



DISTRICT OF COLUMBIA
PUBLIC SCHOOLS

Office of the Chief Operating Officer

VIA EMAIL

June 22, 2020

[REDACTED]

RE: Letter of Response for Grievance #2013 filed on March 7, 2018

Dear [REDACTED]

In accordance with Chapter 24 Subtitle 5-B, Section 2405 of the District of Columbia Municipal Regulations, DC Public Schools (DCPS) Comprehensive Alternative Resolution and Equity (CARE) team has completed its investigation of the above referenced grievance.

Grievance Issues

We acknowledge that there has been a lapse in time since the filing of this grievance. Based on a review of the information provided, the written grievance raised the following issues under the jurisdiction of this office:

1. **5-B DCMR 2405.2 (c):** Where it is alleged that any student or group of students is being subjected to an arbitrary or unreasonable regulation, procedure, or standard of conduct. You reported concerns involving Student [REDACTED] being unfairly denied access to the afterschool program at [REDACTED] [REDACTED] after he transferred to a non-public school.

Review Procedure

The review included information from the following individuals:

1. [REDACTED] Grievant/Parent Attorney to Student [REDACTED]
2. [REDACTED]
3. [REDACTED]
4. [REDACTED]

The review also included the following which were either submitted by the complainant, submitted by the school, or accessible via DCPS data systems:

1. [REDACTED] e-mail exchanges between you; Child & Family Services Agency (CFSA) Social Worker, [REDACTED]; Student [REDACTED] Parent [REDACTED] Principal [REDACTED] Teacher [REDACTED] DCPS Compliance Case Manager, [REDACTED]
2. SEDS - DCPS' Special Education Database for information on Student [REDACTED] services

3. DCPS Guidelines for Out-of-School Time Programs on Serving Students with Disabilities

General Findings of Fact

The following findings of fact resulted from the review:

1. Following the filing of a Due Process Complaint with the Office of the State Superintendent of Education, DCPS entered into a settlement agreement regarding Student [REDACTED]. The settlement agreement included a change in school placement from [REDACTED], a non-public school.
2. [REDACTED] does not have an aftercare program.
3. On [REDACTED] CFSA Social Worker [REDACTED] asked if Student [REDACTED] was still able to attend aftercare at [REDACTED].
4. On [REDACTED] DCPS Compliance Manager [REDACTED] stated that Student [REDACTED] would not be able to attend the afterschool program at [REDACTED] as he is no longer a student at [REDACTED].
5. On [REDACTED] you raised concerns that Student [REDACTED] is still a DCPS student and that [REDACTED] still his home school. You reported that Student [REDACTED] should not be unenrolled because he transferred to a non-public school.

Discussion/Conclusion

As a result of this review, we have determined the following:

DCPS CARE finds that **5-B DCMR 2405.2 (c)** is substantiated. DCPS Compliance Case Manager, [REDACTED] informed you that Student [REDACTED] was no longer able to attend the afterschool program at [REDACTED] because Student [REDACTED] no longer attended the school. Student [REDACTED] withdrew from [REDACTED] to attend a non-public school to support Student [REDACTED] disability. The non-public school does not have an aftercare program for Student [REDACTED] to attend. DCPS CARE finds that Student [REDACTED] should not have been denied access to the afterschool program because he began attending a non-public school since there was no aftercare program for Student [REDACTED] to attend at [REDACTED].

DCPS has taken the following action as a result of these allegations:

1. Student [REDACTED] was permitted to attend afterschool at [REDACTED].
2. DCPS will review its policies and procedures regarding non-public students and out-of-school time programs to ensure alignment with Title II of the Americans with Disabilities Act of 1990. The review will be completed by [REDACTED]. Any updates will be made by [REDACTED].

As the complainant, if you are not satisfied with the outcome, you have the right to file an appeal. Appeals must be submitted in writing and received within 10 calendar days of receipt of this notice. Please submit appeal requests to the Office of Integrity via U.S. Postal Mail to 1200 First St., NE, 10th Floor; Attn: CIO or via email at dcps.cio@k12.dc.gov. You may also contact the U.S. Department of Education, Office for Civil Rights (1-800-421-3481) to report any educational discrimination.

[Redacted]
[Redacted]

Cc: Principal
Instructional Superintendent