

2017-19 Biennium Budget Decision Package

Agency: **Governor's Office**

Decision Package Code/Title: **Office of the Education Ombudsman**

Budget Period: **17-19**

Budget Level: Policy Level

Agency Recommendation Summary Text: The Washington State Governor's Office of the Education Ombudsman (OEO) assists schools and families in resolving conflicts and removing barriers to student achievement in the state's K-12 public education system. Given expanding demand for its services, OEO requires two additional entry-level Ombudsman (Associate Ombudsman) over the coming biennium to keep pace with consumer demand. Currently, each Ombudsman and Associate Ombudsman is able to provide direct support and conflict resolution to up to 200 stakeholders (families, educators, students, and community advocates) each year, meaning that OEO as a whole can effectively serve up to 1000 consumers through direct support each year. However, as the awareness of OEO's services has increased, so too has the volume of calls to the office seeking these direct support services. The increasing demand for direct services leaves OEO with very limited resources (primarily staff time) to meet the other two prongs of its statutory charge: data-driven policy recommendations and proactive outreach and training. OEO has instituted measures to streamline the management of its direct support work, but demand for this kind of support has shown steady increase, with 1038 families in the 2013-2014 school year, 1367 in 2014-2015, and 1140 in 2015-2016 (with the decrease due to implementation of a waitlist). Projected caseload for the coming school year will be over 1000 cases again, with reasonable expectations that it could meet or exceed the 1367 mark of 2014-2015 school year in the coming biennium.

Fiscal Summary: Decision package total dollar and FTE cost/savings by year, by fund, for 4 years. Additional fiscal details are required below.

Operating Expenditures	FY 2018	FY 2019	FY 2020	FY 2021
001-1	\$85,000	\$165,000	\$160,000	\$160,000
Total Cost	\$85,000	\$165,000	\$165,000	\$165,000
Staffing	FY 2018	FY 2019	FY 2020	FY 2021
FTEs	1.0	2.0	2.0	2.0
Revenue	FY 2018	FY 2019	FY 2020	FY 2021
Object of Expenditure	FY 2018	FY 2019	FY 2020	FY 2021
Obj. A	\$54,000	\$108,000	\$108,000	\$108,000
Obj. B	\$21,000	\$42,000	\$42,000	\$42,000

Obj. E	\$2,500	\$5,000	\$5,000	\$5,000
Obj. G	\$2,500	\$5,000	\$5,000	\$5,000
Obj. J	\$5,000	\$5,000	0	0

Package Description

The Governor’s Office of the Education Ombudsman was founded by the legislature in 2006 to serve as a resource to eliminate barriers to student achievement and tackle the opportunity gap. It was the first state education ombudsman office of its kind in the nation and has served as a model for other agencies nationally and locally since its inception. It is also intended to be the lead state agency on harassment, intimidation, and bullying (HIB). The mission of the OEO is three-fold: direct service to families and educators through casework and informal conflict resolution; data-driven outreach to families, communities, and educators to support and strengthen school-family partnerships and build understanding and capacity to engage on important education concerns in the state; and policy recommendations based on the OEO’s direct interaction with families and educators and as a member of state education committees such as Results WA, EOGOAC, ESSA, and the Social Emotional Learning Benchmarks Workgroup. OEO performs its three functions by:

- Listening to concerns and offering an impartial, independent perspective
- Advocating for consumer access to fair processes
- Ensuring that in resolving conflicts between schools and families, all stakeholders focus on equitable processes
- Resolving complaints through alternative dispute resolution techniques
- Collecting data, identifying trends, and reporting recommendations to policy-makers and elected officials to improve educational access and outcomes for every student
- Answering questions about the public education system
- Providing trainings to families, educators, and community groups on education issues and creating new publications and resources to help stakeholders navigate the state’s public K-12 system

All of the OEO’s services are offered free of charge and are intended to resolve conflicts informally and increase the quality of the relationship between families and schools, rather than allow deterioration of communication and collaboration to the point where formal processes and litigation result. OEO’s budget was greater at its inception than now, even though call volume and requests for services have only grown exponentially. At the height of its budget in the 2007-2009 biennium, OEO had approximately \$900,000 each year and 9 full-time employees.

- The caseload in 2006-2007 for the entire office was 73 cases.
- In 2007-2008, the caseload for the office rose to 317 cases. Job duties and descriptions differed somewhat during this time from OEO’s existing structure, but if all 9 FTEs had a caseload, then each FTE served 35 consumers. If just 6 carried cases, then each FTE served approximately 53 consumers annually.
- In 2008-2009, the staff carried 473 cases, which divided by 9 FTEs was 52 cases/year. If only 6 of the staff assisted with cases, their caseload was approximately 79 cases/year.

Last fiscal year, 4.9 FTE Ombudsman provided direct service in 1140 cases¹ and made almost 90 presentations as a team. Due to demand and complexity of cases, wait-times this year sometimes exceeded three weeks. The year before, the team had attempted to staff 1367 cases, but realized quickly that case management needed to be streamlined.

Current Efforts to Streamline Processes

After OEO exceeded 1000 cases three years ago for the first time, and hit over 1300 cases in 2014-2015, Ombudsman began to experience great challenges in ensuring prompt, quality-oriented services, especially in balancing the demands of complex casework and the OEO's other duties of training/education and policy work. Since July 2015, OEO has implemented internal policies to streamline the provision of direct services, but these efforts have not matched the increasing complexity of the issues presented and the volume that reaches the office, particularly as outreach efforts have become more effective over time. In the 2015-2016 school year, the main strategy that OEO deployed for managing the burgeoning case volume expediently was implementing a triage approach based on issues identified within the strategic plan. Concerns fitting the strategic plan received more time from Ombudsman for direct support; these concerns affected vulnerable student and family populations or involved high stakes issues (e.g., graduation, bullying, discrimination, and truancy). Ombudsman attempted to spend less time on cases falling outside the strategic plan by not attending meetings, reducing district or school contact, and providing support more in the form of consultation, research, and brief coaching rather than intervention. The Director, in hiring for two open positions in spring 2016, converted those positions to entry-level Associate Ombudsman roles to reinforce the streamlined case pathway set out in the strategic plan.

Estimates of Time Dedicated to Addressing Education Concerns

Both Ombudsman and Associate Ombudsman can spend a significant amount of time assisting families, students, and schools with conflicts that arise. Rarely are issues resolved with one call or inquiry to the office. For example:

- Last fiscal year, the range for how long cases within the strategic plan were open was: **1 day - 271 days, with the average being 63 days.**
- Last fiscal year, cases marked as falling outside of the strategic plan were open from: **1 day - 200 days, with the average being 32 days.**

Ombudsman do not enter into the case database the exact time they spend on particular cases. However, a reasonable approximation of the time spent on direct casework can be made based on Ombudsman's activity logs for the kinds of tasks they performed. Based on an average of activities that ombudsman have to perform in each case, OEO's Director estimates that 5 ombudsman and about 25% of the Intake Specialist's time resulted in 11,105 total work hours devoted **exclusively to direct casework last fiscal year.** Removing the Intake Specialist's contribution, OEO estimates that the 5 ombudsman (2.9 FTE ombudsman, 2 FTE Associate ombudsman) spent 8329 hours on

¹ Last fiscal year brought a slight decrease in demand for services because the OEO had a significant waitlist of 3 or more weeks. Some of the callers on the waitlist had issues that had become moot by the time they were able to speak with an ombudsman (i.e. pending meetings, disciplinary actions, etc.), so total cases handled by ombudsmen were reduced.

direct service/casework last year, leaving only about 100 of their work hours annually for other functions of the office, such as policy and outreach and office administration responsibilities (e.g., staff meetings, professional development, mentoring, onboarding).

OEO's policy involvement statewide takes a minimum of 10 to 14 full workdays (80 to 112 hours) each *month*, far exceeding the 100 hours annually left open for each ombudsman after direct case work, leaving little time to attend to this function and address the other proactive roles of OEO as an important source of information to prevent conflicts between schools and families from arising. Additionally, OEO is often given special projects by the legislature, such as last session's HB 1408 directing the development of a definition and model of family engagement statewide, which do not come with any additional resources to complete. Much of this work has been offset by the Director, but ombudsmen add critical perspectives to policy work with the insights and understanding they gain from talking with hundreds of families and educators in the course of their direct outreach.

In January 2016, to respond to concerns that volume was compromising quality of services and reputation, OEO's Director instituted a limit of 200 cases/year for each FTE ombudsman. That number has proven to be successful in reducing consumer complaints and ensuring quality of services, but it is still challenging for ombudsmen and leaves little time for the other two priorities of the office (data-driven outreach and policymaking), as established by the legislature. Two hundred cases each year per FTE is the maximum of what each ombudsman can handle successfully. These two other functions of the office had gone to the wayside as case volume escalated in 2013, yet they are vital functions of the Office in preventing disputes from occurring and ensuring equitable policies and procedures for every K-12 student in Washington.

OEO anticipates that its case demand will be more than 1200 cases this year and will continue to grow each year,² as it has for the past 7 years.

Base Budget: If the proposal is an expansion or alteration of a current program or service, provide information on the resources now devoted to the program or service. Please include annual expenditures and FTEs by fund and activity (or provide working models or backup materials containing this information).

Currently, OEO has 4.9 FTE serving in the roles of ombudsman and Associate ombudsman, 1 director, and 1 intake specialist that handles all administrative tasks and schedules requests for services. Four out of the five ombudsmen and Associate ombudsman work from the Northgate/Seattle office, while only one ombudsman is in Central Washington (Ellensburg) to attempt to serve both Eastern and Central Washington. Expanding the budget of the office by one entry-level FTE each year to reach 2 new FTE Associate ombudsmen by the end of the biennium would allow OEO to support 200 more consumers each year through direct case support and to conduct greater outreach to consumers throughout the state. By the end of the biennium, OEO would be able to staff 1400 cases and provide increased outreach and policy support statewide. This increase would allow OEO keep pace with current demand for services, assist OEO in reducing wait times, ensure quality service, and fulfill its mission to offer a proactive approach to school-family collaboration by leveraging data and resources to educate consumers about issues before they become conflicts. OEO currently has a base budget of 6.8 FTEs and a budget proviso in the

² Last year, OEO also received an increasing number of calls about early learning, which could continue to rise as these programs expand.

amount of \$684,000 per fiscal year. This budget request expands OEO's capacity by two FTE by the end of the biennium during a time when OEO has maximized its efficiency to keep up with existing demands from families and schools.

Decision Package expenditure, FTE and revenue assumptions, calculations and details: Agencies must clearly articulate the workload or policy assumptions used in calculating expenditure and revenue changes proposed. The expenditures are based on adding one associate ombudsman position in FY18 and another one in FY19. The salary, benefits, goods & services and travel costs will all be ongoing. There will be a one-time cost each fiscal year to cover the purchase of a PC and office set up for each FTE.

Decision Package Justification and Impacts

What specific performance outcomes does the agency expect?

Describe and quantify the specific performance outcomes the agency expects as a result of this funding change.

Performance Measure detail:

OEO's work to clarify how Washington's public education system works and to resolve conflicts between schools and families with the goal of advancing student achievement is in direct support of Results WA's Goal 1: *World Class Education* and 1.2: Increasing the percentage of students who graduate high school by 2 percentage points average from 2013 to 2016. In its policy function, OEO serves on Results WA and other statewide policy committees. Within the Results WA framework, OEO offers supports to families, educators, and other community stakeholders that relate to several Goal 1 measures, such as:

Graduation (Goals 1.2h & i): Last year, for example, 3% of OEO's calls related to academic progress, 2% to attendance, and 5% to enrollment and transfer. Combined, more than 10% of OEO's casework related to these goals and OEO conducted a number of presentations on graduation, academic progress, attendance, and completion, while also serving on statewide committees related to those goals, such as the Becca Task Force, GATE, and Attendance Communications Workgroup. Increasing staff capacity will allow OEO to make greater connections between the issues that are brought to its office and forge partnerships with community organizations and state agencies to strengthen Washington's P-20 continuum.

Special education (Goals 1.2k & l): Last year, for example, 55% of OEO's calls related to students in special education and 5% related to students with 504 plans. Many of OEO's presentations and trainings were requested by special needs PTAs, disability groups, and special education programs for educators. Additionally, OEO elevated awareness of the critical needs at the intersection of disability and language access by partnering with school districts and community groups to support diverse students with disabilities through listening sessions and community clinics. With greater capacity, OEO plans to increase its webinar presence and create more opportunities for proactive training of families on conflict resolution and the technical aspects of special education.

OEO tackles opportunity gap issues through all three prongs of its work (relevant to Goal 1.2d, as well) and works to build community capacity on education equity issues throughout the state. For example, in 2015-2016, 49% of the students supported by OEO were white, 4% were Asian American, 10% were biracial, 2% were Black: African, 5% were Black: African American, 8% were

Hispanic/Latino, 4% were multiracial, 1% were Pacific Islander, and 1% were Native American/indigenous. Last year, OEO reached over 3000 families at 89 events, 50 of which had Limited English Proficient families in attendance. OEO will leverage increased staffing to offer greater geographic coverage of its services, increase its cultural competence, target its services, and expand internal staff expertise and community partnerships to reach families, students, and educators statewide. Currently, OEO's staff speaks Spanish, Somali, Arabic, and Portuguese fluently. Increased staff expertise in other languages is needed.

Fully describe and quantify expected impacts on state residents and specific populations served.

For each new entry-level Associate ombudsman FTE, OEO can serve 200 more students, families, educators, and other stakeholders through direct case support and conflict resolution. Additionally, OEO can reduce or eliminate wait-times by at least 10 days and can also ensure that more consumers are served when they request services. Shortening wait times is critical when families and educators present issues that relate to student safety, bullying, discipline, attendance, graduation, or school reengagement, for example. With a demand that exceeds the annual capacity of 1000 consumers supported, OEO is facing the possibility of turning away consumers this year and into the future without additional support. Given that at least 40% of the consumers that reach OEO annually are low-income, this kind of limitation could have devastating consequences for supporting student achievement.

New FTEs can be directed toward increasing OEO's geographic coverage and providing more case support, training opportunities, and policy participation in areas such as Spokane, Tri-Cities, Vancouver, and Tacoma, where there are significant school populations that OEO can only reach now by phone or email or limited conference appearances, if at all.

Increased staffing also brings opportunities to reach more communities through events and trainings. OEO's Director anticipates that each new FTE can conduct a minimum of 10 additional events each year.

Of significance to note with this request is that while OEO is asking for two new FTE, which in effect would restore the agency's staffing to what it was almost ten years ago, OEO's ombudsman and Associate ombudsman have maximized their efficiency to support 200 consumers/FTE for direct casework with those positions in contrast to supporting 35-79 consumers/FTE as it had in the past. Additionally, each FTE raises OEO's capacity to provide presentations and trainings by at least 10 events each year. OEO events can draw anywhere from 20-200 people or more, depending on the location, focus, and audience. With two new Associate ombudsmen, OEO could reach 400-4000 new consumers for training and education.

What are other important connections or impacts related to this proposal? Please complete the following table and provide detailed explanations or information below:

Impact(s) To:		Identify / Explanation
Regional/County impacts?	Yes	Identify: OEO would use new positions to increase equity of geographic coverage beyond Seattle and Ellensburg areas
Other local gov't impacts?	Yes	Identify: Increased OEO staffing means additional resources for partnership with school districts for trainings, listening sessions, information-creation, and other jointly developed events and resources
Tribal gov't impacts?	Yes	Identify: Expansion of OEO allows for development of greater relationships with tribal governments, sharing best practices of tribal schools, and supporting Native students in public schools
Other state agency impacts?	Yes	Identify: OEO staffing expansion allows for greater participation on OSPI committees and workgroups, additional resources for consumers that contact other state education agencies with questions and concerns, greater opportunities to reach teacher training programs at state universities to provide conflict resolution presentations, and more time for proactive partnerships with DEL, SBE, and OSPI.
Responds to specific task force, report, mandate or exec order?	Yes	Identify: Increased staffing allows OEO to fulfill its other two legislatively required functions of data-driven policy recommendations and proactive trainings/resource creation. OEO is also routinely given work without resources by the legislature to perform or put on statewide policy committees and increased staffing allows OEO to absorb some of these duties.
Does request contain a compensation change?	No	Identify:
Does request require a change to a collective bargaining agreement?	No	Identify:
Facility/workplace needs or impacts?	No	Identify:
Capital Budget Impacts?	No	Identify:
Is change required to existing statutes, rules or contracts?	No	Identify:

Is the request related to or a result of litigation?	No	Identify lawsuit (please consult with Attorney General's Office):
Is the request related to Puget Sound recovery?	No	If yes, see budget instructions Section 14.4 for additional instructions
Identify other important connections		

Please provide a detailed discussion of connections/impacts identified above.

In summary, expanding OEO's staffing by two entry-level Associate ombudsman positions allows the agency to take a more proactive, collaborative role in helping schools, families, and students prevent conflict from occurring in the state's educational system. Part of this work is realized by being more equitable in geographic outreach and case support. Additionally, expanding the team allows for building greater expertise and partnerships with diverse stakeholders, including the strengthening of relationships with Tribal governments. OEO serves an important policy-guiding role at the state and local levels, but the consistent escalation of direct casework demands has meant a scaling back of meaningful participation and partnerships with other agencies and policy efforts in recent years. OEO's strength can be in offering families and communities accurate, timely information about complicated and stressful issues that arise for students. It has had tremendous success this year in piloting collaborative efforts with school districts to identify barriers to family engagement, increase student outcomes, and restore healthy communication between schools and families. On a daily basis, OEO is a source of referral for information from other state agencies, such as DEL, OSPI, and SBE, and it also assists families, students, educators, and other community stakeholders in connecting with the appropriate resources within state and local government and the nonprofit community. Increasing OEO's capacity reduces the load on other state agencies to respond to families that might be in conflict with schools and creates resources for agencies to collaborate to tackle systemic education concerns together, such as attendance and graduation.

What alternatives were explored by the agency and why was this option chosen?

OEO has already attempted to serve more consumers by streamlining how it handles cases, identifying educational barriers where its staff would provide more resources and time, and reducing dramatically any in-person meetings with schools and families. In summary, OEO has attempted to place its casework on two tracks: that falling under the strategic plan, and therefore, requiring more time for ombudsman and Associate ombudsman's assistance, and that falling outside the strategic plan and meriting brief coaching and information-sharing and research only. However, these measures have not proven to be effective in making the agency capable of serving more consumers competently. OEO could consider turning away consumers that request direct support after it reaches its 1000 case capacity each year. Additionally, OEO has investigated whether a significant portion of its cases could be referred to other agencies or community organizations and has referred this work to other entities to the extent possible. However, OEO serves in a unique role in providing informal conflict resolution of K-12 concerns in Washington, offering family and community trainings on how our school system works, and serving as a critical voice on policy issues. The casework, as it stands, occupies about 4-4.5 workdays each week of ombudsman and Associate ombudsman's time. OEO was founded by the legislature to address the opportunity gap and student achievement barriers. This work is vital and there is no clear, equitable way to turn

away consumers at this time, especially, for example, as questions about new transitions from early learning to kindergarten rise, schools are approaching implementation of EOGOAC's HB 1541, and schools begin to address ESSA implementation. All of these exciting and important policy changes at the state and federal levels will mean that families, students, educators, and community groups will have more questions about how schools work rather than fewer.

How has or can the agency address the issue or need in its current appropriation level?

OEO is unable to address the issue or need at its current appropriation level, short of turning away consumers or not meeting its policy and training functions. OEO has already, unsuccessfully, attempted to have each ombudsman and Associate ombudsman handle more than 200 cases/year, with negative consequences for consumer satisfaction and perceived reputation from other state agencies. Any of these approaches would not serve the public well.

There are no viable sources of outside funding for OEO. In its early years, OEO attempted to get private grants to cover its work, but that left the agency with unsure financial footing and risked OEO expanding its mission in other areas not within its mandate. Grants were difficult to obtain because OEO is a state agency. Additionally, OEO has no staff at this time with expertise and time to write or administer grants.

OEO cannot refer much of its caseload to other agencies or nonprofits, given the shortage of resources in state to support consumers in this way and OEO's unique role as an independent, impartial perspective on conflicts that arise in the K-12 system.

Other supporting materials: OEO's annual report provides additional information about its roles and services. The annual report can be accessed on OEO's website: <http://oeco.wa.gov/publications-reports/reports/>

Additionally, OEO creates new resources for families, educators, and community groups each year. Its website is an invaluable source for current editions of those materials. <http://www.oeco.wa.gov>

Last year, OEO created three FAQs on how we work with:

- Families: <http://oeco.wa.gov/wp-content/uploads/Working-With-Families.pdf>
- Educators: <http://oeco.wa.gov/wp-content/uploads/Working-With-Educators-With-Examples.pdf>
- Community Professionals: <http://oeco.wa.gov/wp-content/uploads/Working-With-Community-Partners.pdf>

These FAQs give helpful description of OEO's functions in Washington State.

Information technology: Does this Decision Package include funding for any IT-related costs, including hardware, software, services (including cloud-based services), contracts or IT staff?

- No 
- Yes Continue to IT Addendum below and follow the directions on the bottom of the addendum to meet requirements for OCIO review.)