



ADMINISTRATIVE PROCEDURE

OMBUDSMAN SERVICES

1600
Procedure No.
May 25, 2016
Date

- I. **PURPOSE:** The purpose of this procedure is to provide a clearly defined process for responding to constituent concerns and questions and to identify suggestions for systemic improvement in Prince George’s County Public Schools (PGCPS).
- II. **POLICY:** The Board of Education, Chief Executive Officer (CEO), and administrative units of the school system routinely receive a large number of requests for information, issue resolution, appeals, suggestions, and follow-up from various members of the community. The timely, efficient and courteous servicing of constituent concerns is a critical component to promote systemic improvement, inform constituents, and support the needs of the school district.

The Board of Education has directed the CEO to establish the Office of the Ombudsman and administrative procedures to ensure that Board Policy 1600 is implemented. All employees of the school system are directed to cooperate with the Office of Ombudsman.

III. **DEFINITIONS:**

- A. “Confidential” means information that is private, not intended to be shared with others unless they have a legitimate educational interest or are an authorized representative of the person(s) involved.
- B. “Confidentiality” is the obligation of a school system official not to disclose or transmit information to unauthorized parties.
- C. “Constituent” includes, and is not limited to students, parents, guardians, employees and members of the PGCPS community. Employees may advocate for their own children or wards as allowed under this administrative procedure.
- D. The “Ombudsman” is a neutral intermediary, appointed by the Prince George’s County Board of Education to respond to school and school-system related inquiries, concerns or complaints from individuals or members of the public. The Ombudsman investigates and mediates constituent concerns to resolve them as quickly and efficiently as possible before they escalate to more formal dispute resolution processes such as grievances, arbitration, hearings, or lawsuits, especially for those for which a formal resolution process does not exist. The Ombudsman also helps to clearly communicate concerns to appropriate staff members and help all parties find acceptable solutions or options.
- E. “Ombudsman Resolution Coordinators” assist the Ombudsman to fulfill the duties of the Office of the Ombudsman.



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F. “Parent” includes any one of the following, recognized as the adult(s) legally responsible for the student:

1. Biological parent is a natural parent whose parental rights have not been terminated.
2. Adoptive parent is a person who has legally adopted the student and whose parental rights have not been terminated.
Custodian or legal guardian is a person or agency appointed by the court in charge of the affairs of the student and granted parental rights and privileges.
3. Caregiver is an adult resident of Prince George’s County who has custody or documented control over the student, but who is neither the biological parent nor legal guardian.
4. Foster parent is an adult approved to care for a child who has been placed in their home by a State agency or a licensed child placement agency as provided by the Family Law Article of the Maryland Annotated Code.

G. “Respondent” is the PGCPS employee(s) designated to address the concern as presented by the constituent or Ombudsman Services and documents the resolution.

H. “Resolution” is the conclusive decision that is the result of the complaint process.

IV. PROCEDURES

A. Ombudsman Authority

1. The CEO has established the Office of the Ombudsman (hereinafter, “Ombudsman Services”) to implement a system for handling constituent requests and concerns. All employees of the school system are directed to cooperate with the Office of the Ombudsman.
2. Ombudsman Services will have full access to all files, records, data, reference, research materials, and sources of information within the school system that the Ombudsman deems relevant to the task on which the office is working, subject to confidentiality policies and procedures.



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Ombudsman Services will maintain confidentiality consistent with school system policy and the law. The Ombudsman and Resolution Coordinators will take all reasonable steps necessary to protect confidential records and information.

3. The Ombudsman and Resolution Coordinators do not act as agent for, nor accept notice on behalf of, the school system and do not serve as a designee to receive notice on behalf of the school system for any legal matter. However, they may refer individuals to the appropriate place where formal notice can be made by the individual.
4. Ombudsman Services may proactively offer services to address a concern; however, it will not interfere with contractual grievance procedures or administrative appeal procedures. Recommendations and opinions of Ombudsman Services are non-binding and neither school personnel nor constituents are legally obliged to comply with the Ombudsman.
5. Concerns specifically governed by Board policy, local, state, or federal regulation, procedures under union contracts, or other existing avenues of redress shall be reviewed by the responsible offices under the formal processes prescribed therein. Such issues may include, but are not limited to: requests for reasonable accommodation, special education due process appeals, discipline appeals, equal employment opportunity cases, and requests for information under the Maryland Public Information Act.

B. Description of Ombudsman Services

1. “Ombudsman Services” includes a range of assistance for constituents to resolve issues and concerns with the school system, including, but not limited to:
 - a. Helping constituents who are unfamiliar with PGCPS policies and processes, uncomfortable with addressing concerns by themselves or “cutting through red tape”, or needing assistance in addressing concerns, especially for issues where a formal resolution process does not exist;
 - b. Researching and educating constituents regarding policies, procedures, protocols and rights;



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- c. Communicating and facilitating discussions of issues with appropriate school system staff to clarify the issues and determine the most appropriate steps for resolving the issue in the most timely and satisfactory manner;
 - d. Referring constituents to helpful school system and community resources; and
 - e. Recommending options or solutions.
2. Ombudsman Services collaborates with PGCPS personnel to provide a fair process that equitably and reasonably addresses concerns received from constituents.
 3. The Ombudsman identifies significant concerns and problematic trends, and where appropriate, advocates changes in policy and/or procedure.

C. Process for Requesting Ombudsman Services

1. Prior to requesting Ombudsman Services, constituents should first attempt to make contact with the appropriate school or department administrator to resolve their concern.
2. Ombudsman Services will provide different mechanisms for communicating how to file a request or complaint and will refer, monitor, and assist in resolving inquires. A constituent may seek assistance in resolving a school or school-system related problem or concern by phone, in writing, by email or online (www1.pgcps.org/ombudsman/).
3. The constituent will be asked to complete the *Ombudsman Services Request Form*.
 - a. Schools and central office will inform constituents about the availability and use of the *Ombudsman Services Request Form* through appropriate school communication (i.e., school website, parent newsletters, student handbook, etc.).

Ombudsman Services Request Forms will be available on the PGCPS website and in the Office of the Ombudsman. The Office of the Ombudsman will provide assistance to constituents who are unable to access the form on-line.



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- b. All completed *Ombudsman Services Request Forms* will be submitted electronically to Ombudsman Services directly by the constituent or with the assistance of Ombudsman Services staff after being completed manually.
4. The Ombudsman or Ombudsman Resolution Coordinator will contact the appropriate school or department administrator to inform them that the *Ombudsman Services Request Form* has been submitted and then determine how to facilitate the resolution of the concern.
5. Constituent requests received by Board of Education Members or the Board of Education Office that require action by the CEO will be forwarded to Ombudsman Services for tracking and appropriate referral and resolution. The Board of Education Office will ensure that Board of Education Members are advised of the action taken on requests received through the Board of Education Office once notified of the resolution by the Ombudsman.
6. All inquiries and requests will be handled with professionalism and guaranteed confidentiality.

D. Monitoring and Resolving Constituent Concerns

1. The Office will endeavor to have:
 - a. All emails and letters acknowledged within five business days;
 - b. Phone calls returned within two business days, whenever practicable;
 - c. Human interaction used whenever possible, and the use of automated receptionist and voice mail minimized.
2. The Ombudsman or Ombudsman Resolution Coordinator will contact the constituent within four (4) business days to arrange a mutually agreed upon meeting date and time, if appropriate.
3. As needed, Ombudsman Services will review all relevant documentation, investigate and attempt to facilitate a resolution of the concern.



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4. Ombudsman Services will first attempt to resolve concerns with the appropriate person or office most directly involved. If the issue cannot be resolved at this level, the next step will be to contact the supervisor, appropriate administrator or office which shall take into consideration the needs of all parties and applicable school system policies and procedures.
5. If the concern requires the involvement of other school system personnel, Ombudsman Services will assist the constituent in accessing the appropriate office and summarize the concern to that office. Ombudsman Services will be available to PGCPS staff as needed to clarify or assist in facilitating a resolution.
6. The “Respondent” school or staff person will complete the “Resolution” portion of the *Ombudsman Services Request Form*, summarizing the outcome of any meetings or conferences, identifying areas of agreement and documenting any remaining steps to address unresolved issues.
7. The Ombudsman or Ombudsman Resolution Coordinator will review and verify the “Resolution”, indicating acknowledgement that an appropriate resolution has been reached and meets the standards of Board Policy, Administrative Procedures, and PGCPS protocol. This response will be sent to the constituent in writing within fifteen (15) business days from the date of receipt of the initial contact of the Office of the Ombudsman.
8. If a concern cannot be reasonably resolved within fifteen (15) business days, the Ombudsman may extend the time for ten (10) additional business days. The constituent will be informed of the extension in writing. In some instances, decisions for concerns submitted during the summer months may have to be extended until the return of school personnel.
9. If the concern is not resolved in a manner satisfactory to the constituent through the Office of the Ombudsman, the constituent will be advised of available appeals options to address remaining concerns.

E. Recordkeeping and Reporting

1. Requests will be tracked by Ombudsman Services by category of request, date of inquiry, date of response, and a summary of the



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response (at a minimum). The collected information will be maintained in a consolidated database for at least three (3) years.

- 2. The Ombudsman will provide reports quarterly, or as requested, to the Board of Education and CEO on the tracked requests, systemic concerns and recommended changes, if any, to administrative procedures or Board policies to promote a positive school community.

V. RELATED POLICY AND PROCEDURES: Board Policy 1600, Office of the Ombudsman and Ombudsman Services.

Administrative Procedure 5125, Individual Student School-Based Records; Administrative Procedure 5125.1, Individual Student Non-School-Based Records; and Administrative Procedure 5150, Student Responsibilities, Rights, and Involvement.

VI. MAINTENANCE AND UPDATE OF THESE PROCEDURES: These procedures originate with the Office of the CEO. Regular updating of these procedures will be accomplished, as needed.

VII. CANCELLATIONS AND SUPERSEDURES: This new Administrative Procedure cancels and supersedes the existing Administrative Procedure 4171, dated September 22, 2011.

VIII. EFFECTIVE DATE: May 25, 2016.

Attachment: Ombudsman Services Request Process Map

Distribution: Lists 1, 2, 3, 4, 5, 6, 10, and 11