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**Office of the Ombudsman for Public Education**  
**Quarter 1 and 2 Report**  
**School Year 2016-17**

**DC** Office of the  
**Ombudsman**  
for Public Education



## Number of Calls

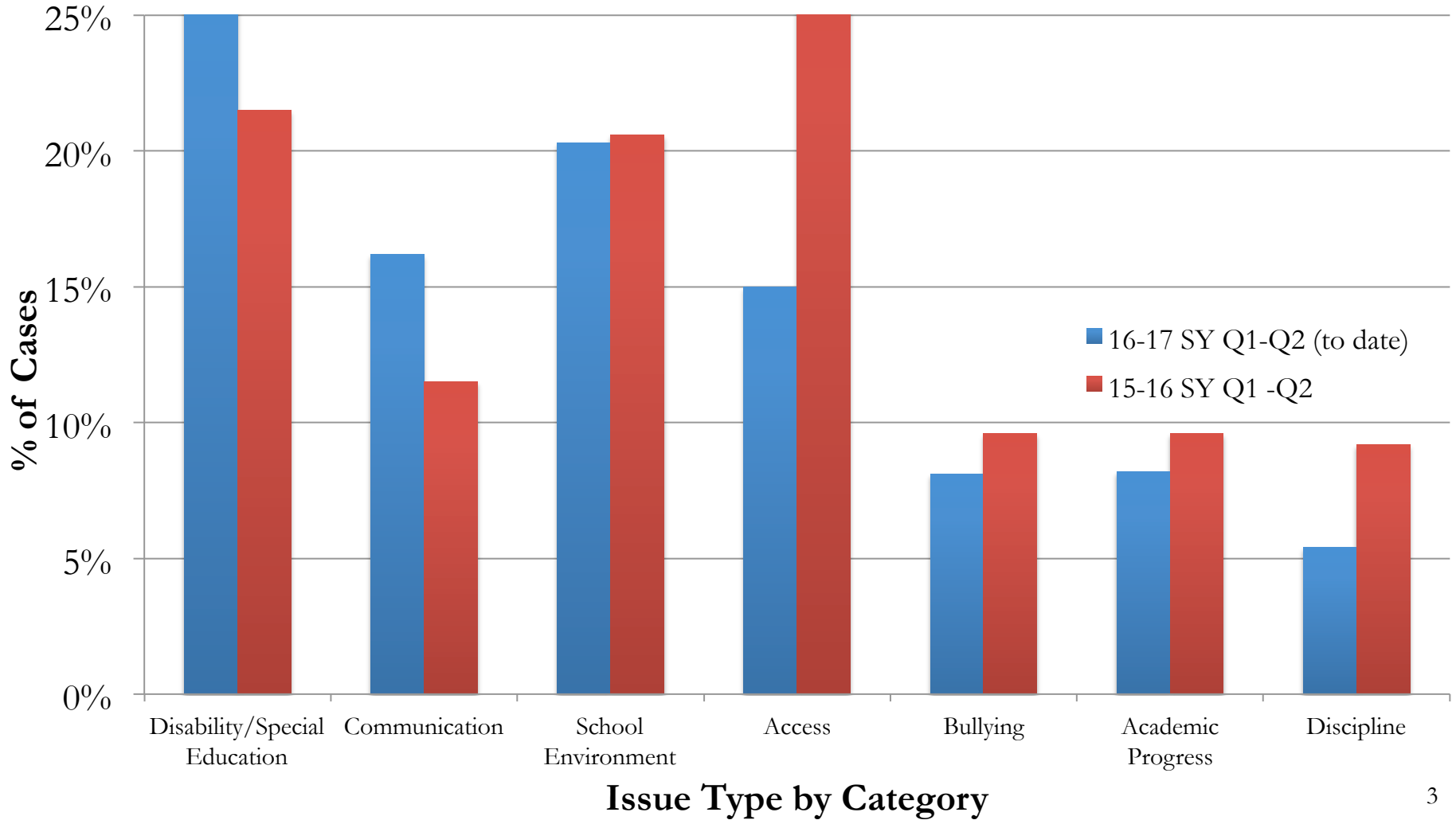
**390**

Calls received in SY 16 – 17

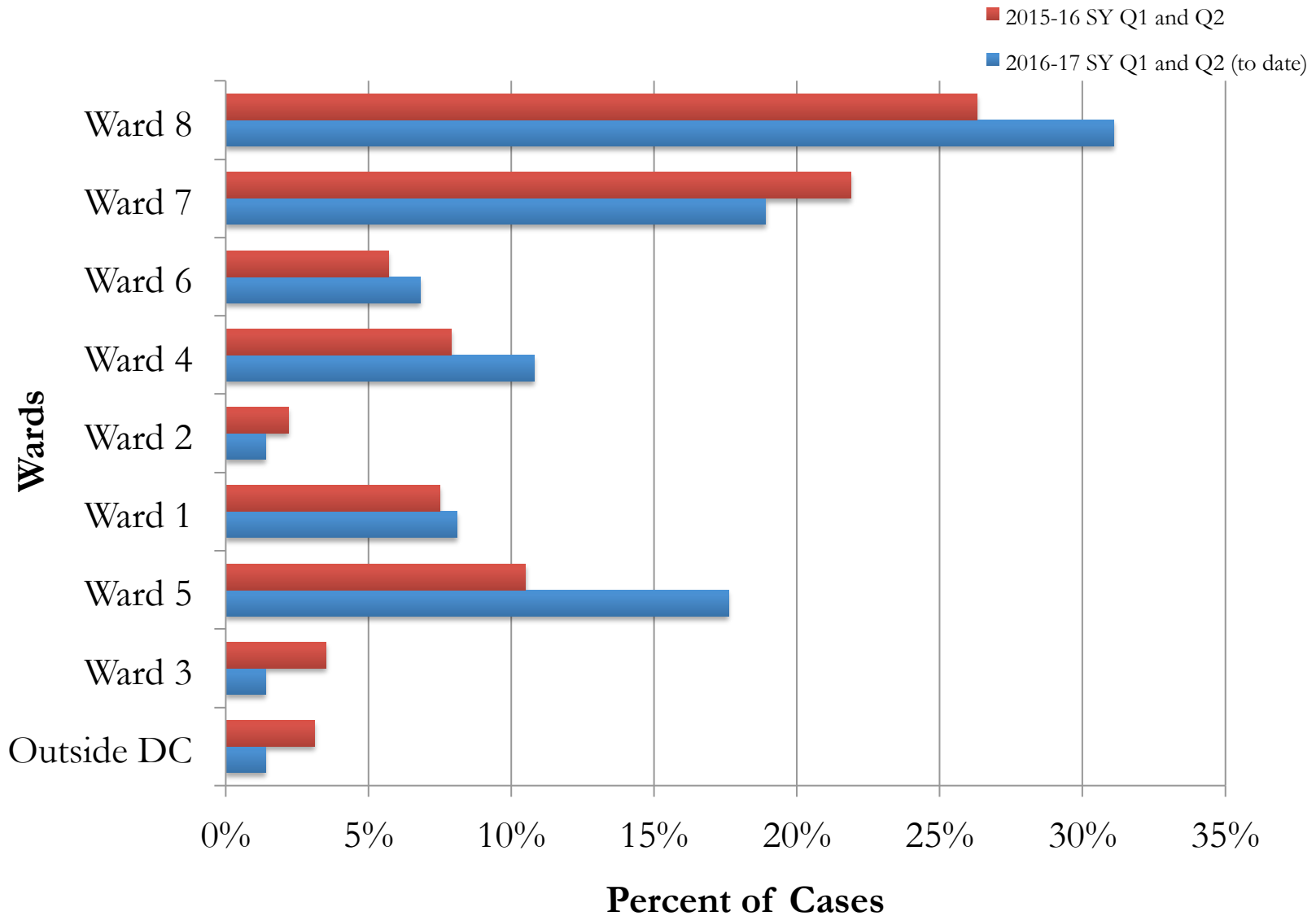
**393**

Calls received in SY 15 – 16 by this time

# Top Complaints

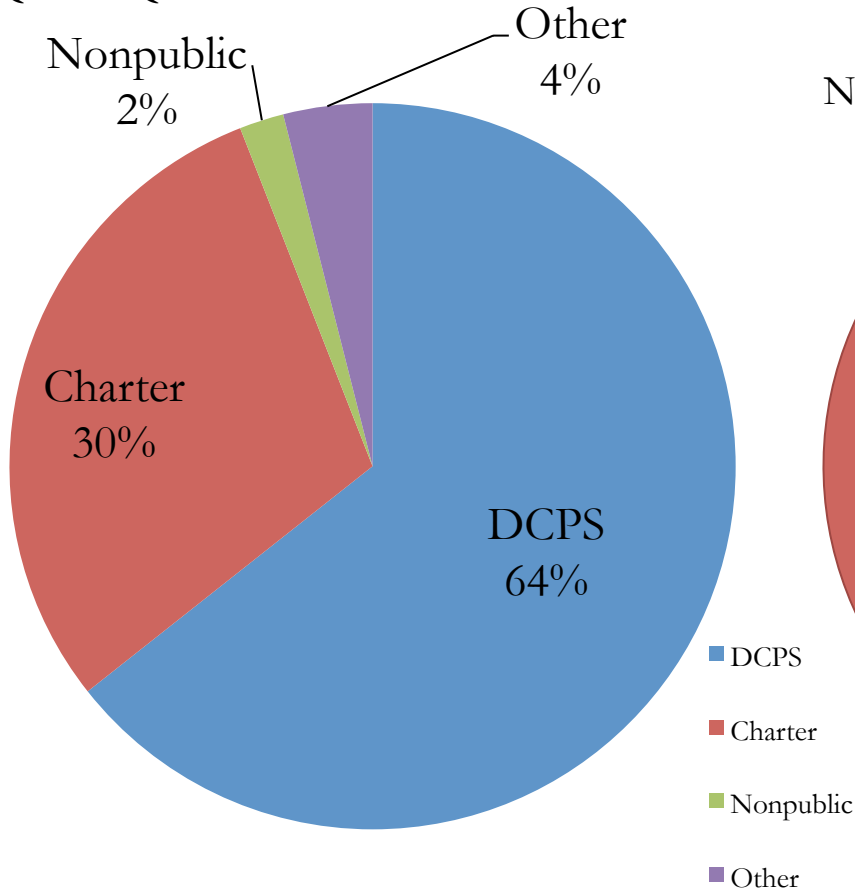


# Complaints by Ward

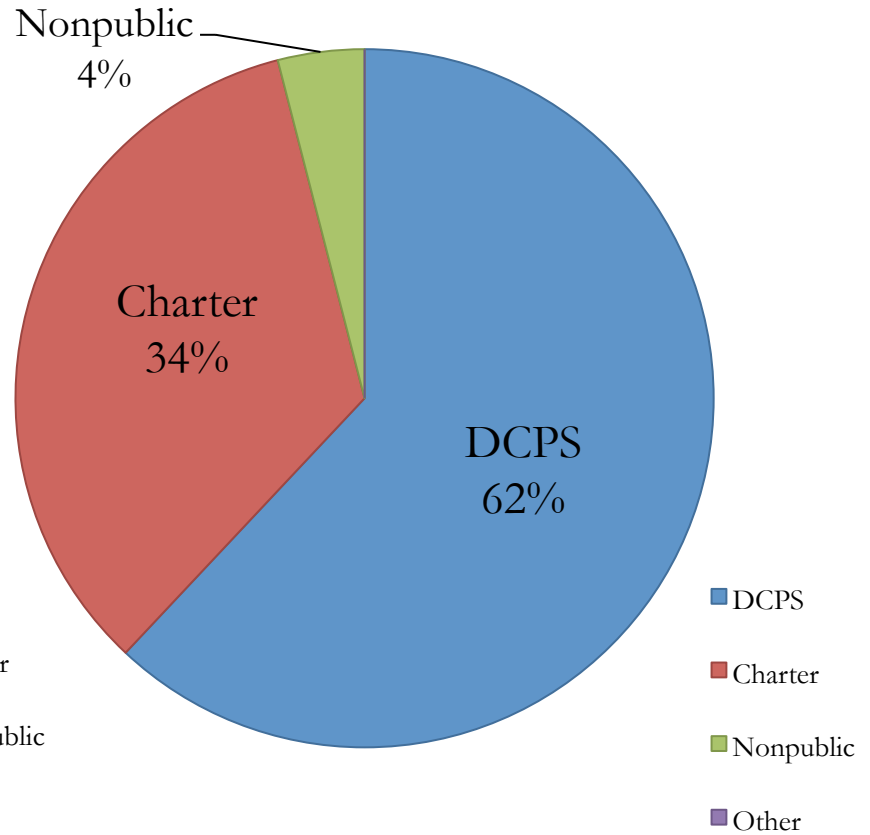


# School Type

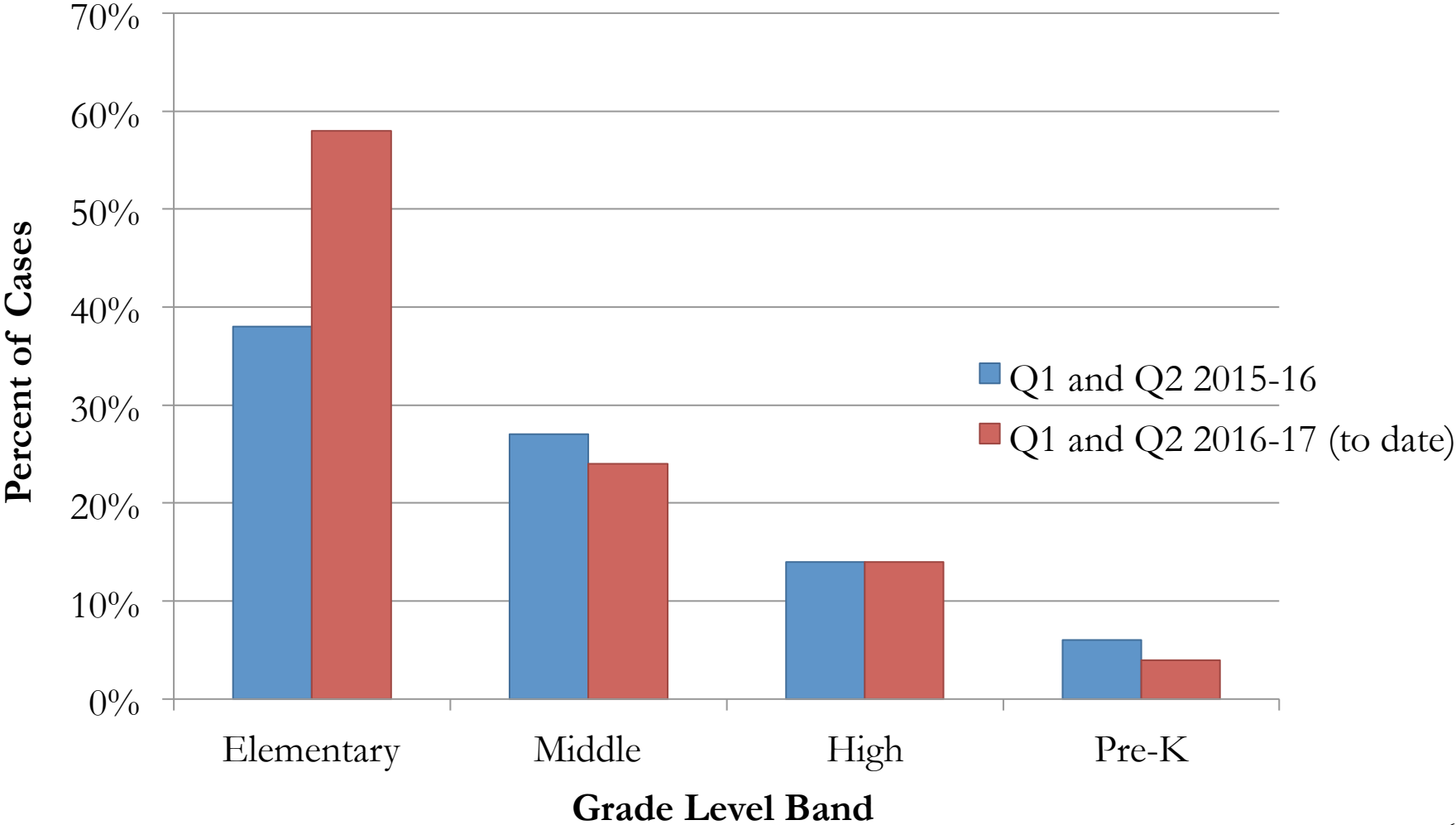
Q1 and Q2 SY 2015-16



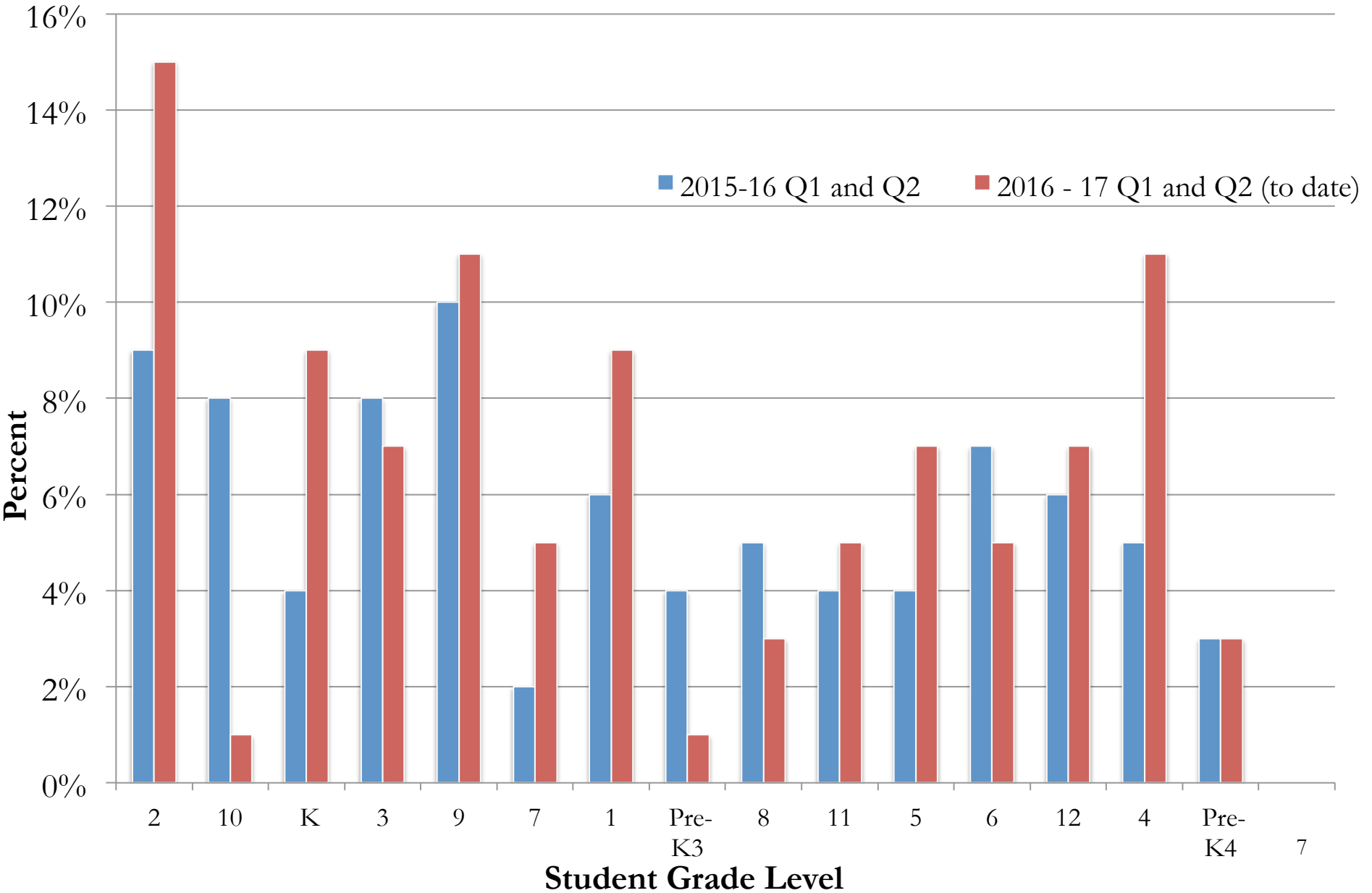
Q1 and Q2 SY to date



# Grade Level Band



# Grade Level



# Systemic Issues: Special Education and PCSB

A number of our families continue to have difficulty obtaining special education services from their LEAs. We shared some of these challenges at the special education roundtable sponsored by the Committee on Education, held on November 16, 2016. In response to our testimony, Scott Pearson, Executive Director of PCSB, reached out to our office and asked for a meeting.

- At a charter LEA, a Kindergarten student exhibited significant behavioral problems. When the parents initiated an oral request for evaluation to determine whether there was a disability, the school did not follow through with the required evaluation. The school ignored repeated requests throughout the school year and then informed the parents that their child was in danger of being retained.
- As a result of highlighting concerns like the above:
  - PCSB would like to know about egregious cases examples so that they can correct the practices in their LEAs immediately.
  - We agreed to try to meet quarterly to share trends that our office is seeing. PCSB staff also agreed to share their data.



# Trends and Systemic Issues: SPED Related

## Oral Requests

- Our office would like to explore the possibility of strengthening the protections in DC's special education laws regarding oral requests for evaluation. Some families have complained that they have made oral requests for evaluation that have been ignored by schools.

## RTI

- Our office would also like to explore the impact of Response to Intervention (RTI) on the length of time it takes to conduct an evaluation. Some LEAs require 6-8 weeks of observation before determining whether an evaluation can occur. This causes a tension between the schools' duty to comply with Child-Find and compliance with other procedural requirements. Additionally, classroom teachers are being asked to implement serious interventions to address a student's difficulties in the classroom before a referral is allowed to proceed to evaluation.

## School Placement

- DCPS was unable to provide specialized instruction at a student's neighborhood school. DCPS then bused the student across town. The student now arrives to school late. This student has a learning disability but he was still required to receive services far outside his neighborhood. Our office would like to explore whether services should be delivered at students' neighborhood schools when more restrictive educational placements are not necessary.

# Every Student Succeeds Act

ESSA calls for the implementation of at least one non-academic indicator. Upon request from a Board member, we provided suggestions for measuring school climate in a way that addresses both the trends we've seen in our casework and the high suspension and absence rates among this vulnerable population. Some of the recommendations we made include:

- % of students chronically placed on out-of-school suspension
- % of schools using alternatives to suspension used (such as trauma-informed and PBIS)
- Reasons for suspensions and expulsions by behavior tier
- Chronic truancy and absenteeism rate

## Engagement Efforts in Q1 and Q2

- Invited to participate as a panelist to discuss our ombudsman practice and the Classical Ombudsman model in the ABA Dispute Resolution Conference and the International Ombudsman Association Conference, which will both be held in April, 2017.
- Invited to join DC Superior Court Subcommittee which is comprised of several stakeholder groups – judges, parent and education attorneys, Guardian ad Litem, and DC government agencies such as CFSA, OSSE, and PCSB, and other entities that provide services to youth involved in child welfare and juvenile justice systems. The purpose of the group is to improve the educational outcomes of court involved youth.
- Participated in EdFEST on December 10, 2016 as a way to engage in outreach regarding our office and the services we provide to families and students.

# Program Evaluation of Ombudsman Office

Three Harvard law students who are part of the Harvard Negotiation & Mediation Clinical Program shared their report with our office in December 2016. Some of the most important takeaways include:

- 1) Continuing to raise awareness of the office and its services with families,
- 2) Continuing to look for opportunities to engage on systemic policy issues;
- 3) Prioritizing a single message about our role and services to share with and disseminate with institutional stakeholders, and
- 4) Engaging in proactive communication with school leaders to introduce the office's role in conflict resolution, describe its process, and emphasize its impartiality.

## Looking ahead: Quarter 3

On December 21, 2016, the Council of the District of Columbia voted to approve the State Board of Education Authority Amendment Act of 2016. In this legislation, the Office of the Ombudsman pushed through a number of important statutory amendments, which include:

- Exclusive budget and personnel authority;
- Administrative and operational support to both offices;
- Explicit authority to issue reports and recommendations related to the Office of Ombudsman's work without prior review or approval by another entity; and
- Legislation specifically outlining situations when we can refrain from investigating a complaint.

# Looking ahead: Quarter 3

Harvard Negotiation Clinic has approved a second semester project to create an alternative dispute resolution system for our office.

- We will also revisit some of the recommendations made in the first phase of the project to develop a strategic plan..
- We are in the final stages of hiring our additional Assistant Ombudsman position and we anticipate that the candidate will start sometime later this month.
- We will continue to engage with federal, national, and local level stakeholders to improve outcomes for students on a systemic and school level, which includes activities such as:
  - Providing feedback to the General Accountability Office on charter school discipline practices and recommendations, stemming from our casework;
  - Information sharing with the NYC Mayor's Office on School Climate;
  - Presenting special education challenges and trends to the OSSE State Advisory Panel on Special Education.

# Questions?

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