FY22	Estimate FY23	Forecast Base		Governor's Recommendation	
					FY24	FY25	FY24	FY25
1000 - General								
Balance Forward In		94		239				
Direct Appropriation	714	723	733	744	744	744	759	776
Transfers Out		60						
Cancellations		62						
Balance Forward Out	93		239					
Expenditures	621	695	494	983	744	744	759	776
Biennial Change in Expenditures				161		11		58
Biennial % Change in Expenditures				12		1		4
Governor's Change from Base								47
Governor's % Change from Base								3
Full-Time Equivalents	4.81	4.81	4.86	5.50	7.00	7.00	7.00	7.00

2001 - Other Misc Special Revenue

Balance Forward In	378	473	565	493	562	573	562	573
Transfers In	92	92	69	69	69	69	69	69
Transfers Out			140					
Balance Forward Out	470	565	493	562	573	553	573	553
Expenditures	0				58	89	58	89
Biennial Change in Expenditures				0		147		147
Biennial % Change in Expenditures								
Governor's Change from Base								0
Governor's % Change from Base								0

(Dollars in Thousands)

	FY23	FY24	FY25	Biennium 2024-25
Direct				
Fund: 1000 - General				
FY2023 Appropriations	744	744	744	1,488
Forecast Base	744	744	744	1,488
Change Items				
Maintain Current Service Levels		15	32	47
Total Governor's Recommendations	744	759	776	1,535
Dedicated				
Fund: 2001 - Other Misc Special Revenue				
Planned Spending		58	89	147
Forecast Base		58	89	147
Total Governor's Recommendations		58	89	147

Office of Ombudsperson for Families

FY 2024-25 Biennial Budget Change Item

Change Item Title: Maintain Current Service Levels

Fiscal Impact (\$000s)	FY 2024	FY 2025	FY 2026	FY 2027
General Fund				
Expenditures	15	32	32	32
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues				
Net Fiscal Impact = (Expenditures – Revenues)	15	32	32	32
FTEs	0	0	0	0

Recommendation:

The Governor recommends additional funding of \$15,000 in FY 2024 and \$32,000 in each subsequent year from the general fund to maintain the current level of service delivery for the Ombudsperson for Families (OBFF).

Rationale/Background:

Each year, the cost of doing business rises—employer-paid health care 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 OBFF, operating cost pressures exist in multiple categories—increases in compensation and insurance costs at the agency, increasing costs to maintain our current staff complement in a challenging labor market, and increasing IT costs. If an operational increase is not provided, the Ombudsperson will be unable to provide the current levels of service to Minnesotans.

Proposal:

The Governor recommends increasing agency operating budgets to support maintaining the delivery of current services. For the OBFF, this funding will support expected and anticipated employee compensation growth.

Results:

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