



Council of the District of Columbia
Committee of the Whole and Committee on Education
Performance Oversight
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Official Written Testimony of Serena M. Hayes, Ombudsman for Public Education
Office of the Ombudsman for Public Education

Good morning, Chairpersons Mendelson and Grosso and members of the Committee of the Whole and the Committee on Education. I am Serena M. Hayes, Ombudsman for Public Education. Thank you for the opportunity to testify before you today.

The Office of the Ombudsman for Public Education is an independent office housed within the State Board of Education. The purpose of the Ombudsman's Office is to serve as an external, neutral resource for current and prospective public-school students and their parents or guardians in the resolution of complaints and concerns regarding public education in a way that furthers the students' best interest.

What does our work look like on a day-to-day basis? We spend a lot of time on the phone with families and schools discussing concerns and deliberating about why certain education decisions were made, whether those decisions were correct, assessing the impact of that decision on children, and providing information—sometimes reminding schools about legal requirements or sharing with parents the limitation of laws, while discussing and discovering appropriate next steps. We coach parents and guardians on how to advocate for their child(ren) by providing information, helping them organize their thoughts before conversing with school administrator, or helping them draft a letter to the school administration or local education agency. We schedule and attend various meetings as we pursue the best educational outcomes for students across the District. From more procedural meetings such as IEP and MDR meetings to more emotional mediations centered on rebuilding trust and mending contentious relationships between schools and families. We facilitate meetings sometimes unexpectedly after realizing that a parent, guardian, or educator was triggered, and the only way to move the conversation forward is to allow space to process emotions. When deliberating with schools about an issue, particularly when the solution falls within a gray area, we work to help the school shift away from concepts of right and wrong and refocus on what resolution is in the best interest of the student.

Each task performed is logged within our database system, including detailed descriptions of the work performed and issues that arose. The detailed and consistent tracking of our casework allows us to identify trends that we report to stakeholders. During last year's performance oversight, we reported seeing the highest contacts for assistance since the Office's re-establishment. In SY18-19, we exceeded the previous year's contacts for assistance. Last year,

we received 1,186 requests for assistance and handled 634 cases. In the current school year, we are on track to again exceed the previous year's numbers again. At this time last year, we processed 259 cases. Currently, we have already opened 359 cases—100 more cases than this time last year. The surge in contacts last school year led to us opening over 90 cases in one month, which was unprecedented.

We are also proud to report that we continue to receive requests from school for assistance. These range from requests to facilitate meetings, requests to provide input on improving and revising on school policies, and requests to coach school-based staff on how to have conversations with angry parents. In those situations, we often counsel schools by showing that you do not have to agree with another person's position in order to show compassion and understanding. Sometimes, compassion and understanding are what the parent is looking for.

One of the pillars of the Ombudsman's Office is being rooted in neutrality. Yet, the Office is also charged with making policy recommendations to help improve educational outcomes for D.C.'s students. To preserve the neutrality of the Office, it is best practice for policy recommendations to be derived from the amalgamated data collected throughout the school year. The most common topic areas across nearly all eight wards last school year were Bullying and Student Safety, Special Education/Disability, and Communication and Engagement. Nearly fifty percent of the students we served were students with disabilities, students suspected of having a disability or students receiving related services or accommodations. These findings led us to narrowly focus annual report recommendations on special education.

We made three recommendations in the annual report: (1) to create a citywide Response to Intervention framework; (2) to create guidelines for conducting Manifestation Determination Reviews (MDR); and (3) to create a public list of the special education services schools have provided in-house within the last three years. We look forward to collaborating with city education leaders and stakeholders to continue to discuss these policy recommendations and participate, where appropriate, in on-going education policy discourse.

Looking ahead for the remaining of the current fiscal year, it is impossible to ignore the impact that a small staff has on our capacity to meet demand for the office's services. While we desire more of the city's families to learn about the office, we simply cannot sustain the demand without additional staff. As we reported at last year's oversight hearing, we do recognize that the office has weaknesses in ensuring that the demographic of callers who use our services reflects the changing demographics of our city. We have taken steps to reach the Hispanic and Latinx families by creating a Spanish ad campaign on Metrobuses in Wards 1 and 4. We also hired a staff member who is fluent in Spanish and English. While we have seen a marginal increase Hispanic-Latinx callers, the increase does not reflect the investment made to reach this demographic. Our limited staff capacity does not allow us to consistently engage in outreach and engagement efforts, as we prioritize our existing casework. Our efforts in diversifying the office's callers requires identifying strategies that are independent of our physical presence in these communities.

Given our staff constraints, our focus for FY20 is to sustain our current casework and ensure that the quality of service we provide does not decline due to high caller volume. We have identified key performance indicators (KPI) to help us understand the impact of our work on the outcomes

of students. And, we have developed preliminary strategies for capturing feedback from families we have served with minimal additional staff time. We also intend to continue discussing and sharing our policy recommendations with stakeholders from SY18-19's annual report. Finally, we are looking to write and share recommendations concerning policy gaps with LEAs, OSSE, and the DME throughout the year.

I want to thank the Council again for giving me the opportunity to testify before you today. The work of the Ombudsman's Office requires dedicated staff who care deeply about our city's children's education and overall wellbeing. I am grateful to have supportive staff who exemplify commitment to the work every single day. Certainly, for me, having the privilege to serve my city, our city is the greatest honor of my career. Thank you again, and I welcome any questions you may have for me and my staff.