

The Office of the Ombudsman

End of Year Report for School Year 2019-2020

History of the Office of the Ombudsman

In July 2018 the Office of the Family and Student Ombudsman began its work with the charge of providing “an independent, confidential resource for students, families, and community members, offering informal help to resolve concerns, problems, complaints, and other student-related issues.”

The Office of the Family and Student Ombudsman was established under the principles of the International Ombudsman Association (IOA):

- Confidentiality
- Impartiality
- Independence
- Informality

Expansion of the Office of the Ombudsman

In August 2019, the Office of the Family and Student Ombudsman expanded its existing staff to include an Assistant Ombudsman for Special Education. The role of the Assistant Ombudsman for Special Education is to serve as a resource, providing information and support to parents and students regarding special education services. The goal is to provide transparency and understanding to families so that children with special needs will receive all the services and supports required to equitably access public education.

In October 2019, the Office of the Family and Student Ombudsman was charged with also providing support to FCPS employees. As a result, the name of the office was changed to the Office of the Ombudsman. In collaboration with FCPS Leadership and Division Counsel, resulted in the establishment of our practices were established to ensure alignment with the IOA principles of Confidentiality, Independence, Impartiality, and Informality. As a result, all employees who contact the Office of the Ombudsman are informed that the office offers confidential support to all staff. The Ombudsman does not serve as an agent of notice for employee concerns. Exceptions to confidentiality include cases of imminent harm to any individual and cases of suspected child abuse and neglect.

The term “Visitor” is generally accepted to describe those who engage the services of an ombudsman. We shall use this term periodically to describe the parents, students, community members, and staff who have reached out to our office. The term “Contact” refers to emails, calls, portal submissions, and letters received requesting support.

Our Mission and Vision

The Office of the Ombudsman is committed to supporting the mission of Fairfax County Public Schools in which all students are inspired and empowered to meet high academic standards, lead healthy, ethical lives, and be responsible and innovative global citizens.

The Office of the Ombudsman works to serve students, families, employees, and community members by providing information about resources and how to access them, understanding concerns and providing support to resolve them.

Outreach materials for the Office of the Ombudsman include a [website](#), brochures and flyers in English, Amharic, Arabic, Chinese, Farsi, Korean, Spanish, Urdu, and Vietnamese, YouTube videos in English and Spanish, and a 3'x4' poster board for display.

During the 2019-2020 school year, the Office of the Ombudsman received contacts by phone, email, the FCPS Client Communication Portal, and U.S. Mail. Our typical procedure includes a call or email to schedule a consultation with the Ombudsman or the Assistant Ombudsman for Special Education. Consultations are scheduled at the Visitor's convenience and are offered by phone or in person at the Willow Oaks Administrative Center, or at a location convenient to the Visitor. At the onset of the consultation, the Ombudsman shares his or her role and the principles of the office, including Confidentiality, Independence, Impartiality, and Informality.

The consultation frequently involves an explanation of the question or concern by the Visitor, clarifying questions by the Ombudsman, and an identification of the Visitor's desired outcomes. Upon establishing the desired outcomes, the Ombudsman works to provide information and possible next steps. These next steps may include offering Visitors access to regulations, links, and staff, or communicating with staff on behalf of the Visitor. The sharing of information is limited to the permission granted by the Visitor. Follow up conversations are scheduled at the request and convenience of the Visitor. Throughout the process, translation services are offered to Visitors who may feel more comfortable communicating in a language other than English.

Due to the confidentiality offered to Visitors, basic trend data is collected. Data includes Contact Method, Date, Region, School Level, and Topic. Data is presented quarterly through the Brabrand Briefing and at the end of the year through an annual report.

Community Outreach

Through collaboration with FCPS offices, employee associations, and parent groups we were able to share information about our office at the 41 division/community events listed below. Community outreach will continue to be a focus in the future. Anyone wishing to schedule a presentation in the community may contact us at 571-423-4014 to schedule a

time. Presentations can be scheduled for schools, civic/homeowners associations, places of worship, etc.

- Region 1 Kick-Off
- Parents of Autistic Children (POAC)
- Special Education Parent Teacher Association SEPTA
- Supervisor John Cook Cable Program
- Region Assistant Superintendents
- WUST La Voz del Condado de Fairfax Radio Program
- Dar Al-Hijrah Parent Meeting
- Mental Health and Wellness Conference
- Fairfax Pyramid Latino Partnership for Success
- Fairfax Association of Black School Educators
- Asian Educators Association
- Northern Virginia Hebrew Congregation Town Hall Meeting
- Principal Associations
- FCPS Directors
- Region 4 Assistant Principals
- Superintendents Teacher Advisory Committee
- Superintendents Student Advisory Committee
- FCPS Executive Administrative Assistants
- Parent Education Program-Liberty MS
- Temple Rodef Shalom Town Hall Meeting
- Quarantstream hosted by School Board Member-At-Large Omeish and Student Representative Boateng
- Advisory Council for Students with Disabilities
- Advisory Council for Students with Disabilities Meet and Greet
- Support Services Employee Advisory Council
- Directors of Student Activities Association
- Custodial Service Advisory Council
- Decoding Dyslexia, Virginia (DDVA)
- Fairfax County Federation of Teachers
- Fairfax Education Association
- Special Education Conference
- Region 3 APs Provided PD
- FCPS Equity Stakeholders' Meeting
- Lee Pyramid PTA Presidents
- Justice Pyramid PTA Meeting
- Flint Hill ES PTA Meeting
- Springfield Estates PTA Meeting
- Bush Hill PTA Meeting
- FCPS Office of Special Education Procedural Support
- FCPS Elementary Special Education Lead Teachers
- FCPS Secondary Special Education Department Chairs

Collaboration with K-12 Ombuds

As one of approximately 32 Ombuds offices across the nation, it has been important for us to build collaborative relationships with these offices to ensure that our office is engaging in establishing and following professional best practices. Our office is among the founding members of two collaborative groups, one focusing on the DC, MD, and VA areas. This group of Ombuds includes representatives from the State Board of the District of Columbia, Department of Defense Schools, Baltimore City Schools, Baltimore County Schools, Fredrick County Schools, Howard County Schools, State Board of Maryland, Montgomery County Schools, State Board of Virginia, and Prince William County Schools. We meet quarterly to discuss common issues share resources and strategies.

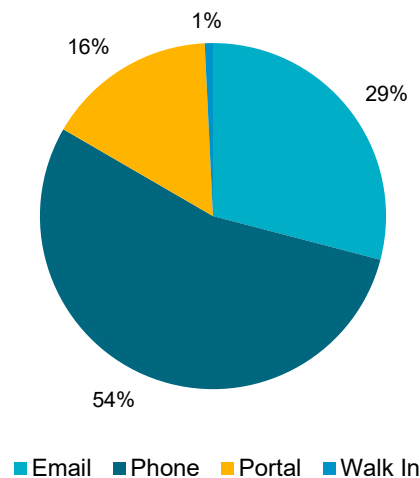
In addition, we have collaborated with IOA Executive Director, Charles Howard, to establish a nationwide K-12 Ombuds group. This group includes K-12 Ombuds offices across the United States. Members include public and private school Ombuds. The group meets virtually on a monthly basis to discuss key themes and share ideas in support of our visitors.

Sharing Our Work

We have been fortunate to have been invited to share our work with organizations active in educational policy. Our presentations have focused on sharing the rationale, logistics and outcomes of establishing an Office of the Ombudsman in a K-12 education system. Presentations have been shared with members of the Association of Latin American Superintendents and the Virginia School Board Association.

Data

Total Cases by Origins



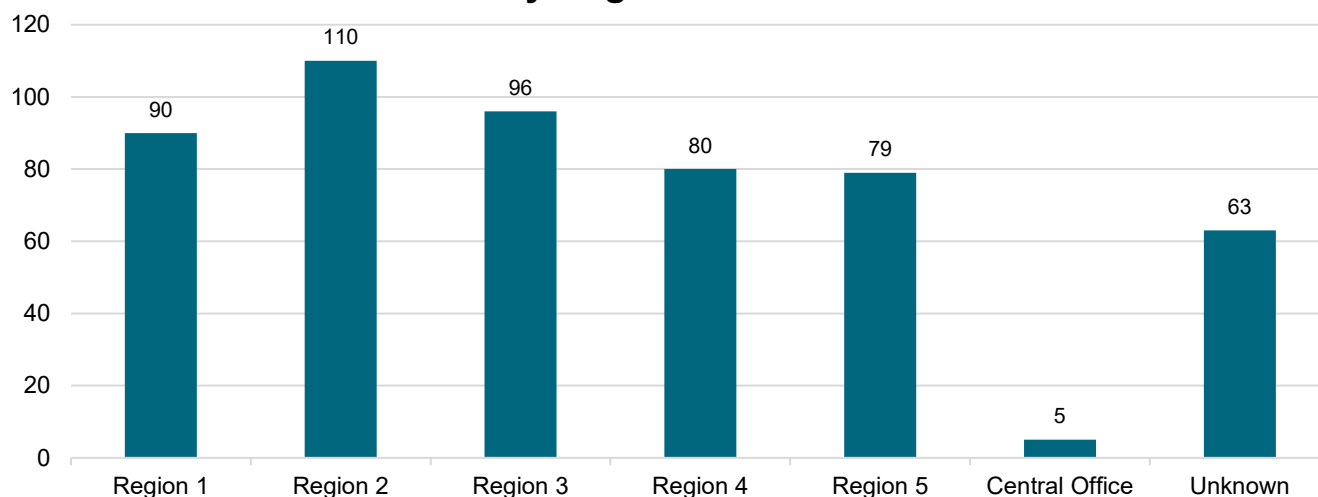
Between July 1, 2019 and June 30, 2020, the Office of the Ombudsman received a total of 523 contacts, a 39.8% increase from the 374 contacts received in SY 2018-2019. As in the previous year, contacts came from a variety of visitors, the majority being parents. 54% of visitors contacted us using our office phone number, 571-423-4014. 29% used our email, ombudsman@fcps.edu, 16% utilized the Client Portal through our website, <https://www.fcps.edu/department/office-family-student-ombudsman> and 1% used the postal system or were walk-ins.

Number of Contacts per Month

	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June	Total
2018-19	N/A	25	37	33	30	30	26	33	54	54	33	19	374
2019-20	16	35	37	66	62	37	62	67	44	30	35	32	523

The chart above details the total number of calls by month for School Years 2018-2019 and 2019-2020. The significant increase in October 2019 is in most part due to the addition of employee concerns. The significant decreases noted during the months of March, April, and May 2019 are in great part due to the closing of school because of the COVID-19 pandemic. Trend details are included in the section titled *Common Themes* on the following pages.

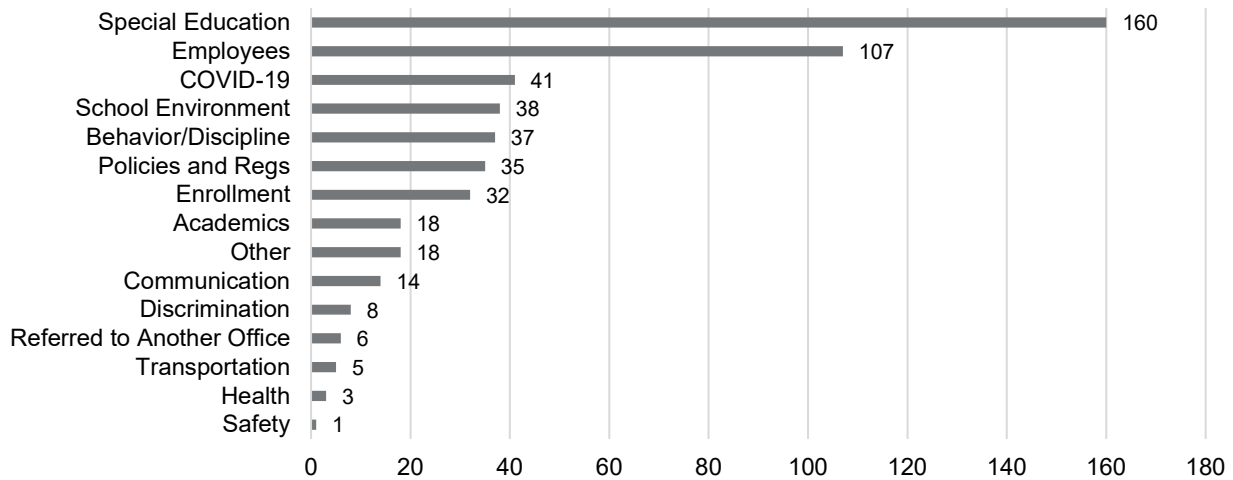
Total Cases by Region/ Central Office



Common Themes

It is important to note the difficulty in classifying contacts under one category, as occurred in many calls, more than one topic may be shared in a single call. As we collect trend data, it is our practice to identify the primary topic of concern. For example, a parent may contact our office to request assistance resolving their concern over the safety of a bus stop. While their student may have an IEP, their contact is primarily identified as Transportation. In contrast, if the parent had contacted us seeking support in obtaining behavioral support while on the bus, this would be identified as a Special Education issue.

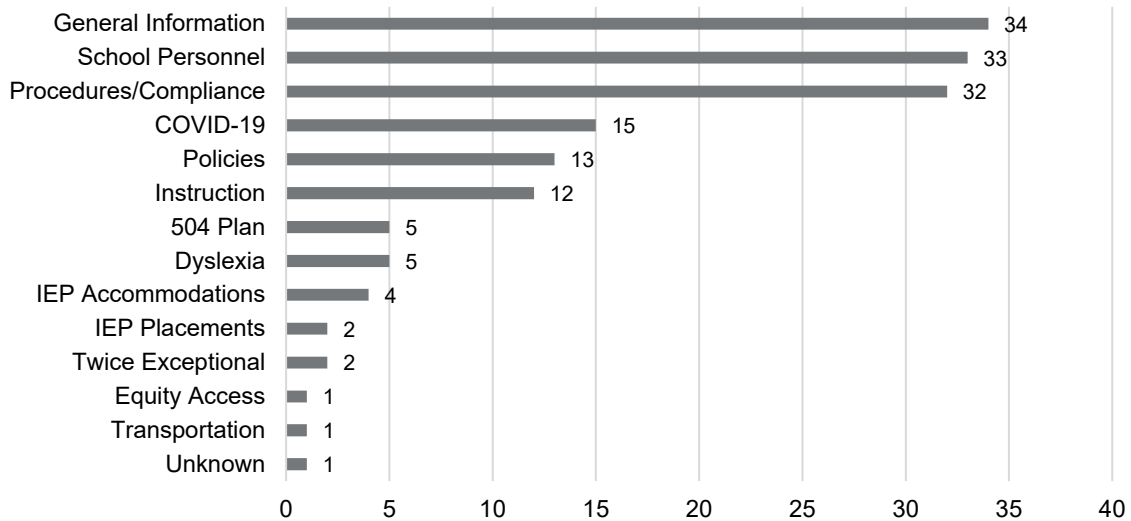
Total Cases by Category



In this report, we will focus on three categories of contacts, Special Education, those initiated by parents, students or community members which focus primarily on the topic of Special Education, Employees, those contacts initiated by FCPS employees involving any topic, and General, contacts initiated by parents, students or community members about any topic except Special Education.

Special Education

Special Education Cases by Category



Special Education continued to be an area generating a plethora of calls, with contacts related to Special Education accounting for 30.6% of all contacts. The 160 Special Education contacts in 2019-2020 surpassed the 113 contacts received in 2018-2019 by 41.6%. Within this category, visitors asked questions and shared concerns regarding a variety of topics. Many callers had general questions related to special education processes and/or broad reaching questions related to special education matters. These types of contacts were reflected in the General Information category. Examples of inquiries within this group include, questions about special education processes and timelines, request for information regarding county resources, queries from persons considering moving to Fairfax County, and wonderings of whom in the county to contact. Additionally, if visitors had questions or comments spanning more than one category, the call was counted in the “General Information” group.

An additional area of expressed concern related to School Personnel. This category often pertained to issues with staff. Parents reported their input was not considered (and often not welcomed) by both members of the Individualized Education Program (IEP) team as well as school administration. Callers expressed there was little to no effort made toward collaboration and their suggestions were dismissed without consideration. School administration and central office staff were viewed as “gatekeepers” making broad reaching decisions leaving families feeling discouraged and powerless. Many callers shared complaints regarding the lack of responsiveness of FCPS staff to phone calls and/or emails. This wide-reaching complaint included people throughout the organization, including class-based personnel, school administration, central office staff and those in Region Offices.

Calls related to Procedures and Compliance were plentiful. Concerns landing in this group revolved around belief that IEPs were not implemented as written or school teams did not adhere to Federal or State laws and/or regulations. Additionally, there were questions about other special education procedures such as Local Screening, Eligibility and Manifestation Determination Review meetings. Often visitors requested information regarding matters related to consent and how to appeal FCPS decisions.

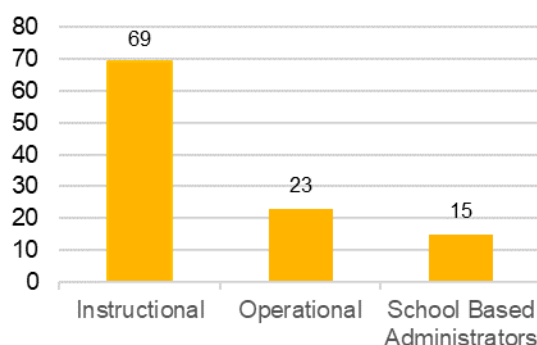
The Office of the Ombudsman received 15 special education calls related to the Covid-19 pandemic and school closing. It is important to remember that this report includes only contacts between July 1, 2019 and June 30, 2020. Data on contacts after this reporting period related to COVID-19 and Return to School will be shared in the 2020-2021 Q1 Report and in our 2020-2021 End of Year Report. The inquiries received during SY 2019-2020 were wide ranging and included topics such as Temporary Learning Plans, evidence-based programs, specialized instruction, request for additional/alternative support, and questions about technology platforms being used.

Special Education Outcomes:

The trend observations above resulted in continued collaborative work between the Office of the Ombudsman and the Department of Special Services staff, specifically, consultation with the Assistant Superintendent for Special Services, and the offices of Intervention and Prevention Services, Operations and Strategic Planning, Special Education Instruction, and Special Education Procedural Support. Throughout SY 2019-2020, the Assistant Ombudsman for Special Education partnered with and regularly attended meetings of various offices and groups across the division. These included the Office of Special Education Procedural Support, Parent Resource Center, Decoding Dyslexia Virginia, and Advisory Council for Students with Disabilities. Additionally, there was continued collaboration with Office of Special Education Instruction, FCPS Dyslexia and Section 504 Specialists.

Employees

Employee Cases by Group



During the 2019-2020 school year, 107 Employee contacts (20.5 % of all contacts) were made to the Office of the Ombudsman. 69 contacts were initiated by Instructional Staff (Teachers and Instructional Assistants), 23 by Operational Staff (Support Employees and Central Office Employees), and 15 by School-Based Administrators (Principals and Assistant Principals).



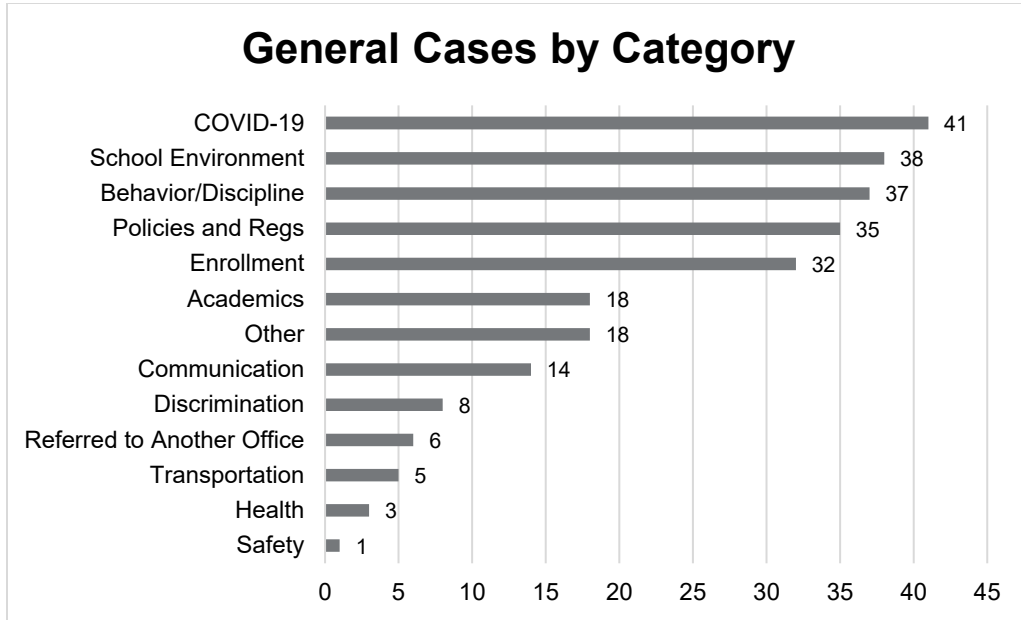
Of the 107 contacts from employees, 42 focused primarily on FCPS policies and regulations. Questions and concerns were raised related to a variety of topics including contracts, leave, evaluations and the grievance process. Employees were seeking clarification on policies or expressing concerns that policies were punitive or not administered properly. 20 contacts included questions and concerns related to their supervisor. These employees felt that their manager was creating a hostile work environment, lacked effective communication skills, or was making unprofessional decisions. 18 contacts focused on concerns with their school or work site, specifically, conflicts with peers and parents.

Employee Outcomes:

In response to the Employee trends above, the Office of the Ombudsman and Special Services staff have engaged frequently, with visitor permission, with the staff of the Department of Human Resources, Region Offices, and a variety of program managers and school-based administrators. Consultation with the Assistant Superintendent for Human Relations, occurred quarterly, discussing trends and brainstorming next steps. Meetings with Region leaders were held on several occasions to discuss specific concerns and trends across Regions. Professional development sessions have been developed by the Office of the Ombudsman to support school-based administrators as they work to strengthen caring cultures in their schools. The Office of the Ombudsman was called upon to provide peer mediation support at two FCPS schools. These interventions involved meeting with staff, understanding the mediation process,

attempting to identify common goals, and facilitating conversations to arrive at agreements.

General



256 contacts (48.9% of all contacts) were made by parents, students and community members on a variety of topics excluding Special Education. The most common trends were COVID-19, School Environment, Behavior/Discipline, Policy and Regulations, and Enrollment.

COVID-19

The Office of the Ombudsman received 41 contacts related to COVID-19 from parents and community members from March through June. These cases do not include the 15 cases shared earlier in the Special Education section nor the 11 cases shared in the Employee section. Parent and community contacts focusing on COVID-19 were primarily about the topics of Communication, Decision Making, and Distance Learning Plans. Concerns were shared over the timeliness and clarity of the division’s communication, the process and consistency of decision making, and the effectiveness and implementation of distance learning plans.

COVID-19 Outcomes

The Office of the Ombudsman collaborated with the Family Communication Workgroup to identify strategies to address parent concerns. This workgroup was closely involved in the creation of the Frequently Asked Questions website which afforded parents and students up to date information on our response and planning for COVID-19 and the Return to School. Furthermore, FCPS has hosted several Town Hall virtual meetings to

provide an opportunity for parents and community members to express their concerns and thoughts on the FCPS response to the pandemic. Frequent electronic communications with developing information continues to be sent to families.

School Environment

During the 2019-2020 school year, the Office of the Ombudsman received 38 contacts focusing on issues of school environment. The most common concern centered on negative interactions with school staff. Parents shared concerns regarding the communication and decision making of school administrators and staff. Frequently, visitors were seeking a process to pursue resolutions to their concerns.

Bullying arose as the second most common theme in School Environment. While there was a drop in contacts due to Bullying in comparison with last year, visitors continued to share concerns about the strategies to address and document bullying and harassment. Parents often related that school staff were not doing enough to ensure that their child would be safe from repeated offenses. Additionally, parents of students accused of bullying shared concerns about the long-term impact on their young children of accusations or findings of bullying.

School Environment Outcomes:

In response to parent concerns, the Office of the Ombudsman has created and delivered training sessions focusing on strengthening communication skills with parents. During the 2019-2020 school year, professional development opportunities were offered to school based administrator. These opportunities touch upon understanding the goals and expectations of parents and strategies for effective communication. On many occasions, visitors requested that the Office of the Ombudsman engage in outreach to school staff to facilitate communication between the home and school. The focus of this engagement is to improve the relationship between parents and school staff.

Behavior/Discipline

Thirty-seven contacts centered on the topic of behavior/discipline. Like last year, visitor concerns included the appropriateness of consequences for student behavior, the effect of discipline records on a student's academic future, and clarity of the appeal process for consequences. Additional concerns were raised with respect to the rights of victims in the discipline process.

Many parents continue to be concerned that disciplinary consequences, including in-school and out-of-school suspensions were excessive due to their impact upon the student's learning. Instead, parents sought consequences that offered an opportunity to learn and give back to the school community. Several parents indicated concerns that discipline entries could influence the perception of their student's character and limit academic opportunities in the future.

Several parents stated that they were unaware of their ability or the process to appeal out-of-school suspensions. While the majority acknowledge receipt of a suspension letter, their awareness was impacted by several factors including lack of translations and limited information in suspension letters, inconsistent explanations by phone, and requests to come to school to pick up their child.

Several visitors expressed concerns about the lack of support for victims of negative behavior. Parents felt that information regarding the discipline outcomes for the child committing an offense was not available to the parents of the victim. Furthermore, some parents shared that school staff were not considering appropriate measures to ensure their child's safety in the future.

Behavior/Discipline Outcomes:

Throughout the 2019-2020 school year, the Office of the Ombudsman had the opportunity to share trends and some cases with school-based administrators, Region offices, the Hearing Office, The Office of Intervention and Prevention Services, and the Title IX Coordinator.

Policies and Regulations:

Thirty-five contacts were received related to FCPS policies and regulations. Parents and community members made inquiries or shared concerns regarding a wide variety of topics, many of which fell under Parent Rights and Student Rights.

Parent Rights contacts included parent consent for information or services, parent notification in a variety of situations, and access to personnel information. Student Rights contacts included safety and security, free/reduced lunch, and access to academic programs.

Policies Outcomes:

Throughout the 2019-2020 school year, the Office of the Ombudsman had the opportunity to share trends with Division Counsel, the Office of Communication and Community Relations, Human Resources, and Information Technology.

Enrollment:

The majority of the 32 Enrollment contacts during the 2019-2020 school year focused on the issues of Student Transfer, Parent Custody, and Residency Requirements. Parents were seeking assistance with and greater understanding of the Student Transfer process. Many were frustrated by the number of schools which were closed for transfer and the requirements to place their children in other schools. Cases related to custody focused primarily on the selection and authority of the Enrolling Parent. In some cases, parents

were seeking a change in the designation of Enrolling Parent or seeking clarification on parental rights in cases where parents share custody. Finally, contacts involving residency often centered on questions about the impact of an imminent or possible change of address. At times the moves were within the county, but a number of contacts included residency out of the county.

Enrollment Outcomes:

The Office of the Ombudsman worked closely with the Offices of Student Registration and Student Transfer to provide parents with the resources necessary to understand the regulations and processes to enroll their children.

Religious Observances Task Force

In July 2019, The FCPS School Board, passed a follow-on motion establishing the Religious Observances Task Force. The motion stated:

In keeping with the One Fairfax policy and our Strategic Goals of Caring Culture and Student Achievement, the School Board create a Task Force on Religious Observances to review current policies and practices regarding religious holidays, observances and practices of our students and staff. The task force will consist of community members who are representative of our diverse stakeholders and a range of religious faiths, with Board member input and review of the task force member list. The goal of the task force will be to help identify and recommend areas of improvement that may include communication, education, and regulations related to our school year calendar and appropriate accommodations of religious obligations during the school day. The task force will review best practices and policies from within our system as well as those in other school divisions. The work will be coordinated by the offices of Equity and HR, in conjunction with the Ombudsman for Students and Families and the Board's Public Engagement Committee, with a goal of bringing recommendations to the full Board before consideration of the SY21-22 calendar.

The Religious Observances Task Force was created with community members representing a variety of faith groups including, Bahá'í, Christian, Hindu, Jewish, Muslim, and Sikh.

The Task Force approved the following Working Agreements:

- *WE WILL BE FULLY "PRESENT" at the meeting by becoming familiar with materials before we arrive and by being attentive to behaviors which affect physical and mental engagement (e.g. use of cell phones).*
- *WE WILL INVITE AND WELCOME the contributions of every member and listen to each other with respect.*

- *WE WILL BE INVOLVED to our individual level of comfort. Each of us is responsible for airing disagreements during the meeting rather than carrying those disagreements outside the task force meeting.*
- *WE WILL OPERATE in a collegial and friendly atmosphere.*
- *WE WILL USE HUMOR as appropriate to help us work better together.*
- *WE WILL KEEP CONFIDENTIAL our discussions, comments, and deliberations. Personal connections remain within the room. We have permission to share concepts with stakeholders.*
- *WE WILL BE RESPONSIBLE for examining all points of view before a consensus is accepted.*
- *WE WILL WORK TOGETHER as a community that values consensus rather than majority rule.*

Recommendations:

The following recommendations were made by the Religious Observances Task Force. They have been shared with their respective FCPS committees and offices, including the Superintendent's Calendar Committee, Instructional Services Department Office of Social Studies Instruction, Office of Professional Learning and Family Engagement.

Calendar Recommendations:

Adjust the calendar to grant student and staff holidays for the major holidays: Christmas, Diwali, Eid al Adha, Eid al Fitr, Rosh Hashanah, Yom Kippur, etc.

Instructional Recommendations

Develop and deliver professional development to all FCPS staff, designed to increase awareness and understanding of the diverse religious communities in our region.

Create access to representatives from local faith communities who can serve as content and sensitivity experts to support instructional planning and increase understanding and tolerance in classrooms, schools, and the division. The list of community faith leaders should be extensive to allow for the diversity within faith communities and the number of staff and schools who will seek support. Volunteers should receive training to ensure a positive and effective working relationship with school staff.

Initiate a proactive review of FCPS instructional materials and resources involving faith leaders from the region. Furthermore, share sample lessons for constructive feedback on content and presentation details.

Facilitate student visits/attendance to a variety of faith experiences (e.g. field trips to places of worship, attendance in celebrations, etc.). Faith communities to consider creating virtual tours to share with FCPS.

Caring Community Recommendations:

Develop a strategy to communicate greater understanding of the religious diversity within our county. Consider sending out a Greeting Message before all major religious holidays/observances. (e.g., News You Choose, monthly newsletters, social media, etc.)

Create community-based panels designed to share information with school communities about the diverse faith communities.

Create a list of approved speakers representing the diverse faith communities who are available to share information at student classes when invited by classroom teachers.