K-12 School Ombuds: Transforming Conflict into Collaboration

By Esther Salinas

Conflict is inevitable. We observe conflict daily in international disputes, national politics, public policy, organizational mergers, and social media. Conflict touches us personally through our relationships at work, places of worship, neighborhoods, and at home. We regularly wrestle with internal conflict as we engage in problem solving. Conflict is like Mary’s little lamb in the nursery rhyme, “everywhere that Mary went, the lamb was sure to go.” No matter where we go, or with whom we interact, conflict is sure to find us – and even follows us to school. School districts are complex learning organizations with inherent challenges that incubate opportunities for miscommunication, conflict and disputes. Educational leaders must consider how conflict disrupts the learning culture and impacts student achievement. When school or district culture is riddled with unresolved conflict, students – and learning – suffer.

Culture of Collaboration and Collective Efficacy

Enter the eye of education and the purpose of school is clear – ensure that all students learn. Now imagine the impact of a learning community that collaborates, learns together, and believes in their collective capability to effect positive change for all students. This becomes more than a mission, it is a moral imperative.

Albert Bandura1, a psychologist at Stanford University during the 1970s discovered that a group’s confidence in its abilities affected the team’s success. He called this behavior collective efficacy. Collective efficacy is the consequence of collaborating effectively over time that results in the group’s collective belief in their power to effect positive change. It is knowledge building through learning from one another. It is the optimism, confidence, and resiliency that evolve from successful learning experiences for both teachers and students. This is not a new concept. The ancient proverb,2 “As iron sharpens iron, so one person sharpens another”, illustrates the mutual benefit two or more humble, talented, and passionate people gain when they interact with one another. Since no two people are alike, each member brings a unique perspective. Like faithful friends who persist in seeking the improvement of one another, diverse and talented team members challenge one another and equip each other for the good of the other, the team and students.

Collective efficacy has a powerful influence on student achievement. After synthesizing more than 1500 meta-analyses related to collective efficacy and student achievement, John Hattie3, Director of the Research Institute at the University of Melbourne, found that collective efficacy of teachers has an effect size of 1.57 and was identified as the number one school factor influencing student achievement. Consider that 0.0 indicates an influence with no effect on student achievement. Hattie4 suggests that 0.4 is an average effect size and summarizes the typical effect of all possible influences on education. Collective Efficacy is significantly more predictive of student achievement than prior achievement (0.65), and three times more predictive than socioeconomic status (0.52).5 Collective efficacy requires effective on-going collaboration. Bruce Mau6, pioneer in design thinking, conceptualist, author of the Incomplete Manifesto for Growth and leader of Massive Change Network, describes the collaborative milieu by stating,
“the space between people working together is filled with conflict, friction, strife, exhilaration, delight, and vast creative potential.”

**Inherent Conflict and Inevitable Complaints**

But what happens when our collaborative effort has not yet moved into the realm of exhilaration, delight and creative potential and we are stuck in conflict, friction and strife? One of the pitfalls identified by Dooner, Mandzuk and Clifton is that team members are uninformed that conflict is an inherent element of collaboration. They are unprepared and ill-equipped to deal with conflict. This leads to poor responses to the conflicts that inevitably occur. Poorly managed conflict breeds distrust and unless it is resolved, team members retreat into isolation. Equipped with the necessary knowledge and skills, team members are able to move from isolation through persistent, effective collaboration to develop team collective efficacy that fosters mutual collegial growth and results in student achievement.

The combination of naturally occurring conflict in collaboration and the inherent complexity of school districts can make students, parents, and employees feel overwhelmed when trying to navigate through these challenges. Unable to find answers to questions or resolution to conflict, people become frustrated and angry which leads to formal complaints. People will pursue formal avenues when they believe they have no other options by which to respond to conflict. Formal complaint processes, including Uniform Complaint Procedure, Title IX Complaints, Title VII Complaints, Grievances, Tort Claim notices, and Letters of Concern, are often out of the control of the person with the complaint. These formal and legal processes provide limited confidentiality and can become extremely adversarial.

**More Than Resolving Complaints**

The development of an education ombuds program offers an informal alternative in response to conflict and provides a different path to resolve problems encountered in schools. While there are numerous ombuds within higher education across Canada, the United States and internationally, according to Hanover Research, there are estimated to be fewer than 20 ombuds in US K-12 school districts. School districts which do establish ombuds offices, often do so to manage complaints and control the costs associated with conflict which deplete school resources, employee morale and community trust.

John Barkat, Assistant Secretary General, United Nations Ombudsman and Head of Ombudsman and Mediation Services, explains that there are three vital functions of the ombuds. The first is problem identification and assistance. This entails providing information, listening to concerns and complaints, referring concerns to appropriate resources, mediating interpersonal conflicts, untangling complex problems, brainstorming solutions, coaching individuals on how to navigate through conflicts or inform the organization of the concern.

The second function relates to the institutional knowledge that the ombuds gathers for the organization to critically analyze and improve its practice. Although cases amount to a small sample within the organization, the data provides firsthand knowledge and often represents
issues shared by others who do not come forward. This information can prove valuable when targeting areas for improvement and changes in policy or practice.

The third function of the ombuds is the promotion of conflict competence, including awareness, attitude and ability to constructively handle conflict. This opens the opportunity for ombuds to educate, train or coach employees how to work collaboratively. By conducting ongoing training, district ombuds help the organization to develop a common language around conflict and collaboration for all constituents. Team members are equipped with the tools to effectively navigate through conflict, restore collaborative relationships and reach a positive outcome.

Role of Ombuds in K-12 Education

Education ombuds help people informally on a wide range of issues that might not otherwise be addressed due to the limitations of litigation or fear of retaliation. Some common issues that are raised by families and community members include special education, staff interaction, access and enrollment, school climate and related bullying, health and safety, interpersonal relationships, social emotional behavior, student discipline, curriculum and instruction. The Family Case Sample presented below is a composite based on real cases.

Family Case Sample

In this case sample, a parent and child came to the ombuds office. Their initial concern was frustration over what they perceived to be a non-responsive school site administrator, and they wanted to file a formal complaint. The parent and child met with the Ombuds. As their story unfolded over the next several hours, their initial concern of non-responsiveness was only the tip of the iceberg, and it was clear that the situation was much more complex than first presented. Issues surfaced around trauma, sexual orientation, bullying, school culture, interpersonal relationships, mental health, school communication, and staff training. With permission from the parent and the child, the ombuds was able to collaborate with the school administration and other central office departments and facilitate a meeting that restored the relationship between the family and the school. This allowed the school and district teams to make counseling referrals, provide additional services and develop a customized safety plan to ensure that the student had the necessary support moving forward. Additional training was offered to school staff, and a communication plan was put into place. The ombuds considered the well-being of all parties involved, helped them move the road-block of conflict and clear the way for the student to get the necessary support, and supported the school and district teams to make systemic improvements in their procedures.

Imagine the Impact on Student Learning

Establishing an education Ombuds program brings numerous benefits to schools and learning organizations. Ombuds humanize a school district and offer personal guidance to people as they navigate a complex system. Ombuds are skilled to interact with individuals who come with a heavy heart, rooted in love and filled with emotion. They provide a brave space where
people can openly discuss concerns off the record, and without fear of retaliation or formal action. Ombuds listen deeply, with empathy, affirmation and reflective inquiry. Ombuds are a resource to governing boards who, as they receive concerns and complaints from community members, can direct the concerned community member to the ombuds who will assist them.

Ombuds are change agents. While educational institutions are complex, they are also adaptive systems. Ombuds collect and analyze data on issues. As patterns and trends emerge, ombuds have a pulse on the current reality and work with district leaders to leverage this information without breaching confidentiality, and shift their posture so they can be responsive, instead of reactive. This helps district leaders appropriately address areas of immediate concern and make changes to policies and procedures that reduce or eliminate future conflicts. In this way, the entire organization can benefit from even small changes. By helping school districts build congruency between their values and their behaviors, Ombuds foster an organizational culture of transparency, accountability, and integrity. Improving organizational culture also strengthens collaboration capacity and trust among team members and between teams, departments, and schools. Ongoing collaboration contributes to collective beliefs held by team members regarding their unified capability. The stronger these beliefs, the more its members will put forth the sustained effort necessary to achieve organizational goals. Conflict is inevitable. The K-12 School Ombuds can help transform conflict into collaboration so all students learn.

Dr. Esther Salinas is the CEO of iOmbuds, LLC, a company that partners with school districts and educational organizations to deliver independent ombuds services and consultation in the development of Education Ombuds Programs. Dr. Salinas has worked in K-12 education for over 20 years as a Teacher, School Principal, and Central Office Administrator. She created the Ombuds Office for Pasadena Unified School District, in Pasadena California, and served as their Ombuds Officer. Dr. Salinas has presented around the country on the value of Education Ombuds Programs for early dispute resolution. She has her organizational ombudsman certification from the International Ombudsman Association; her Doctor of Education from the University of Southern California; and is completing the Master of Dispute Resolution from the Straus Institute of Dispute Resolution at the Pepperdine University School of Law. Dr. Salinas may be reached at esther@iombuds.com.
2 Proverbs 27:17, New International Version
https://www.americanbar.org/content/dam/aba/images/abanews/2017%20Annual%20Resolutions/103.pdf