Washington State Governor's

Office of the Education Ombuds

2013-2014 Annual Report



OEO promotes equity in education by working with families and schools to remove barriers so that every student can fully participate in and benefit from public education in the State of Washington.

October 20, 2014

LETTER FROM THE STATE EDUCATION OMBUDS

TO: The Honorable Jay Inslee, Governor
Randy Dorn, Superintendent of Public Instruction
Members of the Legislature
Washington State Board of Education

We are grateful for the opportunity to present you with this annual report of the Washington State Governor's Office of the Education Ombuds, as required by RCW 43.06B.050.

The Office of the Education Ombuds (OEO) is seated independently outside of the education system it monitors. In its service as "citizen's aide," OEO facilitates resolution of conflict between families, students and their schools regarding any issue that impacts students within the K-12 public education system. OEO provides recommendations to decision-makers and elected officials who affect policy and legislation.

In its eighth year of operation, OEO has just completed its first year with a new director, and its highest number of cases: over 1038 statewide. In May, 2014, for the first time, we were able to hire a bilingual, regional Ombuds based in Eastern Washington. We also hired a bilingual intake specialist. This has allowed OEO to better connect with families whose first language is Spanish and have greater presence in Central Washington, the lower Yakima Valley, and the Spokane region.

Over the course of the past year, parents, educators, students, grandparents, foster parents, medical and health professionals, legislators, and others contacted OEO to ask for assistance to resolve a significant problem or concern related to a public school student. As in most years, complex concerns involving students with disabilities were the most frequently identified issues for intervention or consultation, along with issues related to student discipline, enrollment, bullying and harassment, and barriers to language access for limited-English speaking families.

We want to express our deep appreciation for the collaboration of the many educators we contacted to resolve concerns brought to us, and thank them for their ongoing commitment to building positive relationships with families and students in their communities.

Most importantly, we thank the families who brought concerns to our attention and put their trust in our office. We consider it an honor to have heard so many stories, met so many families, and had the opportunity to make a difference in the outcomes for so many children.

Thank you again for the chance to share what we have learned.

Respectfully Submitted,



Stacy Gillett, Director

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EXECUTIVE SUMMARY

Washington public schools enrolled over a million children across the state last year. About 46% of those students were eligible for free or reduced lunch; more than 20% came from families with a first language other than English; nearly 16% were identified as having a disability; and nearly 41% were children of color.[1] We are experiencing the greatest racial and ethnic changes in American history to-date: there is no question that we are a profoundly multiracial and multicultural society. And yet, across the nation and in our state, there are neighborhoods and schools that remain segregated by poverty and race. This segregation perpetuates gaps in opportunity and outcomes for our students. It is notable that it has been 60 years since the decision in *Brown v Board of Education* and while the legal obstacles to integration in our public schools are gone, the social obstacles persist and confound us.

Statewide, about 23% of our students do not make it to graduation. Dropout is not a term that adequately describes the reasons and situations that lead young people to decide they can't finish school. It is important to understand why our schools fail to graduate some young people despite historic advances in boosting graduation rates. In our current system, students' race, ethnicity, socio-economic status, and disability status become predictors of whether they are more or less likely to drop out or be pushed out of school. Most schools with high concentrations of students of color are located in high-poverty neighborhoods, doubling the risk factors for their students. One of the student groups most affected by low graduation rates from our public schools is our Native American students.[2] We know that in some districts, African American boys are between two and five times more likely to be suspended or expelled than their White peers.[3] We also know that suspended students are less likely to graduate on time and more likely to be suspended again. They are also more likely to be brought into contact with the juvenile justice system, where we have disproportionately high numbers of youth of color.

The Opportunity Gap is evident on nearly every indicator of child well-being - from health issues to neighborhood safety to educational outcomes. Our systems leave children who are living in foster care or experiencing homelessness or poverty lagging behind their more economically-secure peers and faring worse in all areas. Last year, more than 30,000 students in Washington public schools experienced homelessness; in 2012-2013, only 45.1% of students who experienced homelessness, and only 36.6% of students in foster care graduated on time. We need new strategies to reach and provide meaningful educational supports to children whose lives are complicated by unstable housing and poverty.

Students with disabilities experience similar opportunity gaps. Nearly 16% of all students in our state currently receive educational supports to address adverse impacts of a disability through Individualized Education Plans (IEPs) and Section 504 Plans. In some districts, students with an IEP were more than 2 times more likely to be suspended or expelled than their non-disabled peers;[4] they were also less likely to graduate, and less likely to be employed or enrolled in a postsecondary program one year after leaving

[1] See the Washington State Report Card at http://reportcard.ospi.k12.wa.us and Data Report for English Language Learners, Languages Spoken at Home, at: http://data.k12.wa.us/PublicDWP/web/Washingtonweb/DataTables/ElIDTViewer.aspx.
[2] Graduation and Dropout Statistics Annual Report, 2012-13, at: http://www.k12.wa.us/LegisGov/2014documents/GraduationAndDropoutStatisticsAnnualReport.pdf.
[3] See analysis of preliminary discipline data from 2013, at: http://www.waappleseed.org/#!school-discipline/c6wu.
[4] Analysis of preliminary discipline data from 2013, at: http://www.waappleseed.org/#!school-discipline/c6wu.

school. We need to build capacity for educators to provide inclusive, high-fidelity, evidence-based classroom practices so that a student's gaps in skills can be addressed early and quickly, and without unnecessary stigmatization or segregation.

Students need relationships with caring adults and need to know *how* to have positive relationships with each other so they feel connected, safe, and that they belong at school. In education, we should first do no harm, and addressing the adverse childhood experiences and trauma that some students come to school with should be a skill that all educators possess. In addition, all educators need to be empowered to create and support a positive school climate that is welcoming to all students and free from bullying, harassment, and intimidation.

The following recommendations are made in an effort to improve outcomes for all children and to reduce the disparity and inequity experienced by vulnerable populations of students in Washington public schools.

Ensuring Language Access for All Families

To meet schools' growing needs for interpretation and translation services, required to ensure equity for all students, the State should:

- Provide **training resources** for school and district personnel to **effectively access telephone interpreters**;
- **Convene a task force** to explore ways of ensuring **access to *quality* interpretation and translation** services in all schools; and
- **Develop language access policies and procedures** to ensure clarity and consistency across the state.

Ensuring Access and Equity for Students with Disabilities

To ensure access and equity for students with disabilities across the state, the State should:

- **Convene a task force** to improve outcomes for students with disabilities;
- Create a **dedicated funding source** to support **timely and comprehensive evaluations** of students with suspected disabilities;
- **Support greater inclusion** of students with disabilities by: investing in **training for all educators**; creating standards for **certification of paraprofessionals**; ensuring **consistent compliance with Section 504**; and supporting **meaningful parent participation**; and
- Define appropriate **limitations on the use of restraint and isolation**.

Transforming School Discipline

To support current efforts transforming school discipline in Washington, the State should:

- Require Districts to adopt and implement **training, policies, and practices** that **directly reduce disproportionate impacts** from disciplining students of color, students with disabilities, and students living in poverty;
- Promote positive student reengagement and academic success by **providing funds necessary for Districts to offer interim educational services to students excluded for more than 10 days**, and revise rules on distribution of Basic Education Allotment funds to ensure funds are available to support reengagement of students out of school for extended periods of time;

- Redefine Basic Education to embrace all areas of learning necessary to student success, including Social Emotional Learning (SEL);
- Support Districts' implementation of reengagement meetings and plans to ensure students find new and sustainable success upon return to school; and
- Support strategic data collection and reporting to inform discipline reform efforts.

Preventing Harassment, Intimidation and Bullying

To reduce the occurrence of harassment, intimidation and bullying, the State should:

- Require and support training for HIB coordinators and school personnel;
- Increase and continue funding for school wide systems to address school climate;
- Add Social Emotional Learning (SEL) to the definition of Basic Education; and
- Reduce reliance on zero tolerance discipline that excludes students rather than focus on conflict resolution and opportunities for social-emotional development.

Enhancing Family and School Partnerships

To build capacity for effective family and school partnerships, the State should:

- Allocate full funding for at least one family engagement coordinator in each school;
- Incorporate principles of effective family engagement in teacher and administrator preparation programs;
- Support the cultural competence of all staff in their interaction with families; and
- Support replication of successful programs to build sustainable family and school partnerships.

To ensure equity for all children in our public schools, there is no more critical issue than eliminating the Opportunity Gap that affects students of color; who are learning English; who may have disabilities; who may live with high mobility; or who live in impoverished communities or homes. This includes students who experience homelessness, who are in our foster care system, who need access to mental health services, or who may need help getting their basic needs met.

Research shows that working families trust teachers and support public education. We know what works and WE MUST DO WHAT MATTERS for the children of Washington. We are privileged to work with families each day to better understand their needs - and their children's experiences in our public schools. We must listen closely to the stories that families and young people share with us about the effects that leaving school has on them, about the barriers they face in getting a high school diploma, and what they say makes them come back to school and re-engage once they leave.

These are difficult conversations that we must have in a spirit of mutual respect for the sake of our children who face a limited and confined future without our strategic commitment to their success.

THE OFFICE OF THE EDUCATION OMBUDS OVERVIEW

The Washington State Office of the Education Ombuds (OEO) is an organization within the Office of the Governor established to advocate on behalf of public school elementary and secondary students statewide, to provide information regarding family and student rights, and to work with schools and families to solve problems impacting student achievement. OEO functions independently from the Washington state public education system, serving as an independent, neutral third party to ensure our public schools remain open and welcoming for all students.

OEO's 2014 Strategic Plan, included as Appendix A in this report, describes the creation of the office, our statutory duties, and the values, operating principles, and strategic priorities that guide our work.

OEO's services are free, confidential, and available to families and others supporting students from kindergarten to 12th grade. Because some students with disabilities are eligible for public school services from birth through age 21, OEO's services also extend to students who receive early intervention services and secondary transition services from their public schools under the Individuals with Disabilities Education Act (IDEA).

OEO is in its eighth year of operation, and just completed its first year with a new director. In May, 2014, for the first time, OEO was able to hire a bilingual, regional Ombuds, based in Eastern Washington. This has allowed OEO to better connect with families whose first language is Spanish and to have greater presence in Central Washington, the lower Yakima Valley, and the Spokane region.

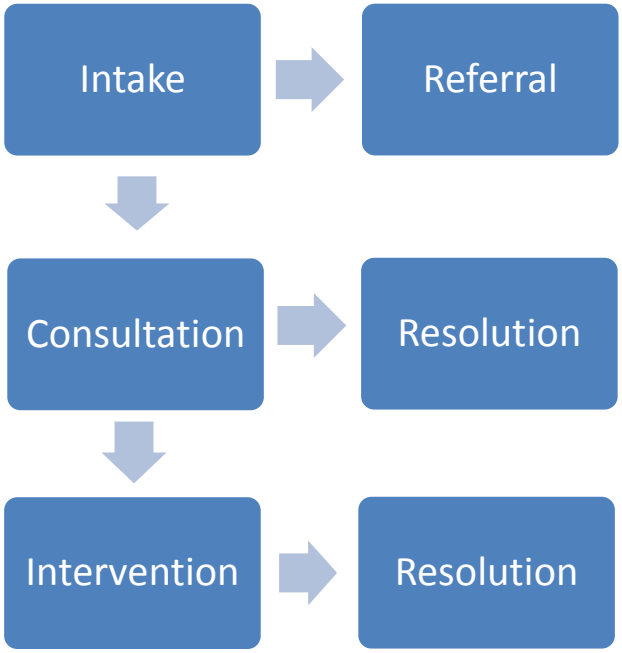
Budget and Expenditures

OEO operates on a biennium budget determined by the state legislature. For the 2013-2015 biennium, the agency was appropriated $684,000. Ninety percent of OEO's budget is allocated to staff and facilities. OEO has 6.45 full time equivalent employees: an Executive Director, a Communications and Program Support Specialist, and 5 Education Ombuds. The remainder of the budget is spent on publications, interpretation/translation costs and outreach related expenses. In FY14, OEO was provided $35,000 to conduct a feasibility study on increasing the pool of trained interpreters in school settings.

How We Work

Each individual who contacts OEO seeking information and assistance relating to a student and public schools is connected with one of our five Education Ombuds. OEO's intake specialist, bilingual in Spanish and English, collects basic information from callers and connects them with an Ombuds. The Ombuds listen and respond according to the issues and needs of the caller, and directly intervene in the majority of cases we are contacted about. This means that an Ombuds spends time counseling, coaching, and assisting callers to understand their options and interests, obtaining school records, contacting school district authorities at appropriate levels to get more information, and facilitating resolution of the concerns. Ombuds frequently organize and facilitate structured meetings and conversations with all stakeholders involved to provide opportunities for resolution with an outcome focused on the student.

OEO does not have the authority to conduct formal investigations or direct district personnel or the Office of the Superintendent of Public Instruction (OSPI) to take certain actions, so we work primarily by supporting people in taking action on their own behalf, mediating between the parties, and providing other assistance. Not all inquiries and complaints require a formal or lengthy involvement by the Ombuds, and in these cases, information, referral, limited research, consultation, and/or counseling may be provided to the caller.



OEO also collaborates with all four of the state ethnic commissions including: the Governor's Office of Indian Affairs, the Washington State Commission on Hispanic Affairs, the Washington State Commission on African-American Affairs, and the Washington State Commission on Asian Pacific American Affairs. OEO's Executive Director is a member of the Educational Opportunity Gap Oversight and Accountability Committee (EOGOAC), the Quality Education Committee, and Results Washington.

OEO's entire staff collaborates on the collection of data regarding the types of complaints we receive and how they are resolved, and uses this information to identify trends and recommend improvements to the public education system.

OEO's Executive Director and Ombuds participate in work groups and consult regularly with representatives of the Washington State PTSA, certificated and classified school employees, school and school district administrators, parents of special needs students, and parents of English language learners regarding systemic issues that create obstacles for students to access and to benefit from public schooling.

I really appreciate that the Ombuds listened and did not try to keep bringing up ideas that I had already worked with or tried. The Ombuds was very positive and solution-oriented. The Ombuds did great follow up. She had new ideas we had never tried. She knew what we could and could not ask for. The Ombuds was very helpful!

--- Parent

OEO'S WORK ON BEHALF OF INDIVIDUAL STUDENTS

The core work of the Office of the Education Ombuds is direct intervention to assist families and students to access and navigate the public school system. In the majority of cases, this means an Ombuds spends time counseling, coaching, and assisting callers to understand their options and interests, obtaining school records, contacting school district authorities at appropriate levels to get more information and facilitate resolution of the concern, and organizing and attending structured meetings to facilitate an outcome focused on the student.

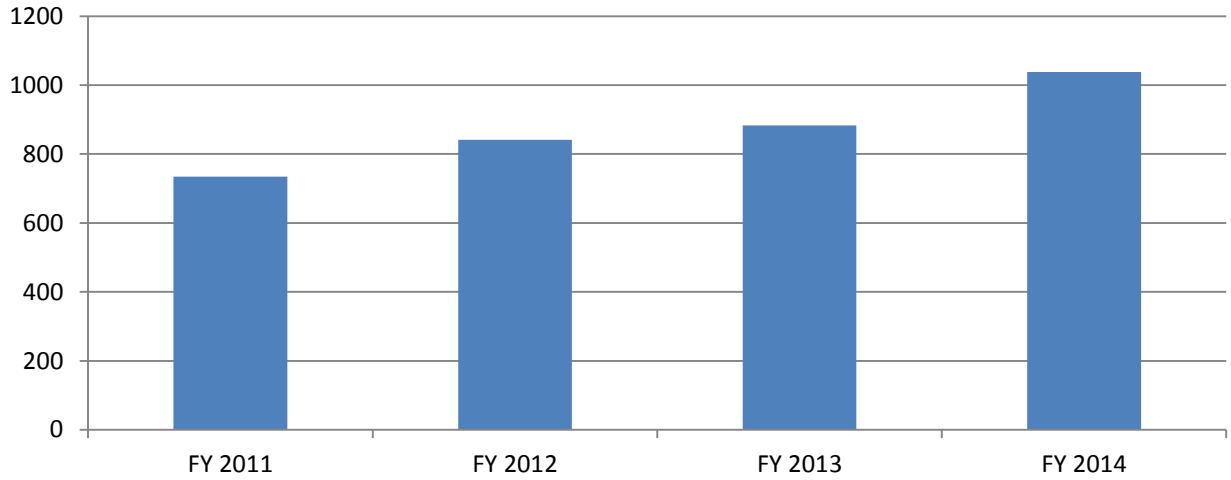
NUMBERS AND TYPES OF REQUESTS FOR OMBUDS SERVICES

During the 2013-2014 fiscal year, OEO received 1038 requests for assistance. This reflects a consistently high number of calls annually from across the state in all 9 Educational Service Districts (ESDs). The number of calls OEO receives continues to fluctuate over the course of the fiscal year, with peaks in the fall and spring. OEO remains open throughout the year, and the number of calls received in June 2014 was over 100% higher than the number of calls received in July of 2013.

As families and schools better understand the role and services of OEO, the number of calls has increased significantly. More callers contacted OEO as a result of talking with other parents and a greater variety of community-based providers made referrals. More educators contacted OEO for assistance and referred parents.

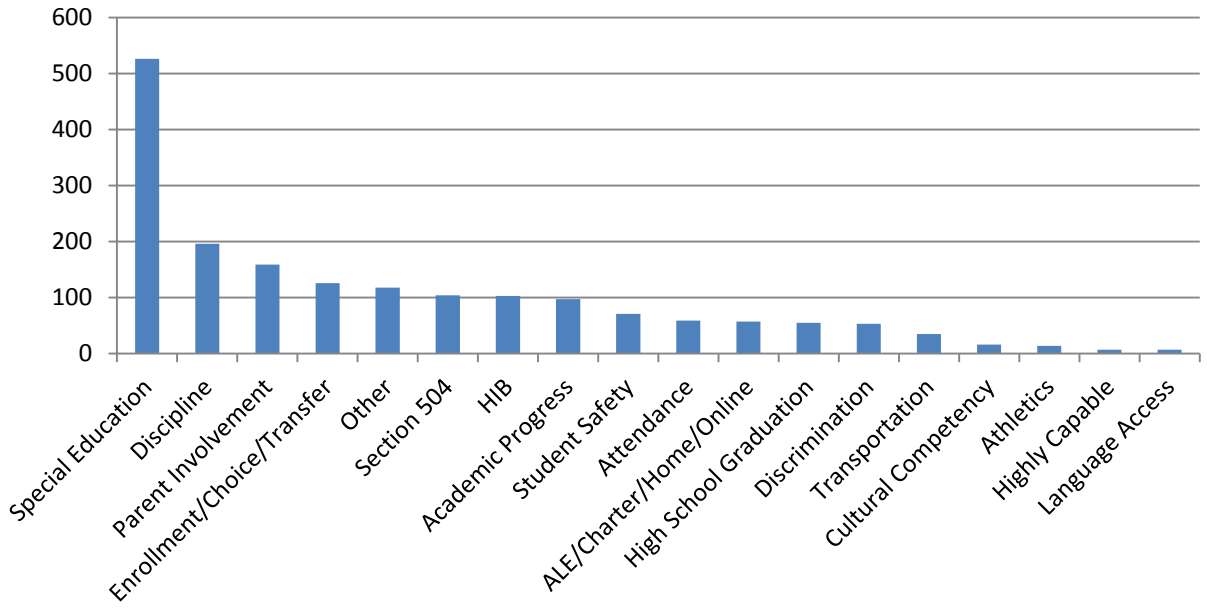
The graph below demonstrates the extent to which the volume of requests has continued to grow since OEO began its operations in early 2007. This past year OEO experienced over 17.5% growth in requests for assistance, while fiscal year 2011-2012 increased from the year prior by 14.6%, and 2012-2013 increased by 5%.

Number of Requests for Ombuds Services since 2011



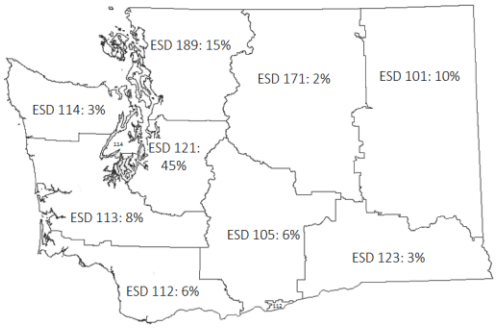
Contributing Factors in Cases Handled by OEO

In the 2013-2014 fiscal year, the most common factor in cases handled by OEO continued to be issues involving students with disabilities. Other frequent issues included student discipline, ranging from on-going behavior concerns to emergency expulsions; barriers to enrollment; concerns about academic failure or lack of progress; breakdowns in communication between families and schools; attendance and truancy issues; and discrimination complaints including harassment, intimidation, and bullying. The following chart shows the most common contributing factors in cases brought to OEO in 2013-2014.



Most cases reflect the complex reality of students' experiences in school and involve multiple factors. Ombuds work with families and schools to identify core issues and resolve underlying problems.

Geographic Distribution of Complaints



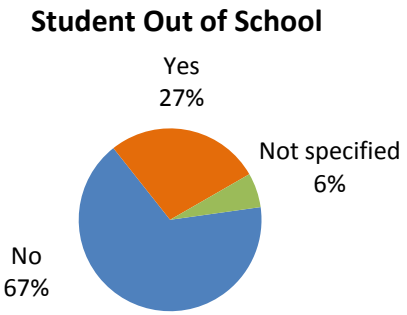
OEO worked in 574 different schools in 165 school districts across all nine Educational Service Districts (ESDs) in 2013-2014. OEO had cases in 34 of Washington's 49 Legislative Districts, with 17% occurring in the 11th District (South Seattle, Tukwila, Renton, and Kent). OEO also had cases in 33 of Washington's 39 counties with over 50% of cases coming from King, Snohomish, and Pierce Counties.

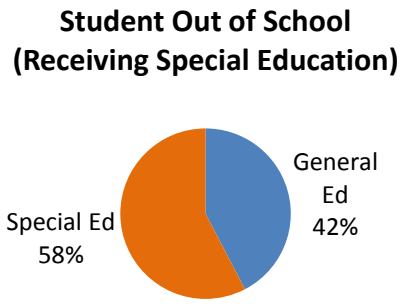
DEMOGRAPHICS OF STUDENTS SERVED BY OEO IN 2013-2014

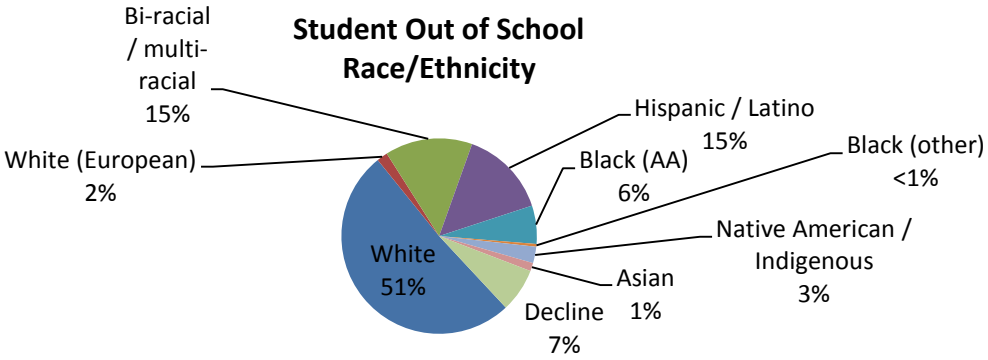
In the 2013-2014 fiscal year, OEO served students of diverse backgrounds, as reflected in the data collected on various aspects of student demographics, such as gender, race, ethnicity, geographic location, grade level, income, and disability.

Students Reported as Out of School Prior to OEO Intervention

One of OEO's highest priorities is to support re-engagement of students who are out of school for any reason. Data shows that missing even a week or two of school can have a significant negative impact on a student's achievement, and chronic absences can increase the risk of a student not graduating.[5] Among students OEO supported in fiscal year 2013-2014, at least 27% were out of school for some period of time. A higher percentage was at risk of being removed. Fourteen percent of students were reported to be out a week or more; almost half of those students were out 2 or more months. When cross-referenced with disability data, we see that 58% were students who received special education services. Looking at race and ethnicity, we find that among students reported as out of school: 51% were White, 15% were Hispanic, 15% were Bi-racial/Multi-racial, 6% were Black African Americans, 3% were Native American / Indigenous, and 1% was Asian.





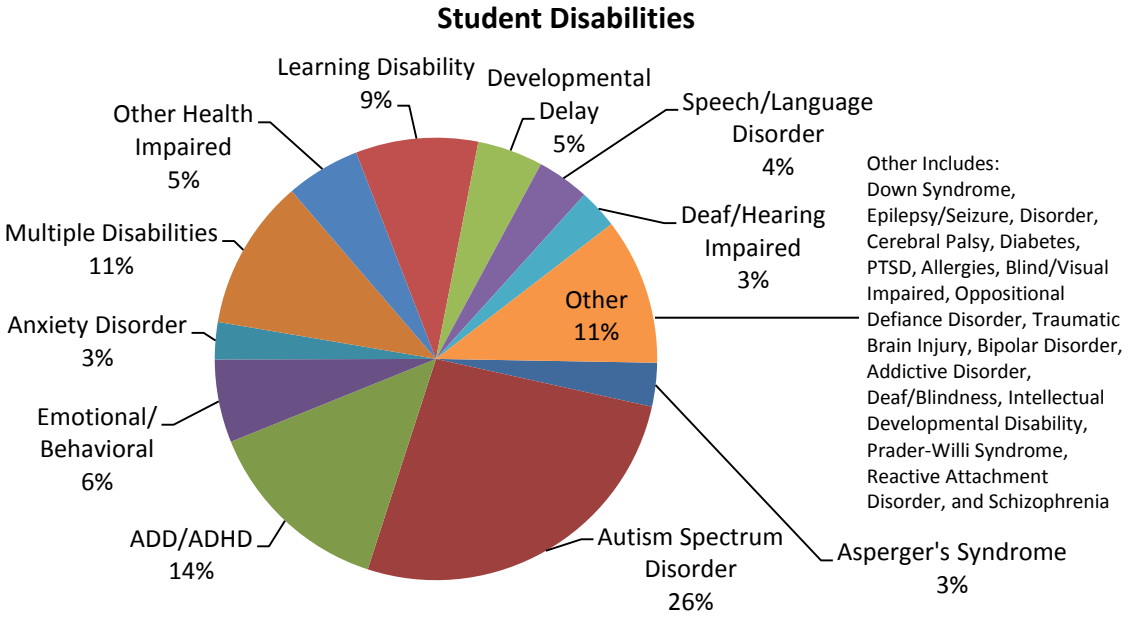


[5] See "The Importance of Being in School: A Report on Absenteeism in the Nation's Public Schools," May 2012, The Johns Hopkins University, available at: http://new.every1graduates.org/wp-content/uploads/2012/05/FINALChronicAbsenteeismReport_May16.pdf, at p. 24 (finding a 3 percent improvement in attendance – five additional days -- would have led more than 55,000 students to pass end-of-year standardized tests in reading, English, or mathematics in grades 3 to 8).

Students with Disabilities

Over half of the students served by OEO in fiscal year 2013-2014 were students with disabilities. This percentage continues to be markedly higher than the approximately 15% percent of students with disabilities receiving services or accommodations under either the Individuals with Disabilities in Education Act (IDEA) or Section 504 of the Rehabilitation Act, in our state's total public school population.[6] Special Education laws and processes are complicated and there are unique challenges that arise as families and educators work together to address a child's unique educational needs. In addition OEO receives a significant number of calls from social workers, medical professionals, mental health providers, and others working with children with disabilities.

OEO asks callers to voluntarily report the student's identified disabilities. The graph below illustrates the variety of student's disabilities as reported by callers.



Income: Students Eligible for Free or Reduced Price Meals

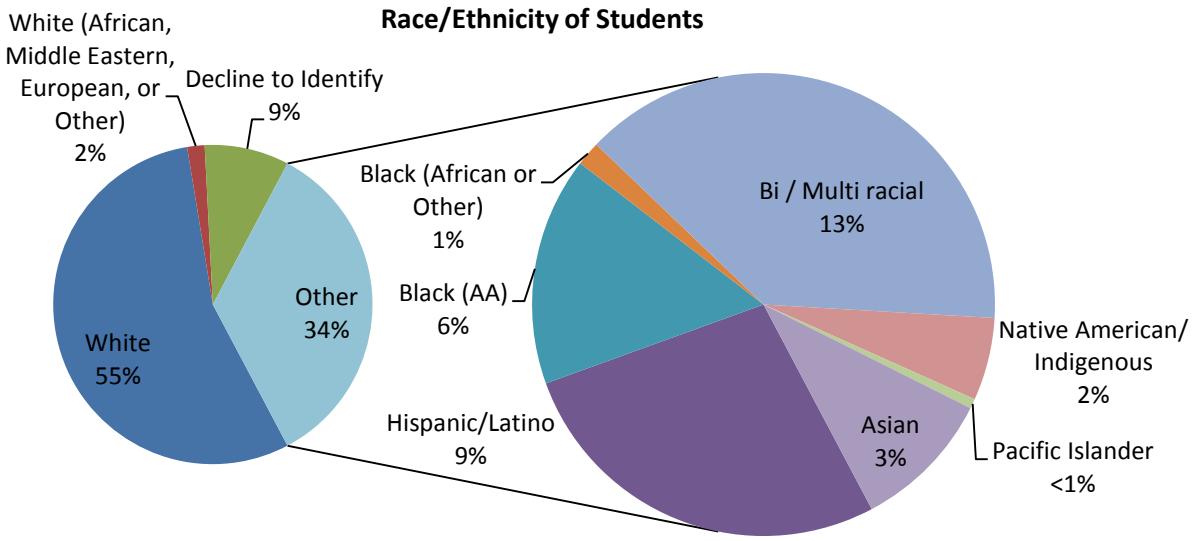
During the intake process, OEO asks callers whether the student qualifies for the free or reduced-price meal program. State data shows approximately 46% of public school students qualified for free or

[6] See Washington State Report Card for 2013-14 reporting 13.2% of students receiving special education services under the IDEA and 2.4% identified as covered by Section 504, available at: http://reportcard.ospi.k12.wa.us/summary.aspx?groupLevel=District&schoolId=1&reportLevel=State&year=2013-14&yrs=2013-14. Section 504 of the Rehabilitation Act is a federal law that prohibits discrimination against students with disabilities by educational institutions that receive federal funds.

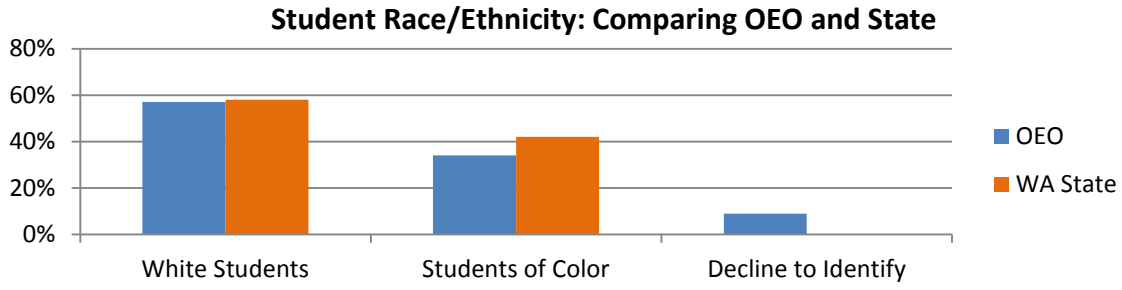
reduced price meals during the 2013-2014 academic year.[7] In OEO interventions during the fiscal year 2013-2014, 40% of students were reported to be eligible for free or reduced price meals.

Breakdown of Race/Ethnicity of Students Served by OEO

OEO asks callers to voluntarily report the race or ethnicity of the student they are calling about. Among the students served by OEO in 2013-2014, families identified 57% as White, which includes African, Middle Eastern, European or Other; 13% as Bi-Racial / Multi-Racial; 9% as Hispanic/Latino; 7% as Black; 3% as Asian; and 2% as Native American or Indigenous.



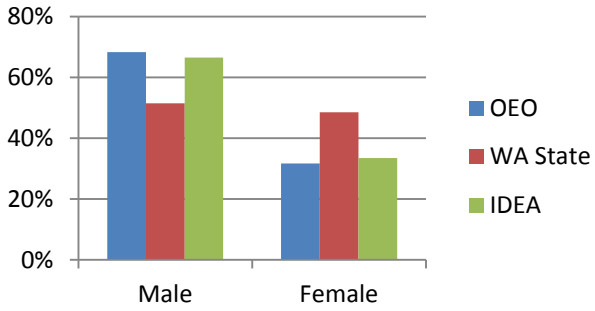
The demographics reported voluntarily to OEO are slightly different than the overall demographics for the state where districts are mandated to report race and ethnicity: in 2013-2014, 58% of the state's public school students were white and 42% were students of color. In the 2013-2014 fiscal years, among students served by OEO, callers reported that 57% were white, 34% were students of color and 9% declined to answer.



[7] Washington State Report Card for 2013-2014.

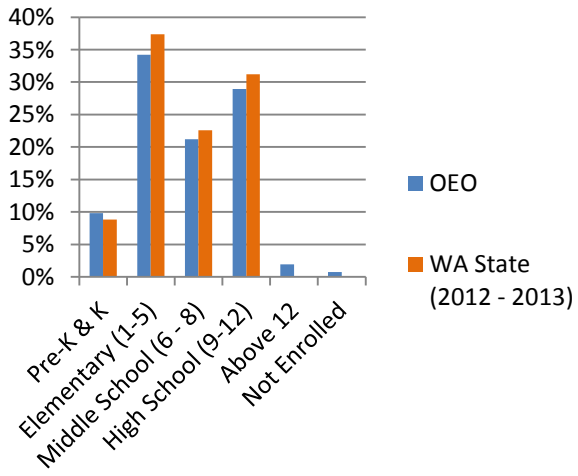
Gender

In fiscal year 2013-2014, 68% of the students served by OEO were male, and 32% were female; the student population in Washington state public schools in the 2013-2014 academic year was 51.5% male and 48.5% female. The number of male students served by OEO continues to more closely resemble the number of male students with disabilities under IDEA, most likely because over half of the cases opened by OEO assisted students with disabilities.[8]



Grade Level

OEO services are available to families and students who attend or are eligible to attend Washington public schools. This includes children from the age of 5 – 21 and some children ages 3 – 5 who receive early intervention services from the school district. In the last fiscal year we served students in all grade levels.



The Ombuds was very professional and informed. He easily grasped our situation and got me the information I needed. Then he called a couple months later to follow up. I was impressed with his work.

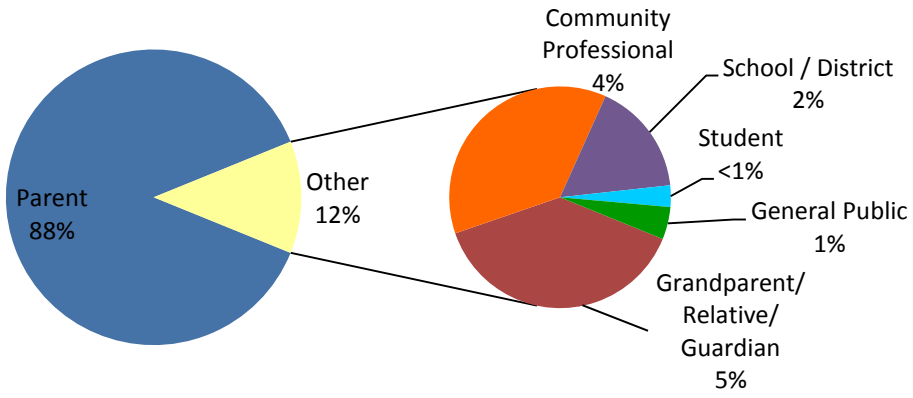
--Parent

[8] For comparison on numbers of students by gender receiving services under the IDEA, see State Nov 2013 Federal LRE and Child Count Data, tab "LRE _page 4 (6-21)," reporting special education placements for a total of 78,009 male students and 39,326 female students, available at: http://www.k12.wa.us/SpecialEd/Data/Childcount-Placement.aspx

INDIVIDUALS WHO CONTACTED OEO ON BEHALF OF STUDENTS

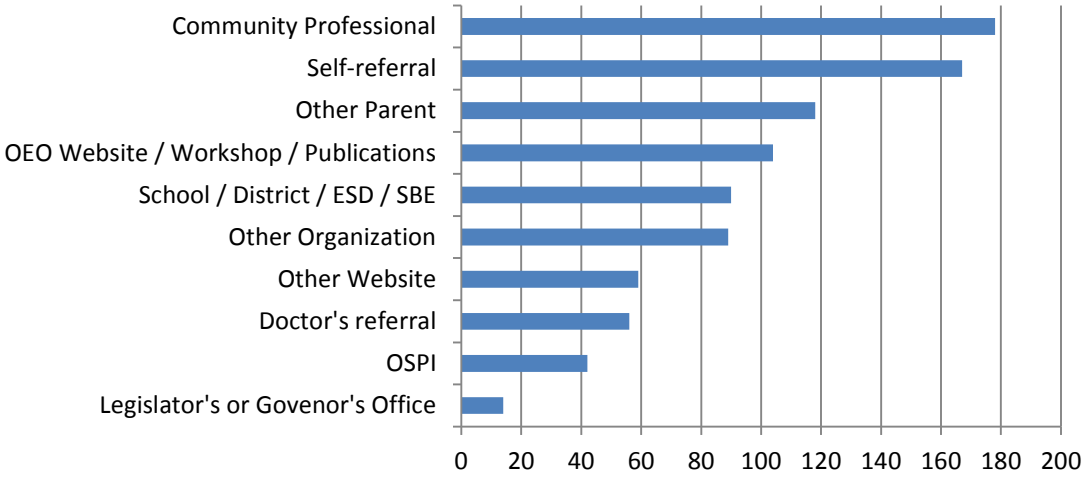
Most of the individuals who initiated contact with OEO to seek help or information on behalf of a student were parents calling regarding their own child, continuing the trend of prior years. Other callers included grandparents, extended family, community professionals such as social workers, medical and mental health providers, school or district staff, child advocates, legislators, attorneys, and members of the general public. OEO sometimes works with students directly in the course of resolving concerns. Because students frequently need assistance to reach out and get help, OEO generally works with a trusted adult in tandem with a student.

OEO Caller Type



OEO Referral Sources - How callers heard about OEO

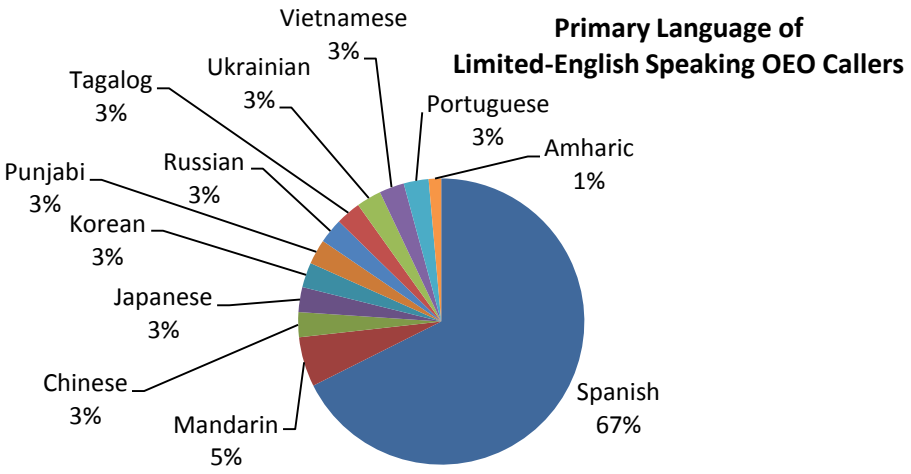
In the 2013-2014 fiscal year, new callers continued to be referred to OEO by community professionals, other parents, doctors, school and district staff, and OSPI. OEO saw an increase in self-referral during 2013-2014. Callers also learned of OEO through our website or OEO community workshops. The following graph shows the most frequent referral sources to OEO.



Language Access for Callers Seeking Help on Behalf of a Student

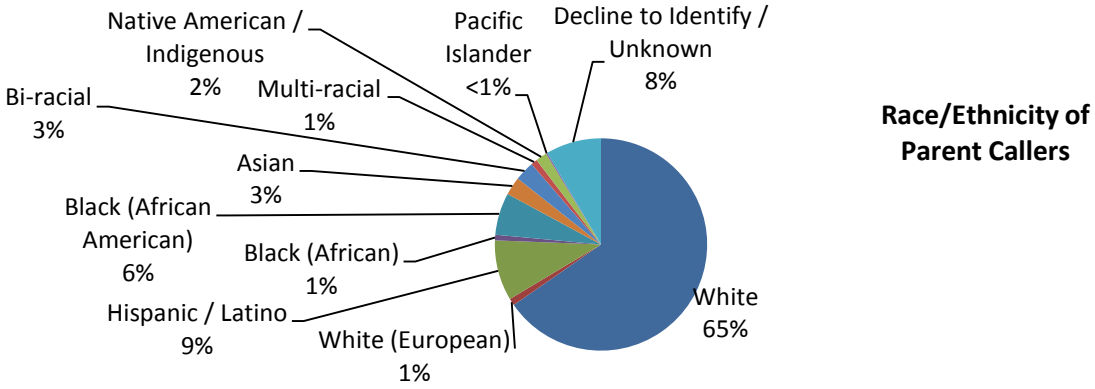
OEO maintains a toll-free number and utilizes a telephone interpretation service in order to support our ability to speak with callers from across the state, regardless of location or language ability. In fiscal year 2013-2014, nearly 7% of callers reported that English was not their first language, and just over 3% of all callers needed an interpreter to communicate with an Ombuds.[9]

As with previous years consistent with statewide demographics, the majority of non-English speaking callers to OEO spoke Spanish as their primary language. This year OEO added a regional, Spanish-speaking Ombuds to better serve our callers. This chart shows the primary language of limited-English speaking OEO callers during 2013-2014.



Race/Ethnicity of Callers Seeking Help on Behalf of a Student

OEO asks callers to voluntarily report their racial or ethnic background. In fiscal year 2013-2014, 66% of those parents who called OEO seeking help on behalf of students were white, 26% were people of color and 8% declined to identify their race or ethnicity. The following graph shows the breakdown of race/ethnicity of parent callers. Not included are community professionals, who often refer parents to OEO or call for consultations.



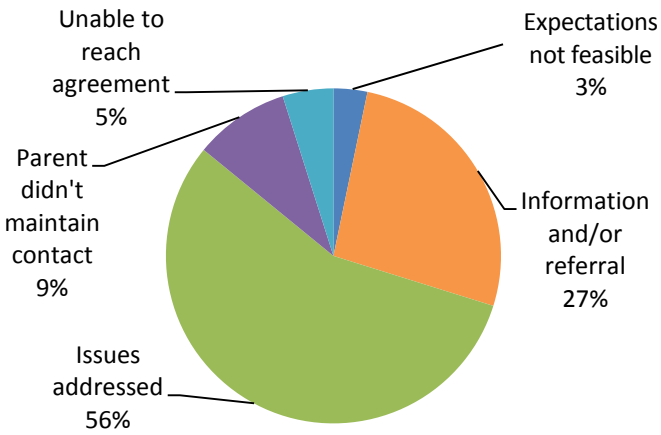
[9] In 2012-2013, 95,243 students, or 9.0% of all students in Washington public schools were English Language Learners. Data Tables for English Language Learners, available at: http://data.k12.wa.us/PublicDWP/web/Washingtonweb/DataTables/EllDTViewer.aspx.

OEO CASE RESOLUTION RATE

Among the interventions initiated in 2013-2014, 83% were considered resolved by the Ombuds through providing information, counseling, coaching, facilitating communication with the school, scheduling and attending meetings. This figure is slightly higher than the 78% resolution rate reported last year.

Within the 17% of complaints not resolved, the most frequent reason continued to be that the caller did not maintain contact with OEO or otherwise indicated that they no longer needed assistance. In many of those cases, the Ombuds were still able to provide information and guidance during the initial contact to help the parent address their concerns and it is understood that busy parents may opt to move on once the urgency of the situation has passed.

Intervention Resolution Categories

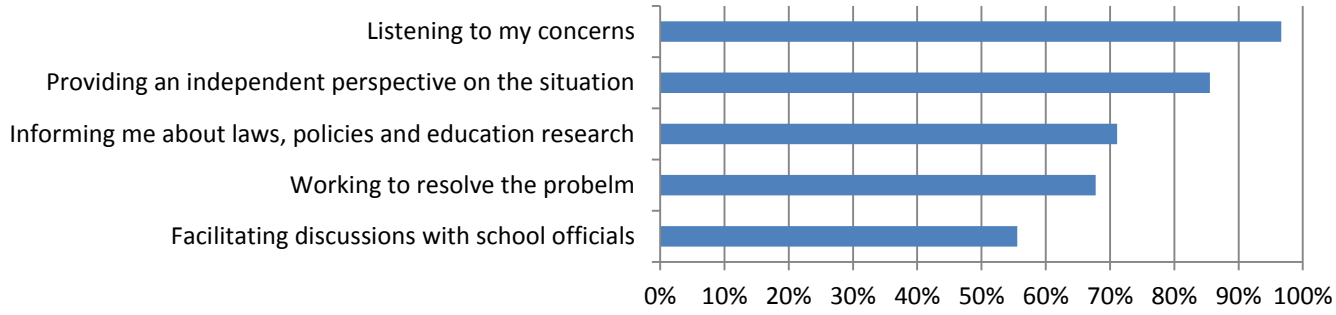


Customer Satisfaction

OEO is committed to empowering our consumers to be able to access our services without delay and as simply as possible. We encourage parents to complete a survey at the end of working with an Ombuds so that we can receive feedback on how to best serve each caller's needs and focus on the "value added" by our agency. We strive to deliver needed services with innovation, efficiency, and integrity.

In 2013-2014, 97% of survey respondents indicated that the Ombuds listened to their concerns. The following graph shows ways in which respondents found the Ombuds services to be helpful.

Ways OEO Callers Reported Ombuds' Services were Helpful

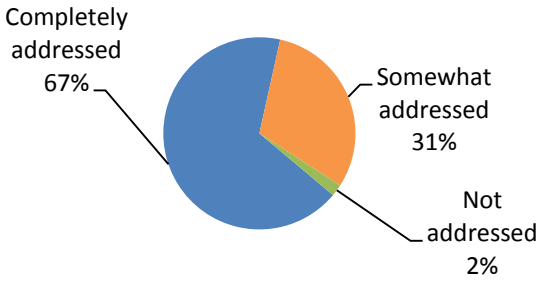


I was very pleased with how the Ombuds was responsive, easy to reach, and transformed a black box into a solution. Thank you!!

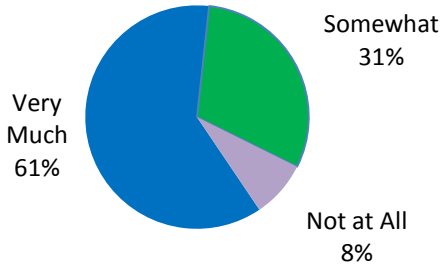
--Parent

The majority of respondents reported that their problem was completely addressed by the work of the Ombuds and that working with the Ombuds helped their student's education. Several survey respondents mentioned that if they checked somewhat or not at all, it was due to the complexities of their situation, or the issue was outside the scope of OEO's work.

Extent Problems were Addressed as Reported by OEO Callers



Degree to which OEO Helped a Student's Education as Reported by OEO Callers

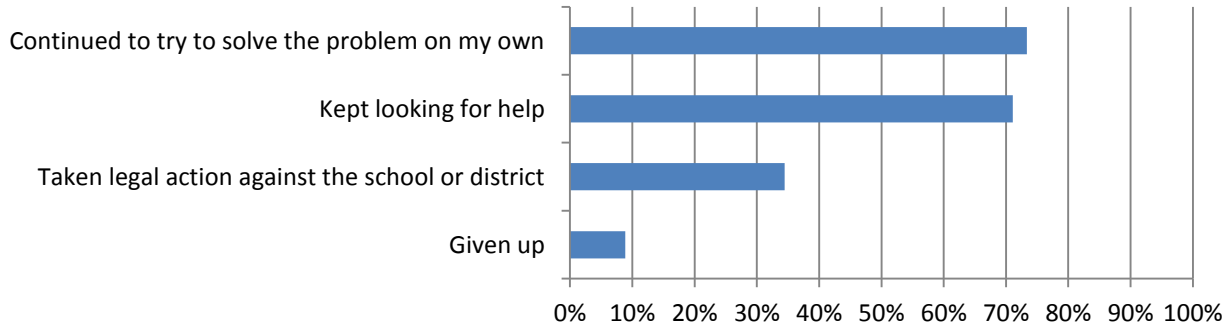


I feel this is a very good use of tax payers' money. The Ombuds has been very helpful and always went the mile and a half. Thank you very much!

--Parent

OEO serves as a critical alternative to more formal dispute resolution processes and helps families and schools avoid the expense and adversarial positions that come with litigation. When asked what they would have done if OEO was not here to help, callers responded as shown in the chart below.

Steps Callers Report they would have taken had OEO Not Been Available to Help



OEO'S WORK WITH COMMUNITY GROUPS & SCHOOLS

OEO works to build strong partnerships between families and schools in all of its work in communities and in the thousands of one-to-one conversations Education Ombuds have with families and school staff throughout the year. To build relationships and increase access to OEO's services, OEO staff takes regular advantage of opportunities to connect in-person with community groups, school teams, parent groups and professional organizations to provide information and tools to support students. Presentations about what an Ombuds does, how Ombuds can help, how to navigate the public schools, how special education processes work, recent changes in discipline rules, and best practices in the prevention of bullying and harassment were just some of the topics OEO was invited to share with a diverse constituency of parents, advocates, educators and professionals who work with children.

The groups listed on this page and the next are ones that OEO connected with or presented to as part of its efforts to provide outreach and training during the 2013-2014 Fiscal Year:

American Civil Liberties Union of Washington
Bellevue Special Needs PTSA
Brain Injury Assoc. of Washington
Center for Children Youth Justice (CCYJ)
Charter Schools Association
Children's Autism Center
Columbia Legal Services
Commission on African American Affairs
Commission on Hispanic Affairs
Compassionate Communities Network
Edmonds School District
Education Northwest
Educational Research and Data Center
Educational Service District 105
Educational Service District 112
Educational Service District 113, Educational Advocacy
Educational Service District 121
Educational Service District 189
Ellensburg School District
Epilepsy Northwest Foundation
Everett School District
Highline School District
ISAAC Foundation
iUrbanTeenTech
Kennewick School District
King County ARC
King County Division of Developmental Disabilities
King County Parent Coalition
Kinship Care Navigators
Kittitas Co. Parent-to-Parent
Kittitas County Parent Coalition
Kittitas School District
League of Education Voters
Nisqually Tribe Early Childhood Education Program
Northwest Justice Project
Oak Harbor Early Intervention Parent Support Network
Office of Family and Children's Ombuds
One America
Open Doors for Multicultural Families
Orting School District
OSPI Graduation A Team Effort (GATE)
OSPI Parent Liaison
PAVE
Public School Employees of Washington/SEIU 1948
Renton School District PTSA
School Nurse Organization of Washington
Seattle Education Access
Seattle School District Special Needs PTSA
Seattle University Law Clinic
Seattle University Principal's Training

Silverdale ADHD Parent Support Group
Snohomish County Superintendent's Association
Snohomish County Transition Fair
Sound Discipline
Sound Options Mediation
Specialized Training of Military Parents (STOMP)
Spokane School District
Starbucks Parents of Children with Disabilities
Sunnyside School District
TeamChild
The Father's Network
Therapeutic Health Services, Youth & Family (Seattle)
Treehouse
Tukwila School District
UW Center for Excellence in Developmental Disabilities
University of Washington Experimental Education Unit
University of Washington School of Education
Urban Youth Justice Initiative
Washington Appleseed
Washington Association of School Administrators
Washington Headstart and ECEAP Association
Washington Homeschool Organization
Washington State Indian Education Association
Washington State PTSA
Washington State School Directors Association
Washington Student Achievement Council
Washington State Special Education Coalition
Yakima Behavioral Health
Yakima Co. Parent-to-Parent
Yakima County Parent Coalition

This past year, OEO also provided its "Finding Your Voice" trainings to communities in four different districts. OEO developed the "Finding Your Voice" curriculum to prepare families and educators to train others on navigating our state public school system works and developing effective school and family partnerships. Although designated grant funds were no longer available, in Fiscal Year 2013-2014, OEO teamed with the League of Education Voters and local PTSAs to provide this training in the Highline, Kennewick, Grandview, and Yakima School Districts, reaching more than 150 Limited-English speaking families with the use of interpreters, bilingual presentations, and translated materials.

I think the Ombuds was a great person – so kind, with lots of patience returning my calls and emailing. The Ombuds participating on the phone at a meeting changed the school's way of treating my child. The Ombuds talking to school officials made a difference and now my child is getting better treatment. I am so grateful for the Ombuds' help. Thank you!

--Parent

OEO also participates as a designated member of a number of educational task forces and committees. OEO's ongoing relationships with various educational leaders allow OEO to bring the voices of families and students to the table. During the Fiscal Year 2013-2014, OEO participated in the following committees:

Anti-Harassment, Intimidation, and Bullying (HIB) State Workgroup
Education Opportunity Gap Oversight and Accountability Committee (EOGOAC)
English Language Learner Workgroup of the Roadmap Project
Quality Education Council (QEC)
RESULTS Washington
SB5946 Student Discipline Task Force
The Disability Task Force (facilitated by the Washington Student Achievement Council)
Washington State Becca Task Force
Washington State Coalition for Language Access (WSCLA)

OEO has played a part in developing recommendations to the legislature from the EOGOAC and the QEC. The EOGOAC's 2014 Annual Report outlines policy and strategy recommendations for closing opportunity gaps. [10] The QEC's Final Report to the 2013 Legislature describes specific recommendations to ensure full funding of education and eliminate the opportunity gap. [11] This year, OEO joined the new Disability Task Force established to examine obstacles and barriers for students with disabilities to access post-secondary education.[12] OEO continues to serve on these established groups, furthering the work of improving systems to improve outcomes for all students.

Your presentation was fantastic . . . families were very engaged and the feedback we received was positive. I think everyone wished they had more time. This was the first time these families had a chance to learn about special education in Spanish in a way that was accessible to them. Thank you again for providing such a wonderful opportunity!

-- Community Professional

[10] Available at: http://www.k12.wa.us/AchievementGap/pubdocs/EOGOAC2014AnnualReport.pdf.
[11] Available at: http://www.k12.wa.us/LegisGov/2013documents/QEC2013Report.pdf.
[12] A description of the task force's work is available at: http://www.wsac.wa.gov/disability-task. The annual report to the legislature is at: http://www.wsac.wa.gov/sites/default/files/2013.11.27.Disabilities.Task.Force.Report.pdf.

OEO'S RECOMMENDATIONS TO IMPROVE EDUCATIONAL OUTCOMES FOR ALL STUDENTS

OEO makes annual recommendations to the Governor, the Legislature and the State Board of Education for changes that will improve educational outcomes for all students. Each year, OEO learns more about how individual students' experiences are shaped by state education policies and the work that families, educators and community professionals do to try to make public school systems accessible to the varied and complex needs of students. The case described below is an example of the kinds of stories that OEO hears each day. OEO's recommendations are based on insights gained through casework, consultations with educational stakeholders and participation in statewide committees.

OEO's recommendations focus on policy level strategies that will increase the system's flexibility to support individual student success and effective family and school partnerships and hold the promise of eliminating existing educational opportunity gaps facing students of color, students with disabilities, and students living in poverty. If we can create a public school system flexible enough to work for those who are the most marginalized, we will ensure a system that will provide opportunity for all students to thrive.

This year, as in previous years, OEO recommends improvements in five critical areas: Ensuring Language Access For All Families; Ensuring Access To Services For Students With Disabilities; Transforming School Discipline; Preventing Harassment, Intimidation And Bullying; and Enhancing Family And School Partnerships.

Case Example

A grandmother caring for her 8 year old grandson called OEO after hearing from his school that he had been isolated and restrained that day, as he had been every day that past week. She had been assured that isolation and restraint would only be used as a last resort to ensure safety and knew his teacher hated to be in a position where he felt he had to restrain him. But the grandmother was afraid the isolation and restraint was bringing up past trauma and causing his behavior to escalate. She had heard a parent could file a complaint if a child was continually isolated or restrained, and she called OEO to get help understanding her options.

The Ombuds worked with the grandmother to schedule a meeting of the student's IEP team and to be sure everyone had copies of recent evaluations, behavior plans, and reports on the uses of isolation and restraint prior to the meeting. The Ombuds also explained options for filing formal complaints with OSPI or the U.S. Department of Education's Office for Civil Rights.

The team agreed to do a new FBA and the district brought in a psychologist with expertise in trauma-sensitive responses. The Ombuds spoke with the teacher and principal to plan a meeting with the student and his grandmother aimed at rebuilding a trusting relationship. The IEP team made some immediate adjustments in their responses to avoid unintentionally escalating his behavior. They began collecting detailed data on what was happening before and during times when his behavior was non-compliant but not a safety concern. Over time, the team saw progress. When the child's behavior became unsafe the school made sufficient staff available so that his teacher would not need to put the child in isolation. The grandmother felt the team was working hard to support her grandson and his relationship with his teacher was mending, and she decided not to file a complaint.

ENSURING LANGUAGE ACCESS FOR ALL FAMILIES

As the state continues to work to enhance effective family and school partnerships, we must continue to pay particular attention to the communication needs of families with Limited English Proficiency (LEP). In 2013-2014, 20.9% of students in Washington state public schools came from families whose home language was not English.[13] As the linguistic diversity grows in our state, the need for accurate and effective communication across language groups grows. State leadership in promoting communication access for families in our schools is of paramount importance. Nowhere is the communication between LEP families and schools more critical than with regard to ensuring access to **services for students with disabilities**, dealing with **school discipline**, and in preventing **Harassment, Intimidation, and Bullying**. In addition, LEP families must be provided with full access to information about both academic and extra-curricular opportunities for their students, and access to interpretation when they have concerns about their students' education.

The need for interpretation services is often unpredictable. Schools and districts can plan ahead for scheduled IEP meetings, discipline hearings or meetings to address HIB issues However, to meet daily communication needs that can arise at any time (including, for example, a parent calling when a student did not get off the bus as scheduled, a principal calling home to report an accident, or teachers asking all kindergarten parents to have their children bring in photos or special items from home for show and tell days) school personnel must have access to trained interpreters at all times. Whether the parents speak Russian, Vietnamese, Somali, Spanish, English, or another language, they need to be informed so that their children, like all others, can enjoy safe and equal access to all school programs.

To meet schools' growing needs for interpretation and translation services, required to ensure equity for all students, the State should:

- Provide **training resources** for school and district personnel to **effectively access telephone interpreters**;
- **Convene a task force** to explore ways of ensuring **access to *quality* interpretation and translation** services in all schools; and
- **Develop language access policies and procedures** to ensure clarity and consistency across the state.

Effective family and school partnerships can be a reality for all families if the state ensures: meaningful access by school personnel to the already available telephonic language lines; development of sufficient numbers of trained and certified interpreters; and the adoption of a language access policy that provides continuity across all 295 school districts in the state of Washington.

Provide Training Resources on How to Effectively Access Telephone Interpreters

OSPI currently has contracts with telephonic language lines that are accessible for use by employees in every school district in the state of Washington.[14] There are still school districts, however, where key staff

[13] See Data Report for English Language Learners, Languages Spoken at Home, and State, accessed at: http://data.k12.wa.us/PublicDWP/web/Washingtonweb/DataTables/ElIDTViewer.aspx.

[14] The Washington State Department of General Administration has a contract for telephone-based interpretation services, which schools and districts may use. See http://www.k12.wa.us/Equity/Interpretation.aspx?printable=true.

are not yet aware of this existing resource, or who are aware of it but are unsure how to use it effectively. As a basic component of effective family engagement, the state should support allocation of in-service training time for school personnel on working effectively with interpreters and utilizing available interpreter services.

Convene a Task Force to Ensure Access to Quality Interpretation and Translation

Last year, OEO recommended that state policy makers convene a task force to develop professional standards for educational interpreters providing foreign language interpretation in schools. The state responded, providing OEO with the opportunity to conduct an initial feasibility study to examine current practices and availability of interpretation and translation services. During 2013-2014, OEO developed the plan for a feasibility study to include both school district surveys as well as a series of focus group meetings with families. OEO is in the process of completing that study and looks forward to providing detailed feedback to all stakeholders and including more specific recommendations in 2014-2015 for improving language access across the state.

The Ombuds was great, easy to talk with. She would have done a great job facilitating with the school officials but she didn't need to as my issue was resolved using advice she gave me. Again, she was great!

--Parent

In fiscal year 2013-2014, OEO continued to hear from families experiencing miscommunication with schools due to the inadequacy (or non-existence) of interpretation provided at critical meetings. For planned meetings, many districts rely on bilingual employees, some of whom are fully proficient in both languages and familiar with skills needed for effective interpretation, and some of whom give their best effort but do not have adequate training for the task. Other districts rely on independently contracted interpreters to provide interpretation for families and need advance notice in order to ensure availability. Some districts still rely on children to interpret for families. These meetings often involve high-stakes decisions and sensitive issues. The practice of using children as interpreters is strongly discouraged as it "may place an undue burden on students, may undermine parental authority, and may not provide parents with reliable information to make informed decisions."[15] In the meetings, administrators are often trying to explain unfamiliar and complex school systems and policies to families. It is essential that everyone involved trusts that the information is interpreted accurately and that the student and family's privacy is protected. Investing up front to ensure ready access to a pool of appropriately trained interpreters and translators can help avoid the financial and relational costs that come from miscommunication.

As a next step, the State should convene a task force to develop professional standards for educational interpreters providing foreign language interpretation. The state should also support pilot projects to test the effectiveness of different models of delivering interpretation and translation services. The pilot projects must take into account the differing needs of districts serving large numbers of LEP families that speak a common language, districts serving large numbers of families that speak a multitude of different languages, and smaller districts with fewer limited English-speaking families. The task force could also be

[15] Prohibiting Discrimination in Washington Schools, Guidelines for School Districts, p17, from OSPI, available at: http://www.k12.wa.us/Equity/pubdocs/ProhibitingDiscriminationInPublicSchools.pdf#Translation.

charged with developing a resource bank accessible to schools and families where they can find translated dictionaries of common education terms, contact information for trained education interpreters and translators, and training materials for school staff on how to work with interpreters.

Develop Language Access Policies and Procedures to Ensure Consistency across the State

Federal and state law mandates that public schools provide equal access to LEP families, and OSPI's Equity and Civil Rights Office provides guidance to districts and schools regarding ways to meet that mandate. But there is still a need for district-level written policies and procedures that can serve as a guide to both staff and families on how to actually access interpretation and translation services in each school and district.

The state can provide needed guidance by publishing a model policy and procedure, and requiring each district to adopt a language access policy and procedure. At a minimum, the policy and procedure should:

- inform families and school staff about when and how interpretation services can be accessed both for planned and unplanned calls or meetings;
- establish minimum training and qualification requirements for individuals serving as education interpreters; and
- describe the plan for disseminating information to limited English proficient families about accessing interpreters.

Taking these steps would improve access for families across the state and provide tools for school staff as they engage with families to support each and every student.

Case Example

In September, a mother called OEO asking for help getting her daughter enrolled at school. The family had limited English proficiency and when they tried to complete enrollment paperwork at the district office, interpretation was not available. They left their contact information and were told someone would call them. After four weeks they had still not heard from anyone at the district.

At their next doctor's visit the family was referred to OEO. The Ombuds worked with the family through the use of a telephone interpreter service and made calls to the district enrollment office. The district found the original paperwork and connected the family with the Principal of their neighborhood elementary school. The Ombuds then worked with the principal, the family and the girl's new teacher to talk about a plan for helping make up for the time she missed and a plan for the teacher and principal to access interpretation and translation services when needed.

A few months later, the mother called OEO again to ask for clarification on a request she had gotten from the school. She believed they were asking her permission to put her child in a special education math class, but she was confused. Her daughter had never struggled with math before. The Ombuds contacted the school and learned that the school was proposing to match her child with another math group so that she could have more time to catch up on the instruction she had missed due to the district's delay in completing enrollment. Upon further exploration, it became clear that the person the school had recently relied on for interpretation did not speak the same dialect as the mother and they agreed to identify a different interpreter.

ENSURING EQUAL ACCESS FOR STUDENTS WITH DISABILITIES

In the world of education, we sometimes talk about students in terms of what federal or state funding categories or statutory protections they might fit within: general education students, special education students, Section 504 students, English Language Learners, McKinney-Vento, Title I or LAP (Learning Assistance Program) students. They are all students first with the right to an amply funded basic education. OSPI's most recent Graduation and Dropout Statistics Report shows, however, that in the five years between 2008-09 and 2012-13 we **lost more than a quarter** of our students with disabilities from our public high schools.[16] Even while schools and districts identify teachers and staff with particular areas of expertise, be it special education or bilingual education, we must remember that everyone in our schools – all teachers, support staff, principals and district administrators - shares responsibility for providing a safe and appropriate learning environment for all students.

To better meet the needs of students with disabilities, we must start by ensuring access to an amply funded, quality basic education program. There are other concrete steps state policy makers can take to improve the ability of our public schools to be responsive to the diverse strengths and needs of all students, including students with disabilities, beginning with the creation and funding of a special education task force.

Convene a Task Force to Improve Outcomes for Students with Disabilities

We recommend that the state convene and adequately fund a task force, or commission charged with taking a comprehensive look at our public education system and identifying ways in which it can consistently deliver appropriate instruction and services to all students, particularly those with identified or unidentified disabilities, from preschool through high school.

Now is the time for a comprehensive look. Over the past several months, pursuant to a proviso in the 2014 supplemental budget, OEO has been listening to education stakeholders and members of the community and gathering their input on a possible special education task force.[17] While some students receive high quality instruction in appropriate settings, districts and families across the state are raising concerns about the ability of the existing system to respond appropriately and flexibly to the unique needs of each individual student. **All participants in the discussion regarding the**

To ensure access and equity for students with disabilities across the state, the State should:

- **Convene a task force** to improve outcomes for students with disabilities;
- **Create a dedicated funding source** to support **timely and comprehensive evaluations** of students with suspected disabilities;
- **Support greater inclusion** of students with disabilities by: investing in **training for all educators**; creating standards for **certification of paraprofessionals**; ensuring **consistent compliance with Section 504**; and supporting **meaningful parent participation**; and
- Define appropriate **limitations on the use of restraint and isolation.**

[16] Graduation and Dropout Statistics Annual Report 2012-13, p.8, available at: http://www.k12.wa.us/legisgov/2014documents/GraduationAndDropoutStatisticsAnnualReport.pdf.
[17] See Section 116(5), ESSB 6002, available at: http://apps.leg.wa.gov/documents/billdocs/2013-14/Pdf/Bills/Session%20Laws/Senate/6552-S2.SL.pdf.

task force agree that improving services for students with disabilities must start first with improving the foundation of basic education. Accordingly, the state's efforts to meet its constitutional obligation to provide all students with a basic education must be informed by a current and accurate picture of how students with disabilities are, or are not, identified and provided appropriate services. Following the conversations with stakeholders, OEO will be submitting a proposed plan for a task force along with a request for funds necessary to implement the plan to the legislature by December 1st, 2014.

Create a Dedicated Funding Source to Support Timely and Comprehensive Evaluations

Last year, OEO recommended that the state establish a dedicated funding source to support school districts in meeting their "Child Find" responsibility of identifying and evaluating children with suspected disabilities. We recommend the same again this year. Evaluations are legally required before any student may receive special education services, and are essential to understand and support the unique needs and strengths of each child with a suspected disability.

Two major federal statutes require school districts to evaluate students with a suspected disability: Section 504 (a civil rights statute that prohibits discrimination) and the Individuals with Disabilities in Education Act (IDEA) (which provides some supplementary funding for the provision of specially designed instruction related to a disability). However, neither statue provides funding clearly and specifically targeted to support the process of evaluations. If a student is found eligible under IDEA, the district presumably takes the cost of evaluation from its federal and state excess cost allotment for special education. Section 504 provides no supplementary funds for the costs of identification, evaluation or the provision of services; those are presumed to be covered by each district's Basic Education Allotment.

To be adequately prepared to "find" each child impacted by a disability and understand the nature and extent of this impact on the child's ability to benefit from education, Districts must have sufficient access to school psychologists, speech/language therapists, audiologists, occupational therapists, physical therapists, school nurses and counselors, and community partners such as physicians, psychologists, and social workers in sufficient numbers

The inherent challenges in this process are significantly compounded when working to identify students who present with "hidden" disabilities and those who may need accommodations and services under Section 504 but do not meet the eligibility criteria for IDEA. This can include students with mental health issues and other less-concretely observable neurological and physical conditions that affect learning and behavior. To identify and support these students, schools' need for a network of community professionals with specialized knowledge and expertise is even more critical. Yet, it is often for these students that resources are most difficult to obtain because there is commonly no identifiable source of supplemental funding or accounting separate from basic education allocations.

This lack of an identifiable source of reimbursement and clear accounting for the process of identifying a student's disability, when combined with the complex process of teasing out the educational implications contributes to delays in identification, and pushes costs for public education onto parents and the social services system.

It is recommended that the state allocate additional funds to support districts in meeting the obligation to identify and evaluate each child with a disability. One way to increase funding to schools for identification

services would be an improved system of supports for school districts to utilize school-based Medicaid services and Early Periodic Screening, Diagnosis and Treatment (EPSDT) program referrals for Medicaid-eligible students. Currently it is estimated that less than 1/3 of eligible Medicaid students have school-based services or seek identification through EPSDT because of complex rules for administering Medicaid and the use of third party billing agents. The state should fund training for district personnel on the rules regarding Medicaid and how to access school-based services so they can administer the programs in-house, better comply with Medicaid rules, and increase services and EPSDT referrals for eligible school age children in Washington. This increase will foster earlier identification, additional revenue for services, and increased access to needed mental health services for students.

Case Example

The parents of a 6-year old boy with Autistic Spectrum Disorder contacted OEO with questions about whether and how they could ask his school to allow him more time in the general kindergarten education classroom with his non-disabled peers. They felt he was making progress with his communication and social skills and believed he could be successful there – if he and his teacher had some supports. The family had talked with the school team about it, but they seemed reluctant to decrease his time in the special education classroom and suggested there would not be a way for them to provide the needed support in the general classroom.

The Ombuds shared information with the family about rules and best practices that encourage inclusion of students with disabilities in all the typical classes and programs a school offers and connected with the school and district to hear their perspectives and understand more about existing resources within the district. The Ombuds joined the IEP team for its next meeting, where they talked about what the day would look like for the student if he were in the general education class and what he would need to be successful there. The IEP team met several more times, gathering additional data and developing a plan to incorporate the identified supports. His teachers were given time to collaborate and additional staff assigned to provide support during recesses and transitions. The student transitioned to spending all but two hours a week in the general education class. After a few weeks, he announced to his parents that he knew all the rules in the class now and another student even asked *him* for help.

Support Greater Inclusion of Students with Disabilities

The various rules and procedures that districts and families follow in developing Individualized Education Plans (IEPs) were created with a simple purpose in mind: to protect the basic civil rights of students with disabilities to have access to an appropriate public education along with their peers.[18] Just 39 years ago, Congress enacted the first federal law guaranteeing students with disabilities the right to a free, appropriate public education, often referred to as "FAPE."[19] Schools and families have made tremendous progress in ensuring that students with disabilities have access to appropriate educational services and are not segregated from, or within, our public school system, but significant work remains and state leadership is essential. The following are steps the State can take to support inclusion of students with disabilities:

- Require and Provide Adequate Training to Prepare *All* Educators to Support Students with Disabilities

Last year, OEO recommended that the state ensure best practices in serving students with disabilities by

[18] The Rehabilitation Act of 1973. Section 504 of the Rehabilitation Act of 1973 prohibits discrimination on the basis of disability by recipients of federal funds.

[19] Education for All Handicapped Children Act (Public Law 94-142) (1975), later amended and renamed the Individuals with Disabilities Education Act (IDEA), see: http://www2.ed.gov/policy/speced/leg/idea/history.html.

providing training and support for *all* educators. This year, as was true last year, more than half of the students with disabilities receiving services under the IDEA spent most of their day in "general education settings." Many more students with disabilities, some with Section 504 plans, spent most or all of their day in general education settings. At the same time, many of the students receiving instruction in a "special education setting," are, at least in theory, working on the same general education curriculum that is taught to their peers in the general education classroom. Still we hear that it is not yet the norm in all districts for 'special education teachers' to have the opportunity to participate in professional development focused on common core and grade-level standards or local curriculum materials. It is not yet the norm for 'general education teachers' to have been through teacher training programs that adequately cover ways to ensure accommodations are implemented consistently and with fidelity, to effectively address behaviors that are manifestations of a child's disability, or to work effectively in teams with special educators and/or para professionals to deliver instruction to students with disabilities within the 'general education setting.' Similarly, in typical principal or superintendent certification programs, there is little time allocated to exploring the differing needs of students with disabilities and becoming familiar with effective ways to support students with disabilities and their teachers, whether through an IEP, a Section 504 plan, or through school-wide support systems that benefit all students.

The state can change this by supporting efforts underway in some districts to ensure *all* teachers are familiar with grade level standards, and able to identify specific skills within the standards to target individualized instruction. The state can support efforts underway in some districts to create opportunities for general and special education teachers to collaborate on delivering specially designed instruction to students in their regular classrooms and reducing the amount of time that students with disabilities are separated from their non-disabled peers. The state can make a difference in the long term by reviewing teacher certification requirements and teacher and administrator preparation programs to ensure that every teacher, principal and Superintendent walks into our state's public schools ready and able to support each and every student, regardless of disability status.

The Ombuds and I worked together on a case for a family struggling with Special Education. It was a very challenging case due to unique personalities involved. The Ombuds went above and beyond to help resolve the issues and her support was invaluable to me as I also assisted this family.

--Community Professional

- Create Standards for Certification of Paraprofessionals

Last year, OEO recommended that the state create standards for certification of paraprofessionals. The state responded, establishing a work group to review the issue.[20] As we noted last year, paraprofessionals continue to be called upon to provide one on one support and instruction for students with disabilities, whose learning needs often are the most complex. **It is critical that the state move forward and continue the work on creating standards for certification of paraprofessionals.**

[20] See SSB 6129 (2014) available at: http://apps.leg.wa.gov/documents/billdocs/2013-14/Pdf/Bills/Session%20Laws/Senate/6129-S.SL.pdf.

- Ensure Consistent Compliance with Section 504

True inclusion for students with disabilities has to mean that all students, regardless of the nature or severity of their disability, have access to the necessary accommodations *and services* they need to access school programs. This year, as in years past, OEO has heard from many families that have been unable to get appropriate supports, implemented consistently, for their child because the child did not qualify for services under the IDEA and had "only" a Section 504 plan.

> *The Ombuds put the student first and understood our concerns and the impact it had on our lives. We appreciate the time and work she does as an ombudsman.*
>
> *--Parent*

Section 504 of the Rehabilitation Act – like the IDEA – requires districts to identify and evaluate students with disabilities, and provide appropriate accommodations, specially designed instruction *and related services* to those students. Yet, in most districts, compliance with the two programs is divided in different departments. Because Section 504 is seen as an unfunded mandate by many, and because regulations governing its implementation are not as extensive as those for the IDEA, many students with disabilities and their families have difficulty obtaining appropriate Section 504 plans and struggle even more to receive proper implementation of the plans. Families are told that students may not access certain supports – including study skills classes, academic coaching or time with a mental health counselor – unless they have an IEP because there is no separately identified funding available. In some cases, the school and family are in agreement regarding what the student *needs* for related services or supports, but are unsuccessful in accessing them.

The state can ensure consistent implementation of Section 504 and our own state anti-discrimination law by establishing regulations to ensure districts plan for the costs associated with meeting their obligations under Section 504, and establish clear procedures around parent participation, regular re-evaluation and review of individualized plans for students who need accommodations and services under Section 504. The state could go far in accomplishing this by funding and training districts to align Section 504 processes with essential components of the IDEA framework.

- Support Meaningful Parent Participation

For any of these proposed changes to work, the state must ensure that districts are ready and able to facilitate meaningful parent participation. Last year, OEO recommended that the state support districts in meeting the parent notice and participation requirements of the IDEA. This year again, OEO recommends that the state take steps to ensure educators have sufficient time to engage with families in the process of collaborative decision-making and to ensure that limited English proficient families have access to quality interpretation services and translated evaluation reports and IEP documents.

Define Appropriate Limitations on the Use of Physical Restraint and Forced Isolation

There are still many children in our state who, unfortunately, are effectively segregated from their peers for all or most of their school day, particularly when they struggle with regulating emotions and behavior.

Some of those children are subjected to the use of physical restraints and forced isolation as part of their individualized education programs.

OEO has worked directly with several schools and families in cases where IEP teams have developed "aversive intervention plans" to outline when and how a child may be subjected to the use of isolation and/or restraint. In the vast majority of situations, everyone involved agrees that isolation and restraint should be used only as a last resort and only when needed to ensure safety and that each use of restraint and isolation should be carefully scrutinized. The challenge arises in making sure teachers and schools have sufficient training, staffing and support to effectively implement preventative interventions and avoid situations where behavior escalates to the point staff feel a threat to their own or others' safety.

Stories shared by families and IEP teams, along with data available from the U.S. Department of Education's Civil Rights Data Collection, tell us that this is a critical issue in our schools. **In 2011-2012, districts in Washington reported using mechanical restraints more than 1,000 times; physical restraint more than 5,000 times and seclusion more than 7,000 times.**[21] Not all of Washington's districts reported numbers of isolation and restraint, so the actual number of times restraints and seclusion were used is likely higher.

Washington state law now requires reporting to parents when a student with an IEP or a Section 504 plan is restrained or isolated, however, there is currently no state requirement that districts report to parents when physical restraint or other "reasonable force" is used against other students, or that staff engage in a debriefing session after each use of force involving students without IEPs or Section 504 plans.

In 2009, U.S. Department of Education Secretary Arne Duncan issued a letter to chief state school officers encouraging a review of policies and guidelines on restraints and seclusions.[22] Several states responded to that call to action, and by state law, regulation and/or policy guidance now restrict the use of restraint and seclusion in public schools to emergency situations where it is needed to protect the safety of students or other persons.[23]

Our state could better ensure the safety and dignity of students and school staff in public schools by prohibiting the use of restraint and seclusion except as is necessary to ensure physical safety of the student or other persons and providing educators with the levels of support and training needed to ensure safety without restraint and seclusion. Experience from the fields of developmental disabilities and mental health demonstrates that reducing reliance on isolation and restraint can lead to fewer injuries for both children and staff, and improved outcomes for youth. With state leadership, we can expect results in efforts to reduce and ultimately eliminate the use of restraints and isolation.

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[21] See Civil Rights Data available at: http://ocrdata.ed.gov/flex/Reports.aspx?type=district#/action%3DaddSearchParams%26ddlSearchState%3DWA%26btnSearchParams%3DSearch%26cblYears_4%3D1.

[22] http://www2.ed.gov/policy/elsec/guid/secletter/090731.html.

[23] See "How Safe is The Schoolhouse? An Analysis of State Seclusion and Restraint Laws and Policies," Jan. 20, 2014, by Jessica Butler, Jessica@jnba.net, accessed at http://www.autcom.org/pdf/HowSafeSchoolhouse.pdf.

TRANSFORMING SCHOOL DISCIPLINE

The area of school discipline continues to be an important part of OEO's casework with students and families, as well as a key focus of our policy work. We are especially concerned about students who, as a result of frequent or serious disciplinary actions, have been removed from school for lengthy periods and experience serious disruption in their education. Repeated disciplinary actions, left unaddressed, are known to contribute to low academic performance, truancy, and dropping out of school.

Day-to day approaches to behavior management that rely heavily on punishment and exclusion, or worse, restraint and seclusion, put stress on educators and undermine the success of students. Current disciplinary practices in Washington have also been shown to disproportionately impact and eventually "push out" students of color, students with disabilities and those living in poverty.[24] Efforts to improve Washington's school discipline system should make reducing and eliminating all these forms of disproportionality a top priority.

In 2012-13 the legislature passed ESSB 5946, making important, positive changes to the school discipline framework. Included in these changes was the creation of a 10-day limit on removing students from class or school on an emergency basis, after which administrators are required to convert that discipline to either a long-term suspension or expulsion. The legislature also set a one-year cap on all expulsions, after which administrators have to petition to exclude a student for longer. OEO supports the goals of this legislation: to prohibit open-ended exclusions with no end-date; to encourage alternatives to exclusion; and to reconsider appropriate disciplinary responses to behaviors that are not "dangerous" or "extremely disruptive" to the school environment. OEO believes schools will need ongoing support from all levels of the system to implement these changes in such a way that fairly balances the rights of individual students to remain in school, even as they are learning more positive, functional behaviors, with the needs of the entire school community to learn in a safe environment, free of undue disruption.

To support current efforts transforming school discipline in Washington, the State should:

- Require Districts to adopt and implement **training, policies, and practices** that **directly reduce disproportionate impacts** from disciplining students of color, students with disabilities, and students living in poverty;
- Promote positive student reengagement and academic success by **providing funds necessary for Districts to offer interim educational services to students excluded for more than 10 days**, and revise rules on distribution of Basic Education Allotment funds to ensure funds are available to support reengagement of students out of school for extended periods of time;
- **Redefine Basic Education** to embrace all areas of learning necessary to student success, including **Social Emotional Learning (SEL)**;
- Support Districts' **implementation of reengagement meetings and plans** to ensure students find new and sustainable success upon return to school; and
- Support **strategic data collection and reporting** to inform discipline reform efforts.

[24] Analysis of preliminary discipline data from 2013, at: http://www.waappleseed.org/#!school-discipline/c6wu.

Require Districts to Adopt and Implement Training, Policies and Practices that Directly Reduce the Disproportionate Impacts of School Discipline

All students have the right to access a basic education and to expect that the public schools in our state will welcome them and support their learning. To meet this expectation, the state and districts must focus energy and resources on identifying and eliminating disproportionate impacts of school discipline on students based on their race, ethnicity, socio-economic status and whether or not they have a disability.

The number of individual students in our school population with very diverse needs increases every year. Whether we are talking about a student's learning style, cognitive capacity, social-emotional readiness, or health status, meeting each child's needs looks different depending on the presence of a disability, cultural and language differences, and a child's history of disadvantage or trauma. When these needs are not met, children are more likely to exhibit non-conforming behavior which can be challenging to address, and disruptive to the learning environment. This can then lead to discipline and school removal. Schools alone cannot resolve all of the myriad issues impacting young people, but our public schools must be open and ready to respond to the educational needs of each and every child.

High and disproportionate rates of discipline serve as a warning signal that our school system is not equally accessible to some students, whether it is because of disability, race, ethnicity, language ability, homelessness or socio-economic status. Data patterns can highlight policies or practices that lead to a discriminatory impact on students and can help in targeting efforts for system reform. It is critical that schools and districts have the resources and training to utilize the data they collect to identify and make changes to practices or policies that contribute to disproportionate impacts.

To meet the shared responsibility of supporting students with complex needs, it is essential that all educators are prepared to teach students with disabilities, to address social-emotional challenges, and to exhibit cultural competence, including responding appropriately to the needs of students and families whose first language is not English. This will require that all educators have training and meet quality standards in the following areas: understanding disabilities and providing instruction that accommodates individual needs; incorporating the teaching of social emotional skills into their

[After hearing OEO present] *If I had not attended your presentation . . . I honestly do not know what would have happened to my son. Because of you, I learned about the support available to families through your office, I contacted your office, and was assigned to an Ombuds.*

The Ombuds helped and coached us through a very difficult year for my son. …The Ombuds gave me precious advice on moving forward in a positive way. … [My son] is at a different school this year and is having a positive experience. …It is amazing to see the difference in [my son]. He actually likes school this year. A lot of that is because of the school and a lot of it is also because the Ombuds educated me on how to advocate effectively and be heard.

--Parent

curriculum; and working effectively with culturally and linguistically diverse populations. Targeted, relevant training in these areas should be identified not just for all general and special education teachers, but all school staff--including aides, office staff, bus drivers, coaches, and law enforcement--that interact with students and their families.

There is growing national consensus that effective discipline reform includes moving away from district-level "zero tolerance" policies.[25] These policies result in more referrals to law enforcement, are applied disproportionately, and contribute to the "School to Prison Pipeline" effect. Zero Tolerance is broadly harmful to students, with evidence showing that the higher suspension and expulsion rates associated with zero tolerance policies lead to increased chronic behavior problems and student disengagement, and do not make schools safer.[26]

Allocate Funds Necessary for Districts to Provide Interim Educational Services to Students Excluded for More than 10 days

Although substantial reform efforts are underway, thousands of students in Washington continue to face extended exclusions from school with no way to keep up with homework or access alternative educational services. We know that interruptions in a student's education of even a week or two can have significant detrimental impact,[27] and many of these students face months of exclusion. As part of responding to the passage of ESSB 5946, OSPI will be developing a clearinghouse of Best Practices for districts who want to offer educational services to students while they are long-term suspended or expelled.[28] The State can improve outcomes and graduation rates by establishing minimum standards for a continuum of interim education options, and funding those services so that students can have access regardless of inconsistencies in district-to-district funding. Successful re-engagement with school following a suspension or expulsion depends in large part on the student's ability to re-engage with the academics. For shorter periods of exclusion, opportunities to keep up with homework can make the difference. For longer periods, districts should have the resources to provide meaningful alternatives, including online and other credit retrieval programs.

Redefine Basic Education to Encompass Social and Emotional Learning (SEL)

"Social and Emotional Learning" refers to the development of skills that are critical to success in school and life, including: self-awareness, self-management, resilience, social agility and responsible decision-making.[29] We know that large numbers of students are currently failing and dropping out because deficits

[25] "The School Discipline Consensus Report: Strategies from The Field to Keep Students Engaged in School and Out of the Juvenile Justice System," The Council of State Governments Justice Center, June 2014, p. 75.
[26] See, for example, "The Bottom Line about Suspension and Expulsion," available at: http://www.michigan.gov/documents/mde/Fact_Sheet_for_S3_Schools_3-5-13_422420_7.pdf.
[27] See "The Importance of Being in School: A Report on Absenteeism in the Nation's Public Schools," May 2012, The Johns Hopkins University, available at: http://new.every1graduates.org/wp-content/uploads/2012/05/FINALChronicAbsenteeismReport_May16.pdf.
[28] For more information, see: http://www.k12.wa.us/AchievementGap/meetings/Sept2014/BestPracticesSuspendedExpelledStudents.pdf.
[29] See the U.S. Department of Education's Guiding Principles Resource Guide for Improving School Climate and Discipline, available at: http://www2.ed.gov/policy/gen/guid/school-discipline/guiding-principles.pdf.

in these areas represent a barrier to learning. Neither schools nor families can meet this challenge alone. Children must master social and behavioral skills that are unique to the school environment, receive consistent reinforcement both at school and at home, and apply gains in learning across both environments. As with academics, teaching and learning social emotional competence must be a responsibility shared by students, families and schools.

In January, 2014, the U.S. Department of Education and the U.S. Department of Justice issued a joint *Dear Colleague Letter* that provided significant guidance to states and localities regarding the steps needed to improve school climate for all students and reform discipline practices to ensure they do not discriminate against students based on race or ethnicity, either intentionally or by causing unreasonable disparate impacts.[30] The Department of Education followed up with a "Guiding Principles" Resource Guide[31] that outlined what steps to improvement can look like in practice. The first of the three Guiding Principles focuses on school climate and prevention. It explains the need for deliberate efforts to create positive school climates and identifies strategies, like Multi-Tiered Systems of Support (MTSS) frameworks for teaching social emotional skills that support students needing average, as well as those requiring more intensive, levels of social emotional skills instruction. The Guiding Principles highlight social and emotional learning as necessary complements to academic learning.

To meet the mandate of creating schools that welcome and support all students, Washington should incorporate instruction in Social Emotional Learning (SEL) within the definition of Basic Education. The state should support implementation of MTSS frameworks and allow schools to tailor their choice of curriculum and programs to their community's needs while maintaining a consistent and guaranteed level of instruction across the state. The state can support districts by developing specific guidelines and resources for providing services to students with social, emotional and behavioral disabilities to ensure that these students are included in general education and receive an appropriate education alongside their peers without disabilities.

You have blessed us tremendously. What you shared and how you shared … was so helpful. You are caring and kind. The tools you gave were practical and presented so parents could understand them. I appreciate you taking your time and energy to be with us. It is encouraging to see firsthand who Washington has to support families with the education process.

--Community Professional

Schools and districts must be supported to evaluate, monitor, and assess their school climate as it relates to students' social-emotional and physical safety, engagement, harassment, conflict, and discipline. Districts should likewise be guided and supported in their new and ongoing efforts to improve school climate and implement school-wide Positive Behavioral Intervention and Support (PBIS) models. This would include allocating funds to ensure comprehensive training for school staff in understanding and delivering such models. The State could establish a "Structured Menu" approach that would allow schools to choose how they implement required positive behavior supports. This would make a diverse array of evidence-based approaches available, ranging from

[30] See: http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201401-title-vi.pdf.
[31] See: http://www2.ed.gov/policy/gen/guid/school-discipline/guiding-principles.pdf.

prevention to response, and give schools flexibility to customize their options according to the needs of their elementary, middle, and high school programs.

The State should also consider allocating supplemental funds for districts to access the training, technical assistance, and resources that OSPI will be making available to local districts in the areas of 1) reducing disruptive behaviors in classrooms, 2) developing meaningful approaches to school discipline, and 3) implementing alternatives to exclusionary discipline.[32]

Support Districts to Implement Effective Reengagement Meetings and Plans

One of the most positive and inspiring changes to law contained in ESSB 5946 was the requirement that schools hold reengagement meetings with parents and students subject to removals over 10 days. In these meetings, the schools will consider shortening the length of time the student is excluded from school and create a plan that includes supportive interventions to help the student reengage and stay on track to graduate. Reengagement plans will be tailored to the individual circumstances of the student, will address the incident that led to the removal, and will help the student to remedy the situation that led to being removed from school. Districts are urged to always include school-level personnel, as standard procedure, in the newly required Reengagement Meetings. State regulations also make clear that all families should get adequate notice of these Reengagement Meetings, including families with limited English proficiency.

As with any change in practice, schools will need support as they incorporate these new requirements into their already busy, standard operating procedures. The State can provide support in the form of guidance materials, sample or model forms (including translations of commonly used forms), and development of training modules that educators can access through regional ESDs and k-20 education networks.

Case Example

In November of his junior year, a young man was expelled from school after an incident involving use of marijuana at a football game. The student also had to go to court and would be facing consequences through the court system.

His parents were very frustrated and sought help from a counselor to understand better what was going on with their son. They were concerned that missing a lot of school would not only put him off track for graduation but also would interrupt positive relationships he had recently been building with teachers and students at school.

The family asked the school to consider allowing him to turn in missed assignments and return to school the next week. The school responded that it could not change the suspension of 45 school days and could not compel his teachers to provide him with homework. The parents called OEO for help. The Ombuds facilitated a meeting with school and district administrators to explore options for the young man to return school as soon as possible. After a conversation about the school's concerns and steps the young man was taking to make better decisions, the school and district agreed to have him return to class and let him make up missed tests and homework. He had fallen too far behind in math, but the district had recently established an online credit retrieval option he could take advantage of the following spring or summer.

[32] See fn.27.

Require Strategic Data Collection and Reporting to Inform Discipline Reform Efforts

The new discipline law established a Student Discipline Task Force, which includes OEO and many other stakeholders from schools, districts, and the community.[33] That Task Force has been working since September 2013 to develop the following:

- A uniform definition of "disproportionality" for application to state-collected data.
- Standard definitions for categories of misconduct that, at the discretion of local district policy, can result in suspension or expulsion;
- Data collection standards for disciplinary actions that are discretionary and for disciplinary actions that result in the exclusion of a student from school; and
- Data collection standards to capture information about the following: whether and how educational services are provided to a student during exclusion from school; local credit retrieval options; the status of petitions for readmission, grievances and appeals; the implementation of student reengagement meetings; and the development of student reengagement plans.

The Task Force will conclude its work and issue its final recommendations by December 2014. However, most changes to the state's longitudinal student data collection manual (known as the CEDARS Manual), will not go into effect until 2015-16. Although many districts have already begun to collect some degree of detailed data, OEO recommends that all districts begin immediately collecting and reporting individual and school-level data on how many days students are removed from the classroom or school for any reason, and for all categories of misconduct that result in such removal. Such data, when collected and made accessible, can help inform school and community discussions regarding possible local discipline policy changes.

Developing a statewide framework to regularly examine whether districts' disciplinary practices are disproportionately impacting students based on race, ethnicity, disability, socio-economic status, gender, gender orientation or sexual orientation will be needed to build on recent reform efforts aimed at a discipline system that is fair and non-discriminatory. Schools and districts found to have ongoing challenges with disproportionate discipline should be supported to receive targeted training to reduce any disproportionate impact. In addition, as many districts are making increased use of law enforcement officers on campus, individual and school-level data on the frequency and nature of the involvement of or referrals to law enforcement needs to be collected and reported. Lastly, Washington would benefit from the creation of an integrated system for measuring school climate and positive discipline that links data from the Washington State Healthy Youth Survey and district discipline data with staff and parent surveys to better inform strategies and research-based interventions for students.

[33] For information, see: http://www.k12.wa.us/safetycenter/discipline/default.aspx.

PREVENTING HARASSMENT, INTIMIDATION AND BULLYING

This year the Washington legislature attempted to expand on the progress made since passage of the anti-harassment, intimidation and bullying (HIB) law in 2010 with proposed bill SSB 6439. This year's bill would have required that the primary contact person responsible for ensuring compliance with HIB policies in each school attend at least one training class. We recommended last year that the State "provide funding to fully train school staff in preventing, identifying, and responding to HIB." A year later, we continue to see the need for the State to fully fund the training and personnel that are required at the district and school-building levels to ensure that schools can appropriately prevent and respond to HIB incidents.

In the past fiscal year, OEO still received calls from families who had not heard of their district's Compliance Officer, had not been provided notice of the district's HIB processes and could not even find information about harassment or bullying on their district's website. Because of this, we echo our recommendation from last year that the State issue specific guidance on the notice requirements of the HIB law. This should include ensuring families receive information in a language they can understand at least annually as well as when an incident is reported.

We also see in our cases and in a growing body of research that paying specific attention to school climate and social emotional learning is critically important in creating and maintaining safe and stable learning environments for young people. [34] OEO believes the State should provide leadership and support to districts and schools addressing school climate and social emotional learning through supporting programs such as PBIS and other multi-tiered systems of support ("MTSS"), as well as by making Social Emotional Learning (SEL) part of the State's definition of Basic Education.[35] These programs build skills among students and staff and support acceptance, compassion and peaceful resolution of conflict.

To reduce the occurrence of harassment, intimidation and bullying, the State should:

- Require and support **training for HIB coordinators and school personnel**;
- Increase and continue funding for **school wide systems to address school climate**;
- **Add Social Emotional Learning (SEL)** to the definition of **Basic Education**; and
- **Reduce reliance on zero tolerance discipline** that excludes students rather than focus on conflict resolution and opportunities for social-emotional development.

Lastly, based on OSPI's data from the 2012 – 2013 school year, over 6,000 students were excluded from school due to HIB-related discipline. We believe the state should provide schools the support and guidance they need to ensure that incidents of HIB can be dealt with appropriately without excluding students from school. Schools should have non-exclusionary tools available to them (safety plans, counseling services, positive behavioral interventions, in-school suspensions, etc.) so that students can stay in school and learn how to engage appropriately with their peers. Along these lines, OEO recommends that the state support training and resources for all school staff, including general and

[34] http://www.stopbullying.gov/prevention/at-school/build-safe-environment/index.html.
[35] http://www.casel.org/bullying/.

special education teachers and building administrators, so that they can effectively support students with disabilities who face harassment because of their disability and/or who may engage in behavior that is viewed as harassment or bullying. School teams need the resources and ability to ensure all students have access to a safe and welcoming environment, and *at the same time*, address inappropriate behaviors by students with disabilities in a manner that is consistent with the student's IEP and the district's obligation to provide that student a Free and Appropriate Public Education (FAPE).

The Ombuds' calm manner, informative advice and help was invaluable! The Ombuds worked quickly to help resolve the issues.

--Parent

OEO continues to co-convene the State's Anti-Harassment, Intimidation, and Bullying workgroup, which is expected to produce its final report in December of 2015. OEO's hope is that the group continues to fulfill its legislative mandate and serve as a critical resource in conversations in the legislature regarding what schools and districts need in order to address HIB, support positive school climate, and bring social emotional learning into classrooms.

SUPPORTING EFFECTIVE FAMILY & SCHOOL PARTNERSHIPS

Improved outcomes for individual students, sustained school improvement, and school cultures that support all students depend upon effective partnerships between schools and families.[36] Washington State has made progress by allocating funds in the prototypical school model for parent involvement coordinators in elementary schools and guidance counselors in high schools. As a next step, the state should move to full funding for at least one designated staff person for each prototypical school who can serve as a lead and coordinator for family engagement.

Having a designated staff person charged with leading family engagement efforts is a powerful first start, but no one staff person alone can successfully build and maintain the active partnerships with families that are needed to support student success. Families communicate regularly with school support staff, teachers and building administrators about their child's learning. Most of the interactions between families and schools are positive: celebrating successes of students, planning engaging activities for school communities, or

To build capacity for effective family and school partnerships, the State should:

- **Allocate full funding** for at least **one family engagement coordinator in each school**;
- Incorporate **principles of effective family engagement** in **teacher and administrator preparation programs**;
- **Support the cultural competence of all staff**; and
- **Support replication of successful programs** to build sustainable school/family partnerships.

[36] Why Community Engagement Matters in School Turnaround, by Sara McAlister, accessed at: http://vue.annenberginstitute.org/issues/36/why-community-engagement.

working collaboratively to identify and address barriers to student learning. Families want the best for their children, teachers want each of their students to learn and thrive. But families and schools inevitably encounter situations where there is disagreement regarding how to make that happen. State policy makers can set the stage for student success by ensuring that teachers and school administrators have the training and skills necessary to engage conflict constructively and turn challenging conversations into opportunities for improvement and understanding. Another next step for the state will be to review standards and requirements for teacher and school administrator preparation programs to be sure they incorporate appropriate learning in family engagement, including cross-cultural communication and conflict resolution.

The State can also provide leadership around family engagement by highlighting and supporting successful programs that build capacity of both educators and parents to partner together effectively. [37] State level support is especially critical in the wake of Washington State's loss of the No Child Left Behind (NCLB) waiver as districts that have not met the law's requirements for Annual Yearly Progress (AYP) are required to invite parents into discussions about how to improve outcomes for all students in schools. Many districts have structures already in place while others will need to build capacity to effectively meet that obligation, including the ability to access interpreters and translators and to identify creative ways to reach out to all families.

"… Initiatives that take on a partnership orientation—in which student achievement and school improvement are seen as a shared responsibility, relationships of trust and respect are established between home and school, and families and school staff see each other as equal partners—create the conditions for family engagement to flourish."

"The relationship between home and school serves as the foundation for shared learning and responsibility and also acts as an incentive and motivating agent for the continued participation of families and staff. Participants in initiatives are more willing to learn from others whom they trust and respect. "

--Partners in Education: A Dual Capacity Building Framework for Family-School Partnerships, by SEDL and U.S. Department of Education

[37] See, for example, the U.S. Department of Education's recently released Dual Capacity-Building Framework for Family–School Partnerships, available at: http://www2.ed.gov/documents/family-community/partners-education.pdf.

THE OFFICE OF THE EDUCATION OMBUDS STRATEGIC PLAN 2014-2017

Revised July, 2014

Mission

OEO promotes equity in education by
working with families and schools
to remove barriers so that every student
can fully participate in and benefit from
public education in the State of Washington.

Vision

OEO envisions an equitable public education system
that is responsive and accountable to every child
in the State of Washington.

Guiding Principles

OEO operates according to the following guiding principles:

- Adhere to high standards of ethical behavior
- Advocate for fair and impartial processes to resolve issues that affect students
- Ensure all students have the opportunity to access and benefit from Washington's public education system
- Ensure families get access to information in their primary language
- Encourage collaborative partnerships among families, communities, schools, and educators focused on enhancing family engagement and fostering student success
- Promote the family as a child's first teacher and essential to student success
- Ensure policies, processes, and decisions are culturally appropriate and informed by our diverse constituencies
- Engage and foster respectful communication through conflict mediation
- Approach conflict as an opportunity to increase understanding and identify best outcomes for children or an individual child
- Intervene at the lowest possible level to resolve disputes
- Empower consumers with tools and information to act on their own behalf and reduce potential issues that can lead to crisis
- Focus on student outcomes that foster academic success, graduation, and post-secondary opportunities

Role of Ombuds

- Listen to concerns and perspectives
- Advocate for consumer access to fair processes
- Ensure focus is on positive student outcomes
- Resolve complaints through alternative dispute resolution techniques
- Collect data, identify trends, and report recommendations to policy makers and elected officials to improve educational access and outcomes for students
- Answer questions about the public education system

Values

- Fairness
- Independence
- Confidentiality
- Impartiality
- Compassion
- Integrity

OEO Services

- Facilitate resolution of individual complaints regarding issues or concerns that impact any student in Washington's public school system.
- Provide public information, consultation, and referrals regarding the Washington State public education system.
- Train families, educators, and community-based professionals about the public education system, conflict resolution, and effective parent engagement.
- Produce publications and tools for parents translated in a variety of languages.
- Collect and report data annually regarding annual statewide complaint patterns and trends related to concerns and issues brought to OEO.
- Make data informed recommendations and strategies for the improvement of policies, procedures, and requirements within the public education system that will improve the success rates of racial and ethnic minorities, students with disabilities, and students within the Opportunity Gap.
- Collaborate with families and educational stakeholders to address systemic issues including bullying and harassment, school discipline, and the educational Opportunity Gap.
- Outreach to underserved communities across the state to assist in accessing and navigating Washington's public education system.

OEO Policies

- Complaint resolution may be requested by any member of the public.
- Complaints must be related to Washington's public education system and students who are currently enrolled or eligible to be enrolled in or receive services from Washington's public school system.
- Ombuds will intervene directly only with written permission of parents/legal guardians and/or students who are currently enrolled or eligible to be enrolled in elementary or secondary public schools in the State of Washington.
- Complaints are taken in any language over the phone, online, by fax, mail or in person.

- Ombuds work primarily by phone, phone conferencing or video conferencing and attend meetings, as resources allow, to achieve the most positive result possible during alternative dispute resolution processes.
- OEO does not replace existing public school complaint systems, or local, state, and federal grievance or appeal procedures, and does not provide legal advice or representation.
- OEO maintains confidentiality around all records, materials, and information gathered in the course of providing services, unless disclosure is otherwise required by law. To protect consumer privacy, OEO does not disclose any personally identifiable information in its data and reporting.
- OEO does not intervene with elected officials, private schools, universities, colleges, businesses, or preschools.
- OEO does not conduct formal investigations or make findings on any issue, including complaints regarding allegations of professional misconduct.
- OEO does not serve as an enforcement agency, and does not have authority to direct schools and districts to take particular actions.
- OEO utilizes alternative dispute resolution techniques.

In order to maximize the impact of its limited resources in reducing the Opportunity Gap, OEO prioritizes direct intervention and outreach to:

Students who experience the following:

- Exclusion from or extended periods out of school
- Chronic disciplinary actions
- Truancy or drop out
- Current or recent institutionalization, including juvenile rehabilitation, in-patient admission, or placement in CLIP facility
- Living in kinship care, including with a grandparent or extended family member
- Homelessness, placement in foster care, in state care or at risk of out-of-home placement
- Academic failure or high risk of not graduating
- Restraint, isolation or aversive interventions at school
- Mental health issues, including suicidal ideations or expressions
- Bullying, intimidation, harassment

- A student whose parent or care-giver is:
    1. Limited English speaking
    2. Migrant, immigrant, or refugee
    3. Incarcerated or detained
    4. Experiencing mental health issues

- When the process is unfair or has not been followed correctly

- When the relationship between the adults directly affecting the student's outcome is destructive, hostile, or combative and/or reflects an imbalance of power

A Vision for the Future

"Every child deserves a world-class education that prepares him or her for a healthy, productive life."

- Goal 1, World Class Education, Results Washington

Goal 1: Provide effective information, consultation and intervention services to Washington's public school families, students, and educators at the highest level of customer care.

Objective 1:
Improve strategic support and intervention to underserved and vulnerable populations of students and their families.

- *Strategy*: Increase clinics and targeted presentations to foster youth, homeless youth, kinship care organizations, Native American communities and tribes, and immigrant and migrant families.
- *Strategy*: Improve internal processes to ensure efficient management of limited resources.
- *Strategy*: Refine data points for collection of information on student, parent, and school demographics for underserved populations who seek OEO's services.
- *Strategy*: Develop Frequently Asked Questions (FAQs) and toolkits for parents to support self-advocacy.

Objective 2:
Build relationships with educators and community professionals including those working with underserved and vulnerable populations.

- *Strategy*: Expand outreach to rural schools and schools with highly diverse community populations, professionals serving youth in juvenile justice and child welfare systems.
- *Strategy*: Exchange information with educators and community professionals regarding opportunities and best practices for supporting underserved and vulnerable student populations and their families.

Goal 2: Engage schools, families, and policy makers in addressing systemic issues that contribute to the Opportunity Gap and interfere with the success of students in Washington public schools.

Objective 1:
Publicly communicate trends in complaints brought to OEO for resolution that reflect barriers to educational access and high school graduation.

- *Strategy*: Report annually to the Governor, Legislature, and Superintendent of Public Instruction.
- *Strategy*: Continue to refine OEO data collection system.
- *Strategy*: Improve website as an information hub for the general public.

Objective 2:
Develop recommendations that impact systemic change.

- *Strategy*: Collaborate with stakeholder groups on the issue of restraint and isolation to reduce the reliance on and use of these practices in school settings.
- *Strategy*: Collaborate with stakeholder groups on the incorporation of social emotional learning in basic education.
- *Strategy*: Collaborate with stakeholder groups on the issue of access to mental health services in school settings.
- *Strategy*: Participate in stakeholder meetings and established task forces regarding the Opportunity Gap (EOGOAC), Harassment, Intimidation and Bullying (HIB), Quality Education Committee (QEC), Special Education, Language Access and Discipline.
- *Strategy*: Report to the Legislature on the development of a Special Education Task Force.

Goal 3: Improve the capacity of families and schools to partner for student success in Washington's public schools.

Objective 1:
Assist and support school communities to increase language access to families who have limited English proficiency.

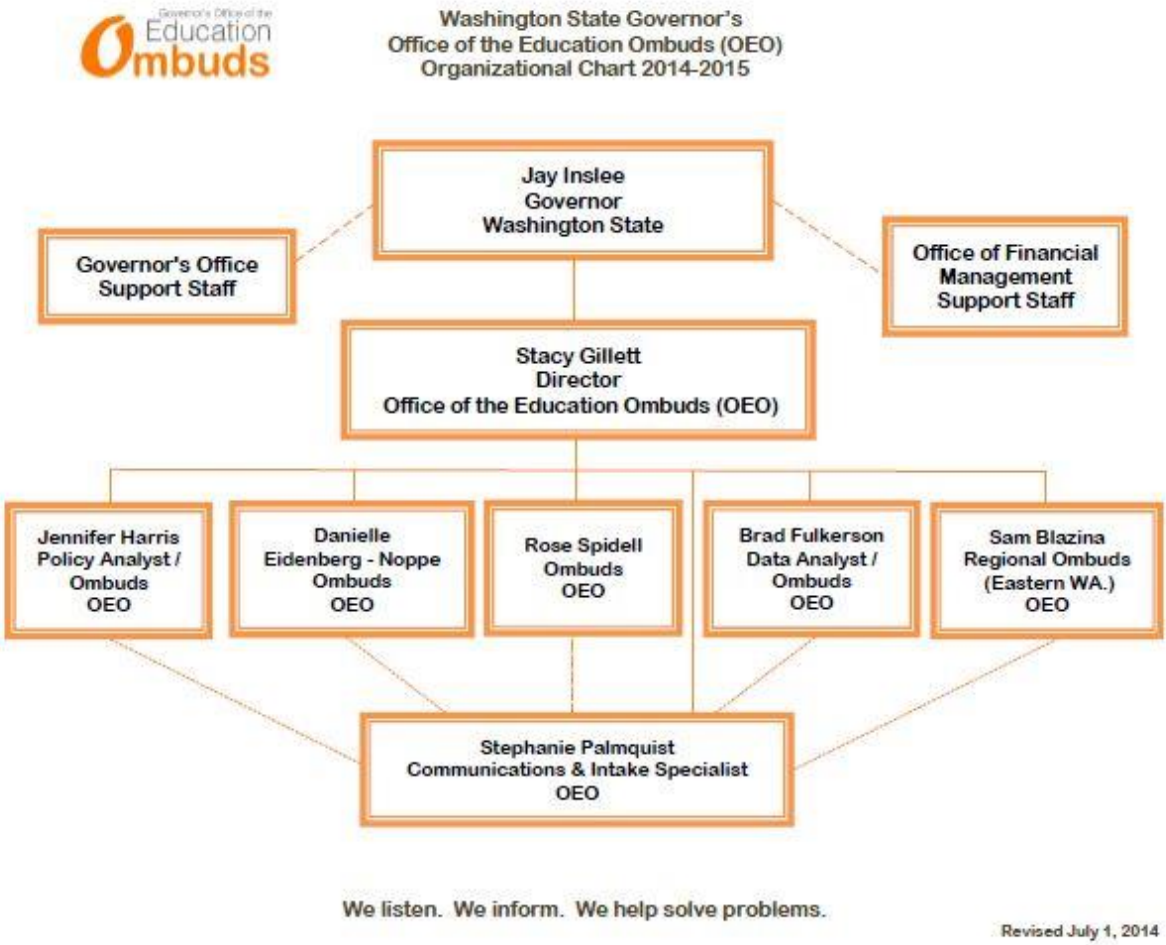
- *Strategy*: Update and provide translated materials to families regarding student rights and responsibilities.
- *Strategy*: Publicize phone and other interpretation services available to schools and families using the OEO website and outreach to schools and families.
- *Strategy*: Conduct feasibility study on the availability of trained interpreters in public schools and report to the Legislature.
- *Strategy*: Collaborate with WSCLA and WSSDA to develop state-wide model language access policy.

Objective 2:
Assist and support school communities to engage families using culturally relevant and sensitive strategies.

- *Strategy*: Consult with schools, districts, ESDs, and OSPI to develop Frequently Asked Questions (FAQs) and toolkits.
- *Strategy*: Partner with state ethnic commissions, state and regional PTAs, district family liaisons.
- *Strategy*: Collaborate with districts, ESDs, and others to support professional development opportunities for educators.

Objective 3:
Build capacity of families to work effectively with educators to support student achievement.

- *Strategy*: Provide workshops to families and educators to build capacity to support student achievement.
- *Strategy*: Partner with community groups to provide trainings regarding student rights and conflict resolution.


Governor's Office of the Education Ombuds
Washington State Governor's
Office of the Education Ombuds (OEO)
Organizational Chart 2014-2015
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OEO
We listen. We inform. We help solve problems.
Revised July 1, 2014

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Washington State Governor's Office of the Education Ombuds

We listen. We inform. We help solve problems.