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Testimony Before the District of Columbia Council
Committee on Education
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Public Hearing:
Bill 21-918
State Board of Education Omnibus Amendment Act of 2016

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Good morning Chairman Grosso and members of the Committee on Education. My name is Damon King. I am a Senior Policy Attorney at Children’s Law Center¹ and a resident of the District. I am testifying today on behalf of Children’s Law Center, which fights so every DC child can grow up with a loving family, good health and a quality education. With 100 staff and hundreds of pro bono lawyers, Children’s Law Center reaches 1 out of every 9 children in DC’s poorest neighborhoods – more than 5,000 children and families each year. Nearly all the children we represent attend DC public schools – whether traditional public schools, charter schools, or nonpublic special education schools funded by DC.

Thank you for the opportunity to testify today regarding the “State Board of Education Reform Amendment Act of 2016” and thank you, Chairman Grosso, for introducing this important piece of legislation. The focus of my testimony today will be on the bill’s language regarding the Ombudsman for Public Education, a vital resource for families with children attending schools across the District’s public education system. We are pleased to see that this bill takes important steps to strengthen the independence of the Ombudsman – steps which we believe will allow the Office of the Ombudsman to be a stronger resource for District students and families, as well as an engine for change within our public education system.

Through our medical-legal partnership and our on-going advocacy on behalf of children in District foster care, we know first-hand the challenges that parents and

caregivers face in their efforts to obtain an adequate education for their children and resolve disagreements and communication issues with their children's schools. From overcoming barriers to school enrollment and attendance, to securing appropriate special education services and other supports for children with special needs, to addressing inappropriate disciplinary decisions, to preventing other types of disruptions of children's education, parents and caregivers often face significant difficulties ensuring that our schools meet the needs of students. Our sprawling and fragmented education system is not the most straightforward one for parents to navigate, particularly when their children are facing a challenge.

These challenges are precisely the reason why it is important to have a strong Office of the Ombudsman. When parents encounter obstacles within the school system, the Ombudsman's Office can act as a neutral resource – assisting parents in navigating the system, bringing parents and school personnel together to solve problems, reviewing school policies and practices, and where necessary, linking parents to further resources. Further, because the Ombudsman sees reports from across the system, her office can spot repeat problems and identify trends that educational agencies must address to make the system better for entire populations of students. In our work, we have regularly referred families to the Ombudsman, and believe that the office is an important vehicle for maintaining accountability and fostering improvement across our system.

However, in order to function properly, it is important that the Office of the Ombudsman be independent of the system that it is responsible for monitoring. The Ombudsman must be free to investigate and make findings against schools without fear of retaliation or removal. She must also have the freedom to consistently raise concerns about trends or policies that need revision without the risk of political meddling. Without such protection, the credibility and effectiveness of the Ombudsman are both compromised.

We are supportive of the “State Board of Education Reform Amendment Act of 2016,” because it takes important steps to bolster the independence of the Office of the Ombudsman. Among other things, the bill changes the standard for removal of the Ombudsman from a simple majority vote of the State Board of Education to a 2/3 vote. It clarifies that the Office of the Ombudsman can issue reports and recommendations regarding its work at the Office’s discretion – that is, without prior approval of the State Board or any other body. It also clarifies that the Office has the authority to prepare its own budget, and that once its budget is approved, that the Office has the authority to administer it and to hire and manage its staff as necessary to achieve the Office’s purposes. Finally, the bill clarifies the Office’s investigatory authority and obligation to formally investigate the complaints that it receives. Should this bill pass, it would represent important progress to building the Office of the Ombudsman for Public Education into one that is fully independent, ensuring that parents will have an outlet

for complaints and resolution of issues within our public education system for years to come.

I urge the Committee to approve this legislation with the protections for the Office of the Ombudsman intact and to use today's hearing to learn if there are additional steps that can be taken to preserve the Ombudsman's Office's independence and active role in addressing our system's weaknesses. Thank you again for the opportunity to testify on this important legislation, and I look forward to answering any questions.

¹ Children's Law Center fights so every child in DC can grow up with a loving family, good health and a quality education. Judges, pediatricians and families turn to us to be the voice for children who are abused or neglected, who aren't learning in school, or who have health problems that can't be solved by medicine alone. With 100 staff and hundreds of pro bono lawyers, we reach 1 out of every 9 children in DC's poorest neighborhoods – more than 5,000 children and families each year. And, we multiply this impact by advocating for city-wide solutions that benefit all children.