

**I. Policy Statement**

The Board of Education of Howard County believes that an Ombudsman can facilitate positive relationships among the Board of Education, school system employees, and the public. The Ombudsman reports directly to the Board, and will serve as a neutral party collaborating with Howard County Department of Education staff and the community to ensure a fair process that equitably and reasonably resolves concerns received from parents, employees, and community members.

**II. Purpose**

The purpose of this policy is to describe the core role, responsibilities, and authority of the position of Ombudsman. At the discretion of the Board, the Ombudsman may perform other tasks that foster the goal of school-related problem resolution and/or assist the Board in its functioning.

**III. Definitions**

- A. Confidential – For purposes of this policy, information that is private, not intended to be shared with others unless they have a legitimate educational interest.
- B. Confidentiality – For purposes of this policy, the obligation of a school system official not to disclose or transmit information to unauthorized parties.
- C. Neutral – Not serving as an advocate for any party to a dispute; advocating for fair process and fair administration only.
- D. Parent – Any one of the following, recognized as the adult(s) legally responsible for the student:
  - 1. Biological parent – A natural parent whose parental rights have not been terminated
  - 2. Adoptive parent – A person who has legally adopted the student and whose parental rights have not been terminated
  - 3. Custodian – A person or agency appointed by the court as the legal custodian of the student and granted parental rights and privileges
  - 4. Guardian – A person who has been placed by the court in charge of the affairs of the student and granted parental rights and privileges
  - 5. Caregiver – An adult resident of Howard County who exercises care, custody, or control over the student, but who is neither the biological parent nor legal guardian

6. Foster parent – 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 section 5-507 of the Family Law Article.

#### **IV. Standards**

##### **A. General Authority**

1. The Ombudsman will provide assistance to parents, employees, and community members who are unfamiliar with system policies and procedures or who are uncomfortable with addressing issues and concerns by themselves.
2. Communications made to the Ombudsman are not official notice to the school system for any legal purpose. The Ombudsman neither acts as agent for, nor accepts notice on behalf of, the school system and does not serve in a role that is designated as a place to receive notice on behalf of the system. However, the Ombudsman may refer individuals to the appropriate place where formal notice can be made by the individual.
3. The Ombudsman will review and recommend changes and updates to Board policies, regulations, and procedures as appropriate during the course of his or her work. The Ombudsman will participate as directed in policy development and review activities.
4. The Ombudsman will have full access to all files, records, data, reference and research materials, and sources of information within the school system that the Ombudsman deems relevant to the task on which he or she is working, subject to confidentiality policies.
  - a. Access to confidential material in a personnel file requires consent in accordance with Policy 7010, Confidentiality of Personnel Records.
  - b. Access to confidential material in a student record requires consent in accordance with Policy 9050, Student Records and Confidentiality.
5. The Ombudsman will exercise discretion regarding the appropriate response to concerns of individuals contacting the office. This includes referring individuals to appropriate channels of information and support or offering problem resolution services.
6. The Ombudsman may proactively offer his or her services to address a problem he or she perceives.
7. The Ombudsman will maintain confidentiality, consistent with law.

##### **B. Information and Community Outreach**

1. The Ombudsman will direct persons with questions, concerns, information, or suggestions to the appropriate channels of communication and support.
2. The Ombudsman has the authority to communicate with school system staff and outside agencies, when necessary and appropriate, in order to respond to requests, assist in resolving disputes, or assist the Board.
3. The Ombudsman will facilitate and participate in activities and presentations to various groups. The Ombudsman will promote positive school-community

relationships and champion Board policies and systemwide goals, procedures, and initiatives.

**C. Problem Resolution**

1. The Ombudsman will seek to resolve problems brought forth by parents, employees, or community members in a timely fashion within the context of Board policy and procedures.
2. The Ombudsman has a responsibility to remain neutral and consider the concerns of all parties known to be involved in the dispute.
3. The Ombudsman may facilitate discussion to identify the best resolution options available and, when appropriate, help develop new ways to solve problems.
4. The Ombudsman may assist parties in reaching a mutually satisfactory resolution of disputes or problems through informal mechanisms.
5. The Ombudsman is an advocate for meaningful and fair administration of school system problem resolution mechanisms and will assist individuals to access the appropriate formal process.

**V. Compliance**

- A. The Ombudsman will notify those seeking assistance that communication with the Ombudsman office does not constitute official notice to the school system for any legal purpose.
- B. The Ombudsman will not undertake any duties or assignments which contravene the authority of the superintendent of schools, as set forth in the Public School Laws of Maryland or any other laws, bylaws, rules, or policies of the Maryland State Board of Education.
- C. The Ombudsman will not interfere with contractual grievance procedures.
- D. The Ombudsman will not violate any of the constitutional or statutory rights of complainants or persons against whom complaints may be brought.
- E. The Ombudsman must take all reasonable steps necessary to protect records and files pertaining to confidential discussions and shall resist testifying in any judicial or administrative hearing concerning a matter in which he/she was involved.
- F. The Ombudsman will maintain confidential records, keep databases of relevant information, monitor outcomes, and provide reports upon request.
- G. The Ombudsman will develop and provide quarterly and annual reports summarizing issues, concerns, and inquiries to the Board.

**VI. Delegation of Authority**

- A. The Board will designate representation from its membership to oversee the function of the Ombudsman.
- B. The overall effectiveness of this function will be reviewed annually by the Board and the Superintendent.

**VII. References**

- A. Legal
  - The Annotated Code of Maryland, Education Article, §4-101(b)
  - The Annotated Code of Maryland, Education Article, §4-108(4)
- B. Board Policies
  - Policy 1000 Civility
  - Policy 7010 Confidentiality of Personnel Records
  - Policy 9050 Student Records and Confidentiality
- C. Other
  - A Parents' Guide to Resolving School Concerns and Complaints

**VIII. History**

ADOPTED: January 13, 2005  
REVIEWED: July 1, 2014  
MODIFIED:  
REVISED: November 29, 2007  
EFFECTIVE: November 29, 2007