

Office of the Ombudsman

Annual Report
Fiscal Year 2020



Prince William County

PUBLIC SCHOOLS

Providing A World-Class Education

®

OFFICE OF THE OMBUDSMAN

Annual Report – August 2019-June 30, 2020



Message from the Ombudsman

Organizations establish ombuds programs as an impartial and confidential resource to mitigate and resolve workplace and organizational issues and disputes. Ombuds programs nationwide play an important role in promoting ethical organizational cultures, employee engagement, and in potential savings associated with litigation avoidance and reputational costs. Ombuds programs help resolve conflicts that may distract from the organizational mission and collect data to alert organizations to systemic issues and concerns.

The International Ombudsman Association recognizes the valuable contributions the establishment of ombuds programs can make in the Pre-K–12 sector and this year established a nationwide working group of approximately 25 Pre-K–12 ombuds programs, including PWCS, to offer support and discuss best practices. PWCS also participates in the DMV K–12 ombuds group, which consists of approximately eight programs in Maryland, the District of Columbia, and Virginia. PWCS is one of two school divisions in Virginia to have established an organizational ombuds program.

Much of the inaugural year of the ombuds program was spent building on the sound foundation established by the School Board in Policy 180, including the establishment of Office protocols and practices, education, outreach, and assisting individual visitors to the Office. The disruptions caused by the global pandemic impacted the number of visitors and nature of concerns raised. Switching to a virtual platform to remotely provide conflict resolution services to individual visitors has proven to be surprisingly effective. Moving forward, creativity will be necessary to increase awareness of the Office of the Ombudsman given the current limitations on in-person gatherings.

Thank you for the opportunity to serve as the PWCS founding ombuds. Thank you also to the Superintendent, Deputy Superintendent, Division Counsel, and Associate Superintendent for Human Resources, whose assistance in acclimating the ombuds to the Division, as well as responsiveness and collaboration in resolving concerns, are much appreciated.

Respectfully Submitted By: Sarah Miller Espinosa, J.D.



The PWCS Office of the Ombudsman provides the following services:

- Listening and helping to clarify underlying interests;
- Providing information and exploring options available to visitors;
- Facilitating discussions and/or mediating disputes to resolve issues, as appropriate;
- Collecting data on emerging trends and patterns while safeguarding anonymity;
- Utilizing data to make quarterly and annual reports to the School Board and the Division Superintendent, including annual recommendations for systemic and organizational change.

The PWCS Office of the Ombudsman operates in accordance with the International Ombudsman Association (IOA) Code of Ethics, including:



Confidentiality: The Office of the Ombudsman “holds all communications with those seeking assistance in strict confidence, and does not disclose confidential communications unless given permission to do so” to the extent permissible by law.* The exception is where the ombudsman believes there is a risk of serious harm. The ombudsman is a mandated reporter of suspected child abuse/neglect as well as allegations of sexual harassment pursuant to Title IX.

Impartiality: “The Ombudsman, as a designated neutral, remains unaligned and impartial.”

Independence: The Office of the Ombudsman “is independent in structure, function, and appearance to the highest degree possible within the organization.” The Office of the Ombudsman reports to the School Board and Division Superintendent.

Informality: The Office of the Ombudsman, “is an informal resource, [and] does not participate in any formal adjudicative or administrative procedure related to concerns brought to his/her attention.”

**The Office of the Ombudsman is not affiliated with any compliance function and does NOT serve as an agent of notice.*

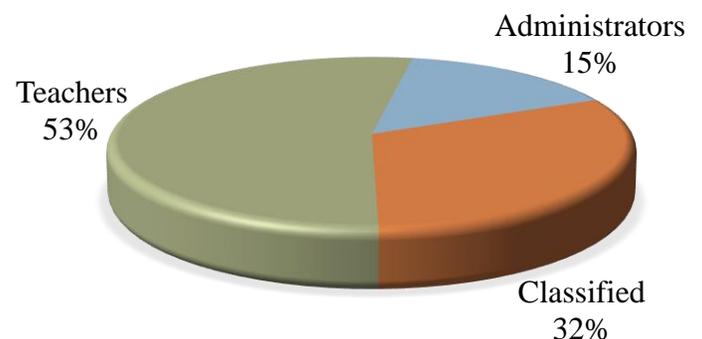
Visitor Concerns – IOA Uniform Reporting Categories

To promote uniformity and protect anonymity, visitor concerns are categorized into the nine uniform reporting categories suggested by the IOA, as follows: (1) Compensation and Benefits; (2) Evaluative Relationships; (3) Peer and Colleague Relationships; (4) Career Progression and Development; (5) Legal, Regulatory, Financial, and Compliance; (6) Safety, Health, and Physical Environment; (7) Services/Administrative Issues; (8) Organizational, Strategic, and Mission Related; and (9) Values, Ethics, and Standards. Additionally, there are numerous subcategories associated with each category. Visitors often express concerns related to more than one category.

Fiscal Year 2020 Visitors

Between August 5, 2019 through June 30, 2020 (Fiscal Year 2020), there were 158 visitors to the Office of the Ombudsman. One hundred eleven visitors were employees of the Division, and the remainder were parents, concerned community members, and students. Seventy percent of visitors were categorized as employees. This equated to approximately one percent of the employee population. The employee visitors included administrators, classified, and instructional (teacher/counselor) personnel as follows:

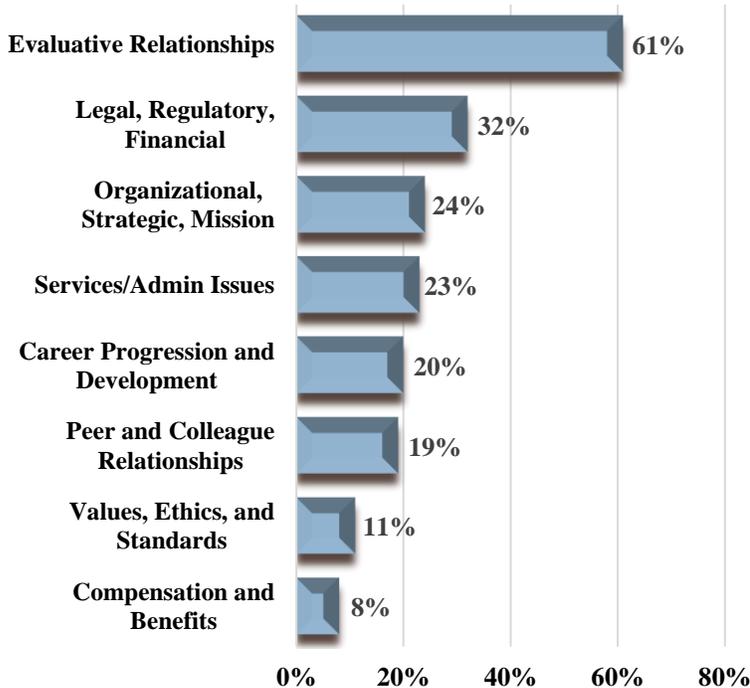
Employee Visitors





Employee Visitor Concerns

Percentage of Employee Visitors Expressing Concern



Of the employee visitors, sixty-one percent expressed concerns related to **evaluative (supervisor/employee) relationships** (questions, concerns, issues or inquiries arising between people in evaluative relationships (i.e. supervisor-employee)). The often-most expressed sub-categories within the category of evaluative relationships were: **respect/treatment** (demonstrations of inappropriate regard for people, not listening, rudeness, etc.) and **retaliation or fear of retaliation** (punitive behaviors for previous actions or comments). Thirty-two percent of employee visitors expressed concerns related to the category of **legal, regulatory, financial, and compliance** (questions, concerns, issues, or inquiries that may create a legal risk for the organization or its members if not addressed). Of those concerns, the often-most expressed sub-category was **discrimination** (different treatment compared with others or exclusion from some benefit on the basis of a protected category).

Parent/Community Visitor Concerns

Of the parent/community visitors, seventy-nine percent expressed concerns related to **services/administrative issues** (questions, concerns, issues or inquiries about services or administrative offices). The most frequent sub-categories associated with this category of concern were: **behavior of service provider** (how an administrator or staff member spoke to or dealt with a parent); **responsiveness/timeliness** (time involved in receiving a response or return call); and **retaliation or fear of retaliation** (punitive behaviors for previous actions or comments). Thirty percent of parent/community visitors expressed concerns related to **evaluative relationships** (questions, concerns, issues or inquiries arising between people in evaluative relationships (i.e. teacher-student) and thirty percent of parent/community visitors expressed concerns related to the category of **legal, regulatory, financial, and compliance** (questions, concerns, issues, or inquiries that may create a legal risk for the organization or its members if not addressed). Of those concerns, the often-most expressed sub-category was **discrimination** (different treatment compared with others or exclusion from some benefit on the basis of a protected category).

Patterns, Trends, Observations involving Specific Locations and/or Programs

In quarterly reports, the Ombudsman previously identified an office where employee visitors expressed concerns involving a work climate characterized by perceived disrespectful and unfair treatment by supervisory personnel and fear of retaliation, as well as a concern involving a high school athletics program involving parent and community members and the responses of school and central office administrators. Additional concerns involving the work climate at a specific school as well as concerns within a particular program at a school were communicated in tandem with this report.

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Systemic Observations & Recommendation

The ombuds has an unusual vantage point from which to view the organization. By design, ombuds programs are impartial and serve a small percentage of the employee and constituent population as visitors. The issues encountered in the ombuds office, however, often provide the ombuds the ability to make systemic observations and alert the organization to issues in need of further examination. The purpose of offering these observations is to assist the organization in removing obstacles that may serve as barriers in achieving the mission of *Providing A World-Class Education* for all PWCS students and to promote continuous improvement, equity, and transparency.

In meeting with visitors during this first year, the ombuds heard and identified a theme related to workplace climate and culture. More specifically, a number of employee visitors assigned to various schools and offices expressed concerns over the manner in which they were treated by their supervisors as well as fears that they would be retaliated against if they were to raise concerns specific to their school or office and/or concerns involving leadership and/or management of the Division. In some instances, employees shared examples of management actions they perceived to be retaliatory and/or threats of retaliation made after concerns were raised. While it is understood the observations of the ombuds were limited in regard to the number of visitors as a percentage of the total employee population (approximately one percent), the consistent nature of the concerns expressed amongst the visitors to the Office appears to merit further exploration. It is not within the purview of the ombuds to conduct investigations. ***The ombuds, therefore, recommends that a comprehensive independent study be conducted to assess workplace climate and employee engagement, including examining employee experiences specific to equity and inclusion.*** Such study and resulting findings may be useful in identifying what, if any, specific actions may be advisable to promote organizational wellness. The ombuds is cognizant of the challenges adoption of such a recommendation may pose during the unprecedented challenges faced by the Division as a result of the global pandemic, and, in the event the recommendation is adopted, such study may not be feasible until those challenges are resolved and in-person learning resumes.

Outreach and Education

During Fiscal Year 2020, the ombuds made presentations at various meetings, including: Superintendent's Administrative Support Advisory Council; Superintendent's Advisory Council on Instruction; Superintendent's Teaching Assistant Advisory Council; Gifted Education Advisory Committee; Safe School Advisory Council; the Career Technical Education Advisory Council; elementary, middle and high school level principals' meetings; and Deputy Superintendent's staff meeting. The ombuds made school visits consisting of individual meetings with principals and followed by the distribution of ombuds materials and informal conversations with teachers and staff during lunch periods for a minimum of 90 minutes at fourteen schools. Additionally, the ombuds gave presentations at four school staff meetings and distributed information at the Office of Special Education Parents as Partners event. The ombuds also offered Saturday in-person appointments twice a month beginning in January 2020 through mid-March. In acclimating herself to the Division, the ombuds participated in dozens of introductory meetings, reviewed policies and regulations, and attended Division specific trainings, including 504 Processes, IEP Process and Implementation, Threat Assessment, Youth Mental Health First Aid, and a variety of compliance-related trainings. The ombuds also remotely attended professional development sessions related to conflict resolution in virtual settings and legal updates relevant to Covid-19. She was active in a variety of professional organizations including the International Ombudsman Association, Mid-Atlantic Ombuds Network, and DMV K-12 Ombuds Group. Also, during this Fiscal Year, the ombuds suggested updates to Policy 180 and office operational guidelines which were adopted by the School Board, created content for outreach materials and web presence, and recruited and selected the Office of the Ombudsman executive secretary, Rosamaria Manzines. Ms. Manzines also attended a variety of Division specific trainings; she also completed mediation training.