



To: David Grosso, Chairman of the Committee on Education
From: Serena M. Hayes, Ombudsman for Public Education
Date: March 25, 2019
RE: FY19 Budget Oversight Questions

1. What are the agency's performance goals and targeted outcomes for FY20? How will the proposed FY20 budget serve to achieve those goals?

Capacity Building. Developing strategies to improve case management efficiency while providing families, students, parents, and schools the highest level of care and attentiveness is a priority for the Office. The Office continues to measure its case management efficiency by tracking the average life of a case within our office, tracking successful resolutions that have worked for cases that have repeatedly been presented to our office, and tracking the contributing factors that impact a case. We are working to resolve challenges with our case management database system.

In FY19, under my tenure, the Office has already made significant improvements in this area despite being understaffed. As an Office, we are collaborating with each other and functioning as a team in our approach to case management. The result is a reduction in the overall life span of cases. We are also seeing increases in the percentage of calls converted to cases. Additionally, we are coordinating efforts with OCTO to streamline our intake process, thereby eliminating the need to duplicate tasks in multiple tracking systems. Another benefit of streamlining our intake process is reducing human error in our data entry and case tracking.

Our desire is to continue maintaining and improving these trends in FY20. The heightened attention to case management and collaboration of efforts within the Office to resolve cases is time consuming because the current structure of our case management software is insufficient. To be efficient in our work, our data entry process needs simplification. Additionally, efficiency in case management requires adequate staff.

We are working to reduce the amount of time our staff spends on data analysis by simplifying our data collection and entry processes, as well as adding more quantitative measures into our forms. Much of the work that the Office is doing to improve its operating procedures requires

manual oversight. Automating some of our procedures using enhanced database software would greatly improve our caseload capacity and reduce user error.

To remedy this challenge, we have begun soliciting bids for Program Development Evaluation. We are seeking a contractor who can assist the Office in developing, implementing, and improving our data systems to measure our internal processes to demonstrate how well program activities are being implemented and to increase the fidelity of implementation. Our expectation is that improvements to our database system will be completed in FY19. Thus, the impact of the improvements will be effective in FY20.

While we are working to improve our database systems, we continue to maintain a robust fellowship program. The fellowship program has allowed us to expand our outreach and assistance to more families and schools in an expedient manner. We continue to hire fellows and currently have the funding in FY19 to pay them a competitive stipend of \$4,500.00 per semester. During the tenure of the Interim Ombudsman, three fellows were hired to assist with managing the caseload. All three fellows are essential to the function of the Office and enable the Office to increase efficiency despite the uptick in contacts the Office has received. As explained above, the Office has improved its ability to serve families and schools by collaborating more with one another. Most significantly, the fellows are responsible for moving the waitlist. Any callers listed in the waitlist cue is unassigned to a staff person. Previously, those callers had to wait for an already assigned case to close before coming off the waitlist. With the help of fellows, this is no longer true. The fellows work on cases in the waitlist cue and those cases are given the same attention as assigned cases. The additional fellow position increases our Office's flexibility and resiliency at times of case volume. This year we had three part-time fellows. Under the proposed FY20 budget, we are unable to hire three fellows.

Our hope is that by improving our database system and hiring an additional fellow we will (1) decrease the time spent on data management and analysis, (2) increase case capacity without an additional FTE in FY20, (3) increase our ability to conduct in-person facilitated meetings and mediations, (4) and increase our ability to perform other programmatic initiatives discussed in our responses to question three.

Family Engagement and Outreach. We have two primary family engagement and outreach performance goals: (1) Ensuring that our caseload is reflective of the diversity within our city, and (2) Creating opportunities for families and schools to connect with the Office.

Outreach. It is important to our office that every resident who needs our services is aware of our services. Traditionally, our office has conducted outreach to families by joining individual events, such as EdFEST, ANC meetings, and Education Councils, as well as utilizing the help of Councilmember Constituent services. In the summer of FY18, the Office began advertising its services on Metrobuses operating in Wards 5, 7, and 8. As a result, the Office has seen an increase in contacts. However, we recognize that there are vulnerable communities that are

underrepresented in our data. Therefore, we are planning to increase the number of outreach events that we attend annually. We will be concentrating our efforts on Wards 5, 7, and 8 where most our cases come from, as well as within the Hispanic/Latinx communities throughout the District.

Our office is also working to eliminate language as a barrier for some families that do not speak English as a first language. We are currently working to translate our website into the six languages specified in the Language Access Act. We have committed \$3,500 in funds this year to complete this translation project.

In our performance goals we set the expectation that our office will participate in additional community events within communities that do not speak English as a first language. We are also seeking to increase the number of Spanish speaking families that our office assists through targeted advertising and the addition of Spanish speaking personnel to our staff. We are currently in the process of hiring a program associate for the Office, which has provided us with the opportunity to search for a bilingual Spanish speaker for the position. This will not only allow us to provide translation services to families at the time of contact, but also at school meetings and community outreach events, which we currently do not have the capacity to do.

We understand that there is more to serving families than just a shared language. For this reason, we are looking at hiring consultants to help us conduct targeted community engagement and identify non-language barriers that may also be preventing communities from accessing our services. This will help us to develop a way of delivering our message that is culturally sensitive and competent.

Family Engagement. We also want to increase awareness about the Office's existence for families throughout the city. Partnering with well-established organizations and agencies that already have the trust of their communities, such as parent serving organizations (such as Parents Amplifying Voices in Education, parent teacher associations, family support collaboratives, organizations that work with families who do not speak English as a first language, and organizations serving families dealing with or at risk of homelessness) will be critical to accomplishing this goal. Through these partnerships, the Office can connect with families, explain the Office's function and inquire about additional ways the Office can support families, hear accounts of barriers that families face while navigating our school system, discover the barriers that may prevent families from bringing grievances to the Office. Additionally, the Office will collaborate with the Office of the Student Advocate to create toolkits and worksheets for families instructing them about how to have collaborative conversations with school administrators.

Relationship Building with LEAs. Another goal is to build strong and healthy relationships with LEAs, the DC State Board of Education, as well as the DC Public Charter School Board. One of the functions of the Office is to provide technical support for LEAs. Currently, this function is

performed on an ad hoc basis. In the future, we want to build out the program. In our FY19 Performance Oversight responses, we provided numerous ideas for building out this programmatic initiative. However, before developing programming in this area, we want to hear directly from LEAs about the areas in which technical support would be helpful. As such, our goal for FY20 is to invite every LEA to meet with us. The purpose of the meetings is to discuss areas where the Office has been helpful and identify areas where we can be of additional assistance. Beginning in FY19 and continuing through FY20, the Office will invite all LEAs to individually meet with our office. Thereafter, the feedback provided by LEAs will be used to develop formalized technical supports.

Improving Educational Outcomes by Effecting Systemic Change. We plan to continue working with the State Board of Education and its members to find ways to serve families in the District. Both our Office and the State Board have undergone recent changes in leadership and there are several new board members as well. This presents an opportunity to explore possible new areas of collaboration and I am in the process of meeting individually with members of the State Board to discuss ways that we can partner together. I also want to maintain our current policy collaborations, including participating in their committees and providing quarterly reports and data to the board.

2. Will the proposed FY20 budget allow Ombudsman for Public Education to meet all its statutory mandates?

No. The proposed budget funding will not allow us to meet our statutory mandates. Our statute requires that we conduct outreach and assist families in public and public charter schools in addressing complaints and concerns related to conflicts within their school settings. We are required to do this by trying to facilitate communication and a resolution between parties. Additionally, we are required to track and report on data about the cases that we handle to make recommendations to address issues that affect the entire public school system. We cannot fulfill these requirements under the current proposed budget.

I want to thank the Council for the growth of funding for our agency, the State Board of Education, as this funding generally supports our office and our current FTEs. I would also like to thank the Council for creating separate budget line items for each of the three offices housed within the State Board of Education. In FY20, to address the shortage of the MARC, our Office's funds were cut in half to try and address this shortage.

The purpose of the separate budget line items is to remove the decision around the allocation of funds from the agency level to the Mayor's office and the DC Council. However, this year the Ombudsman's budget was cut so drastically that we now need to have these conversations about technical adjustments and reallocation of expenses again to ensure that we will have enough funding to operate. I have been assured by the OCFO that my Office's funds will be reallocated

at least up to the \$60,000.00 amount. However, I am certain that the Office will be unable to fulfill its statutory obligations if the funds are not restored.

Our Office currently has three FTEs and three part-time fellows. These are similar staffing levels to the previous two years. During that time, we have continued to see an increase in the demand for our services. At this time last year (FY17-18) we had received 540 contacts via phone or email. Today we have received almost 700 contacts requesting assistance from our office. Similarly, at this time last year we had handled 317 cases, this year to date we have 376 cases. Additionally, this year we have had two months, October and January, where we opened over sixty cases in each month. This is the highest level of cases that we have ever opened in a month. In the last three months, my staff has had up to 80 cases open at a time, being worked on by either our FTE or fellows.

We would also like to further enhance our systematic services. We want to begin conducting special education listening sessions to better understand what special education is like in the daily lives of families. We want to hear from schools about RTI; how they understand and use it so that we can develop citywide language and guidance. We want to increase our outreach efforts to vulnerable populations and we want to expand our support for adult-learners and students re-entering school from the juvenile justice system. Additionally, we would like to request funds to assist with targeted outreach to non-English speaking communities. Particularly the Spanish speaking community in DC. We cannot currently fulfill the mandate to make systemic recommendations to help all students in DC because our data does not reflect all the students in the District. Spanish speaking students and Hispanic/Latinx students more broadly are under-represented in our data and we cannot know what their needs are if we are not hearing from them. We cannot implement these initiatives, nor can we continue working at our current level if our funding is not restored to the prior year's level.

This year we have committed to making sure that our services are accessible to all families and we are working to translate our website into the six languages required in the Language Access Act and we have committed to spend \$3,500 to do it this year. We will need additional funding of \$2,000 moving forward to allow us to upkeep and maintain current translations of the website and other materials.

I would like to see the budget allocation between the three offices in the State Board become more equitable to avoid budget issues like this one. Additionally, I would like to see a more equitable system of merit pay increases for employee performance across the three offices. My staff works incredibly hard to fulfill our statutory requirements and to serve families and schools, as do the other offices within the State Board. Yet the difference in pay between offices is inequitable and can be demoralizing for my staff. The State Board of Education's staff earn between \$6,000 and \$20,000 more than the FTEs in my office, despite all having the appointment type and grade level.

3. Provide a narrative description on programmatic initiatives for the Ombudsman for Public Education for FY20.

Over the past year our Office has undergone several changes in leadership. The first Ombudsman since re-establishment left the position over the summer and an interim Ombudsman was appointed. I was brought on as the new Ombudsman in late January, halfway through the current school year. Because of all this transition, we have only begun exploring options for programmatic initiatives over the past two months. We have begun this process by examining the extent to which the office has implemented programmatic initiatives identified in FY18's Budget Oversight Responses. Other programmatic initiatives are in the concept phase of development, and the Office is exploring prioritization of initiatives.

Programmatic Initiative No. 1: Formalizing our Dispute Resolution System. Our Office worked with the Harvard Mediation and Negotiation Clinic two years ago to build out a special education dispute resolution system. This was identified as a specific area of need for families in the District and we have sought to implement a system accordingly. Due to staffing changes though, the Office lost our special education expert in the previous school year which has left us unable to implement this initiative as fully as we would have liked to do. We are now looking to resume work on this initiative.

Special education is the topic about which our office is most frequently contacted. Special education concerns account for around a third of all contacts to our office each year. Currently we offer the same services for special education concerns as we do for all other types of concerns: facilitated conversations, mediations, coaching, information and referral services. We would like to add to this list additional services/resources, including "know your rights" type explanation materials.

We would also like to conduct listening sessions to find out what people are thinking and feeling about the process—not just what they have found problematic or difficult. These sessions could be an opportunity to hear, on a bigger scale, what is and is not working in special education and it could be an avenue towards opening a conversation about how to make the system function the way that everyone envisions it working.

Finally, we would also like to work with schools to develop a consistent set of language and guidelines for RTI at schools in the District. RTI, when applied correctly can prevent conflicts from arising for all students, including those who receive special education services.

Programmatic Initiative No. 2: Developing an Equity Plan for the District of Columbia. Our Office's work has consistently highlighted disparities for students within the education system. We have also seen that disparities exist in the ways that we address issues in the education system. The initiatives that we are proposing here will help us move towards the goal of greater equity. Additionally, we need to coordinate our efforts and determine funding sources for various

measures, including establishing an Equity, Diversity, and Inclusion Office to support its public school systems in these efforts.

Two populations that we would like to help ensure greater equity for are adult students and minor students re-entering school from the Juvenile Justice System.

Services for Adult Education Students. Our authorizing statute allows our Office to work with students in grades pre-K through 12, regardless of their age. Currently we only offer minimal assistance to adult students pursuing diplomas or their GED and we would like to expand our services to these students.

Re-Entry Work with Students in the Juvenile Justice System. This would be a new undertaking for the Office. We would explore how our involvement would be different from and supplement the efforts of other agencies. For example, instead of focusing on compliance or regulation, our Office might focus on eliminating barriers and facilitating cooperation. As such, we may be able to help students prepare to re-enter school in a way that an agency focused on compliance may be unable to do. This initiative will require us to build partnerships with agencies, social workers, probation officers doing this work already to ensure that our office is augmenting existing services, rather than supplanting them. This initiative would also require organizing focus groups with young people and asking what it would take to get them to reengage.

Programmatic Initiative No. 3: Efforts to Outcomes Evaluation Tool. Despite its imperfections, the Office already has case management database software. One of the essential data tools that we are missing is measurements of the short-term and long-term outcomes of our work. Without this data, it is impossible for us to identify our successes and growth opportunities related to the delivery of services that we provide to families and schools. Moreover, we are not yet capturing the impact of our work on improving relationships between schools and families, and by extension, reducing the barriers that students face accessing quality public education. Above, we discussed a bid solicitation for contractors to develop and implement Program Development Evaluation of our Office. Included in the bid solicitation is a request for efforts to outcomes measures and database development. Within our statement of work, we requested the development of separate survey tools for families and schools who interact with our Office. Currently, the Office has an exit survey with only a four percent (4%) completion rate. The exit survey completion rate is low because we do not follow up with callers to encourage and facilitate its completion. Once new survey tools are created for families and schools, we will need a dedicated staff member to contact families and schools to complete the surveys. The FY20 proposed budget does not include a line item for the expense of developing these measurement tools, nor does it include the expense of hiring a staff member who would follow up with families to complete the survey. If we had the funding to hire a third fellow, then the third fellow could perform this task without incurring the full expense of an FTE.

Programmatic Initiative No. 4: Advocacy. The Office will continue to keep abreast of best practices around issues such as student discipline, special education, and family engagement. The Office will continue to develop partnerships with non-profit organizations that promote family engagement and advocate around issues that affect families, such as homelessness and poverty. We will continue to look for opportunities to develop strategic partnerships with non-profit organizations and community advocacy groups. We believe these opportunities will allow us to innovatively explore additional ways to further engage parents and students and to remove barriers impacting student achievement.

4. Provide an update on any change in FTEs in the proposed FY20 budget. Please identify each position and the source of funding for the position.

Beginning in January of FY19, the Program Associate position in the Office was vacant. The Office has met with qualified applicants and anticipates filling this position soon. Once the Program Associate position is filled, we will have four FTEs and three fellows through FY19. As mentioned above, we would like to continue operating with three fellows. The proposed FY20 budget only provides funding for two fellows. We need to assess the Office's capacity once the Office is fully staffed prior to determining whether an additional FTE is required to meet demand. Therefore, we are not requesting a change in FTE for FY20.

5. Does the proposed FY20 budget allow for the Ombudsman for Public Education to provide an adequate level of service required to manage, examine, and investigate anticipated complaints? Does the proposed FY20 budget allow for the Ombudsman for Public Education to meet legislative, statutory, or regulatory requirements?

As mentioned earlier, the proposed FY20 budget reduces the NPS funds of the Office of the Ombudsman by twenty-nine thousand dollars (\$29,000.00). I have met with the OCFO to obtain clarification on the proposed budget. Through those conversations, I learned that the SBOE agency budget has enough funds to restore the Office's budget to the sixty thousand dollars (\$60,000.00) in nonpersonal spending. Should the Office's budget be restored to a baseline of \$60,000.00, then the Office will be able to meet most of its legislative, statutory, or regulatory requirements with a few exceptions.

The Office would be unable to translate and print any additional documents or resources for ESL families. Additionally, any updates to the Office's website would require language translation updates that the Office lacks funding to provide. Moreover, one of the statutory duties includes: "examine and investigate an act or failure to act of any public school official or employee, including whether actions or failures to act are unreasonable, unfair, or discriminatory, even though in accordance with the law." We do not have the resources to conduct formal investigations or people who are trained in this work. However, performing investigations is not a performance goal identified for FY20, nor is it listed as a programmatic initiative at this time.

If the Office's budget is not restored in full, then the Office's operational functions would become unsustainable. Please see the attached FY20 budget plan spreadsheet for details.

6. Describe any other programmatic expansions, initiatives or anticipated reductions for FY19 and FY20. Provide a breakdown by program and provide a detailed description, including FY19 and FY20 spending plans, the target population to be served, and the name and title of the Ombudsman for Public Education employee responsible for the initiative.

This year we are currently working to develop a map of communities throughout the city that we would like to target for advertising during FY20.

As part of this initiative, we are planning to increase our advertising this year for communities in Wards 1, 4, and 6 to equitably compare with the advertising that we have previously done in Wards 5, 7, and 8. By increasing our advertising efforts in additional parts of the city, we will be able to begin connecting with communities that can serve better. This includes the Spanish speaking and Hispanic/Latinx communities, as well as other non-English speaking communities.

We are hopeful that the Committee on Education will allocate resources in a manner that allows the Office of the Ombudsman for Public Education to fulfill our mission. Our budget requests this year align with our mission to provide equitable access to education for all students within District of Columbia public and charter schools, and to support student engagement and achievement.

Ombudsman Spending Plan for FY2019	Amount
Personnel	
Continuing Full Time Employee	\$ 341,465.20
Fellow costs (stipend for three classes of fellows-fall, spring, and summer)	\$ 37,000.00
Misc Fringe Benefits	\$ 74,063.63
Annual Report	
Annual Report Graphic Design, Layout, Copyediting, and Printing	\$7,500
Annual Report Translation	
Office Processes Analysis: This service will be contracted out to a data specialist to identify the ways the Office can increase efficiency and data collection	\$10,000
Outreach	
Advertisements with Metro buses and trains in Wards 4, 5, 6, 7, and 8	\$5,000
Outreach Materials	\$2,500
Website translation	\$3,500
Materials Translation and Printing	
ESL Community Engagement Consultant	
Case management and overall Ombuds programmatic need	
Allotment for SmarTrip cards	\$1,000
Allotment for transportation (Fleetshare)(transportation to school meetings)	\$1,500
Additional Phone Lines	\$500
Allotment for language line for telephonic interpretation; interpretation costs (attending meetings), translation costs for brochures into other languages, translation of emails and correspondence with clients as we work on their cases.	\$1,500
Office Processes Training for New Employees (Contractor)	
Professional Development	
Professional development: Quick base training, mediation training for new employees, other education and conflict resolution trainings/conferences, restorative justice practices and student discipline, etc.	\$7,000
Other Office Expenses	
Subscriptions to industry periodicals such as Conflict Resolution Quarterly; United States Ombudsman Association and International Ombudsman Association membership fees	\$1,000
Ombudsman Office Supplies	\$5,000
Technology Needs	\$6,000

(Total sum NPS) \$52,000

(Total sum PS) \$452,529

Ombudsman Spending Plan for FY2020	Amount
Personnel	
Continuing Full Time Employee	\$ 342,192.74
Performance Merit Raises	
Fellow costs (stipend for three classes of fellows-fall, spring, and summer)	\$29,900
Misc Fringe Benefits	\$72,558
Annual Report	
Annual Report Graphic Design, Layout, Copyediting, and printing	\$7,500
Outreach	
Advertisements with Metro buses and trains in Wards 4, 5, 6, 7, and 8	\$2,500
Printing	\$6,000
Website translation/maintenance	\$2,000
Material Translation	\$1,000
Case management and overall Ombuds programmatic need	
Allotment for SmarTrip cards	\$0
Allotment for transportation (Fleetshare)(transportation to school meetings)	\$0
Efforts to Outcomes Analysis	
Allotment for language line for telephonic interpretation; interpretation costs (attending meetings), translation costs for brochures into other languages, translation of emails and correspondence with clients as we work on their cases.	\$1,500
Professional Development	
Professional development: Quick base training, mediation training for new employees, other education and conflict resolution trainings/conferences, restorative justice practices and student discipline, etc.	\$5,000
Other Office Expenses	
Subscriptions to industry periodicals such as Conflict Resolution Quarterly; United States Ombudsman Association and International Ombudsman Association membership fees	\$1,000
Ombudsman Office Supplies	\$0
Ombudsman equipment needs	\$3,000
(Total sum NPS)	\$29,500
(Total sum PS)	\$444,651

Office of the Ombudsman FY20 Salary with COLA and 5% increas

Position Title	FTEs	FY19 Salary	FY20 Salary	FY20 Fringe
Ombudsman	1.0	\$ 125,000.00	\$ 135,000.00	\$ 27,000.00
Assistant Ombudsman	1.0	\$ 76,122.00	\$ 82,211.76	\$ 16,442.35
Assistant Ombudsman	1.0	\$ 68,068.00	\$ 73,513.44	\$ 14,702.69
Program Associate	1.0	\$ 63,000.00	\$ 68,040.00	\$ 13,608.00
Total FTE	4.0		\$ 358,765.20	\$ 71,753.04
Fellow Fall Spring Sumr	0.5	\$ 15,900.00	\$ 15,900.00	
Fellow Fall Spring Sumr	0.5	\$ 15,900.00	\$ 15,900.00	
Fellow Fall Spring Sumr	0.5	\$ 12,000.00	\$ 15,900.00	
Total Fellow		\$ 43,800.00	\$ 47,700.00	\$ -
Total Personnel		43800.0	\$ 406,465.20	\$ 71,753.04

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Salary and Fringe Benefits

\$ 162,000.00

\$ 98,654.11

\$ 88,216.13

\$ 81,648.00

\$ 430,518.24

\$ 15,900.00

\$ 15,900.00

\$ 15,900.00

\$ 47,700.00

\$ 478,218.24