



November 18, 2016

[REDACTED]

*RE: Incident on 11/2/16 in which [REDACTED] general education teacher allegedly denied her access to the school nurse and regarding the need for a meeting to review [REDACTED] 04 Plan.*

Dear [REDACTED]

This letter is in reference to concerns that were brought to DCPS attention on 11/7/16 regarding [REDACTED]. Specifically, the grievance reads as follows:

*I'm writing on behalf of my client, [REDACTED] mom to [REDACTED] student [REDACTED]. I am writing regarding a very serious set of incidents which occurred at [REDACTED] last [REDACTED]. I am filing a formal grievance on my client's behalf, but I am also hoping to work with your team toward a resolution which includes a safety transfer of [REDACTED] children to a new school.*

*[REDACTED] is a chronically ill [REDACTED]. She and her [REDACTED] were born prematurely and have been in and out of hospitals their whole lives due to [REDACTED] and [REDACTED] systems. I worked with [REDACTED] last year to develop enhanced 504 plans for both girls.*

*Last week and the preceding week, [REDACTED] was out of school for a number of days with a [REDACTED]. On [REDACTED], she returned to school because [REDACTED] thought she might be doing a bit better, and because the school had told [REDACTED] that she was being referred to CPS for [REDACTED] excessive absences ([REDACTED] is adamant that she was told CPS had already been called, however, [REDACTED] clarified through their attorney on [REDACTED] that they had not). The school was aware that [REDACTED] had been out with an infection, and [REDACTED] provided the requisite doctors' excuses. When [REDACTED] went to pick [REDACTED] up at [REDACTED] [REDACTED] looked unwell. [REDACTED] asked her what was wrong and in response [REDACTED] listlessly asked to [REDACTED] [REDACTED] felt her head, noted that [REDACTED] had a serious fever, and took [REDACTED] straight to the emergency room. [REDACTED] was found to have a 105.2 degree fever. She was admitted, put on second type of antibiotics, and was later diagnosed with a [REDACTED]. She spent two nights at the hospital.*

*On the evening of her admission, [REDACTED] explained to a social worker at the hospital that she had asked several times throughout the school day to visit the nurse because she did not feel well. She stated that her teacher told her she could not go to the nurse. The doctor at the hospital encouraged [REDACTED] to report the school's negligence to the police.*

*I reached out to [REDACTED], [REDACTED] principal, the evening of [REDACTED] to share the above information and to ask her what had caused this breakdown. I did not receive a response until Friday morning, when I received an email from DCPS [REDACTED] [REDACTED] denying what [REDACTED] said with respect to accessing the school nurse.*

*[REDACTED] understandably does not trust the staff at [REDACTED] to keep her daughters safe, and feels her family's relationship with the school has been irreparably damaged. She is requesting a safety transfer for these reasons.*

*As a secondary matter, I would like to convene a meeting with DCPS' centralized team to develop stronger 504 plans for [REDACTED] and her sister [REDACTED]. They miss a great deal of school due to their disabilities, and are not afforded*

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*a meaningful way to access the instruction they miss when they are absent. We previously attempted to go through the home and hospital program, but were denied on the basis that [REDACTED] are intermittently absent, rather than absent on all days. I would like to meet with a centralized team because, in my experience, schools (including [REDACTED] do not feel empowered to add outside services like the ones [REDACTED] need.*

In response, DCPS conducted an investigation which included speaking with the teacher, your child, and other persons/students identified as witnesses and/or deemed relevant (school nurse). ***Based on DCPS findings, the reported behaviors pertaining to your child did not constitute a violation of the District of Columbia Municipal Regulations. It was deemed a miscommunication.***

***Moving forward [REDACTED] staff will allow [REDACTED] access to the restroom on an hourly basis throughout the day and her teachers will conduct more frequent check-ins with [REDACTED] regarding her need to see the nurse. She will always be permitted to go to the nurse and encouraged to see the nurse even if she doesn't want to do so but complains of being ill. [REDACTED] agreed to continue working with [REDACTED] on self-advocacy so she is able to make her needs known in a strong and clear manner. [REDACTED] will provide [REDACTED] medical records that are in her possession to [REDACTED] staff during the week of [REDACTED] [REDACTED] and a 504 review meeting will be held on [REDACTED]***

DCPS does not tolerate the mistreatment of students in any form to include bullying, sexual harassment, or other forms of discrimination. Nor does DCPS tolerate retaliation for reporting behavior that could constitute mistreatment and such behavior should be reported immediately.

If you are not satisfied with the outcome of this investigation, you have the right to file an appeal within 10 calendar days of receipt of this letter. The appeal must be submitted in writing. Appeal requests may be submitted via U.S. Postal Mail to 1200 First St., 9<sup>th</sup> Floor; Attn: Resolution Grievance Division or via email at [dcps.grievance@dc.gov](mailto:dcps.grievance@dc.gov). You may also contact the U.S. Department of Education, Office on Civil Rights (1-800-421-3481) to report any educational discrimination on the basis of race, sex, disability, etc.

If you have further questions or concerns about this letter or other issues, please do not hesitate to contact us at [dcps.grievance@dc.gov](mailto:dcps.grievance@dc.gov) or 202.442.5405. Thank you for taking steps to making DCPS a safe and welcoming environment.

Regards,

