

Office of the Ombudsman

Annual Report
Fiscal Year 2021



Prince William County

PUBLIC SCHOOLS

Providing A World-Class Education

®

OFFICE OF THE OMBUDSMAN

Annual Report – July 1, 2020 - June 30, 2021



Message from the Ombudsman

The Prince William County Schools Office of the Ombudsman operates in accordance with Policy 180, Office protocols established and approved by the School Board, and the International Ombuds Association's Code of Ethics. For the entirety of Fiscal Year 2021 (July 1, 2020 – June 30, 2021), the Office operated by providing conflict resolution services to individual visitors remotely, as necessitated by the global pandemic. Remote services proved to be a flexible and efficient method of delivering ombuds services.

As discussed in the first annual report submitted in September 2021,

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.

(See www.pwcs.edu/ombuds).

More specifically, the data collected on types of issues raised (while protecting the anonymity of visitors) is a powerful tool in enhancing and sustaining organizational health. This information may not otherwise be available to the Division. Addressing identified patterns, whether Division-wide or pertaining to a particular school or office, removes distractions and impediments to achieving the Division's mission, to provide a world class education to all students.

Thank you for the opportunity to serve as the PWCS founding ombuds for the past two years. As I move on, I know that this program was built on the solid foundation established by the School Board in Policy 180. The Office of the Ombudsman is well positioned to continue serving individual visitors and the School Division.

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

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The PWCS Office of the Ombudsman provides the following services to individuals with Division-related concerns:

- Listening and helping to clarify underlying interests;
- Providing information and exploring options;
- Facilitating discussions and/or mediating disputes;
- Collecting data on emerging trends and patterns;
- 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 office operates in accordance with the International Ombuds Association (IOA) Code of Ethics, including:



- **Confidentiality***
- **Impartiality**
- **Independence**
- **Informality**

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

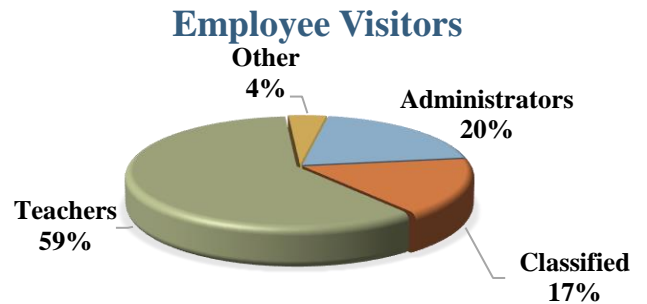
Visitor Concerns – IOA Uniform Reporting Categories

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.

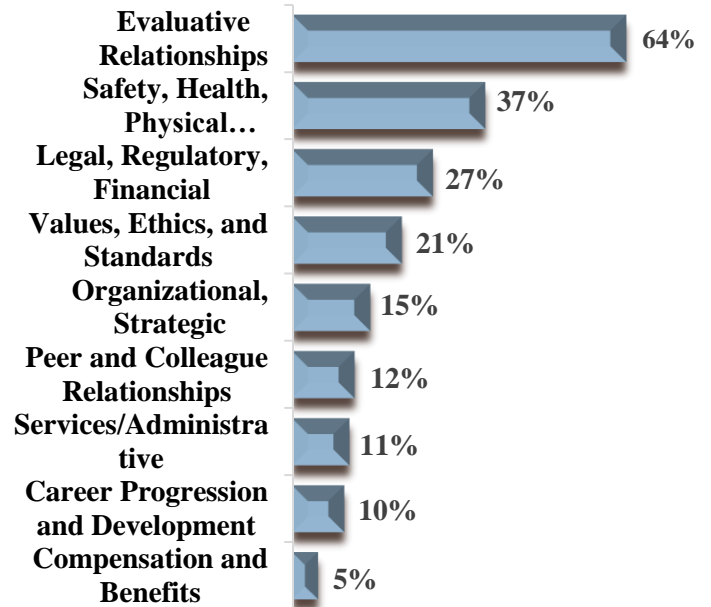
Fiscal Year 2021 Visitors

Between July 1, 2020 through June 30, 2021 (Fiscal Year 2021), there were 171 visitors to the Office of the Ombudsman. One hundred fifty (150) visitors were employees of the Division, and the remainder were parents, concerned community members, and students. Approximately 88% of visitors were employees. This equated to approximately 1.5% of the employee population. The employee visitors included administrators, classified, and instructional (teacher/counselor) personnel as follows:



Employee Visitor Concerns

Percentage of Employee Visitors Expressing Concerns





Of the employee visitors, sixty-four percent expressed concerns related to ***evaluative 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: (1) ***retaliation or fear of retaliation*** (*punitive behaviors for previous actions or comments*); (2) ***respect/treatment*** (*demonstrations of inappropriate regard for people, not listening, rudeness, etc.*); and (3) ***communication*** (*quality and/or quantity of communication*). These results are similar to issues expressed in Fiscal Year 2020, wherein sixty-one percent of employees expressed concerns related to ***evaluative relationships***, and the two most prevalent sub-categories were: ***respect/treatment*** and ***retaliation or fear of retaliation***.

Thirty-seven percent of employee visitors expressed concerns related to ***safety, health, and physical environment*** (*questions, concerns, issues, or inquiries about safety, health, and infrastructure-related issues*). The often-most expressed sub-categories were: ***safety*** (*physical safety, meeting federal and state requirements for training and equipment*); and ***remote/virtual*** (*ability to work from home or other locations because of business or personal need*). This is in contrast to Fiscal Year 2020, where few concerns were expressed related to safety (and those that were expressed primarily occurred after March 2020).

Twenty-seven percent of employee visitor expressed concerns related to the ***legal, regulatory, financial, and compliance*** category (*questions concerns, issues or inquiries that may create a legal risk for the organization if not addressed*). The often-most expressed sub-categories were: ***disability, temporary or permanent, reasonable accommodation***; and ***discrimination*** (*different treatment compared with others or exclusion from some benefit on the basis of gender, race, age, national origin, or other protected category*). In Fiscal Year 2020, thirty-two percent of employee visitors expressed similar concerns.

Parent/ Community Visitor Concerns

Of the parent/community visitors, eighty-one percent expressed concerns related to ***services/administrative issues*** (*questions, concerns, issues or inquiries about services or administrative offices*). This is similar to the parent/student/community visitor concerns expressed in Fiscal Year 2020, where seventy-nine percent of these visitors expressed concerns related to this category.

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

In addition to concerns previously raised in quarterly reports, the Ombudsman identified two patterns of concern.

Concern One involves central administration employee visitors, assigned to a number of offices, who expressed concerns about a lack of or limited remote work options in Fiscal Year 2022 and beyond.

Concern Two involves an office with a pattern of concerns related to the treatment of employees, including respect, departmental climate, and retaliation.

Outreach and Education

During Fiscal Year 2021, the ombuds and ombuds specialist presented at 19 virtual school staff meetings, 10 virtual school advisory council meetings, the Superintendent's Advisory Council on Equity, and the Special Education Advisory Council. Thirty-eight community organizations were contacted and provided information about the services provided by the Office of the Ombudsman and six introductory meetings were held, including an introductory meeting with the Prince William County Human Rights Commission and the League of Women Voters. Virtual introductory sessions sharing conflict resolution options and skills were offered to employees and parents. The ombuds organized and moderated a panel of national experts at the Labor & Employment Relations Association Future of Work series related to the Future of Workplace Ombuds. The ombuds and ombuds specialist participated in professional development opportunities throughout the year. The office also assisted with the forums during the Superintendent's search process.



Division-Wide Observations & Recommendations

As shared in the first annual report,

the ombuds has an unusual vantage point from which to view the organization. By design, these 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 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 a world class education for all PWCS students and to promote continuous improvement, equity, and transparency.

During this year, the ombuds heard and identified a theme related to workplace climate and culture. Specifically, employee visitors most often shared concerns that included the fear of retaliation. A theme developed around employee perceptions of how those who raised concerns were subsequently treated by Division management. Namely, that if an employee raised a concern, the employee themselves came under scrutiny, rather than an authentic managerial attempt to understand and address the concern itself. Anecdotally, the ombuds observed examples of behavior that support this perception in some schools and offices. This concern is also similar to the Division-wide observation that was shared in the last year's annual report:

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, the consistent nature of the concerns expressed amongst the visitors to the Office appears to merit further exploration.

The ombuds recommends that the Office of Human Resources, Office of Equity and Employee Relations, Office of Accountability, and the Office of Professional Learning, work collaboratively to identify and compile data available to each office and school (for example, turnover, transfer requests, number of complaints/grievances filed, survey data related to employee engagement, et cetera) to develop a dashboard/annual report to inform Division leadership of examples of successes as well as opportunities for growth within schools and offices.

This is a modification of the ombuds recommendation made in the first annual report for “a comprehensive independent study be conducted to assess workplace climate and employee engagement, including examining employee experiences specific to equity and inclusion.” The modification is intended to, in part, encourage interoffice comprehensive review of data that may be useful in informing actions to promote organizational health in specific schools and offices.