



DISTRICT OF COLUMBIA
PUBLIC SCHOOLS

Office of the Chief Operating Officer

VIA EMAIL

June 15, 2020

[REDACTED]

RE: Letter of Response for Grievance #2807 filed on February 8, 2019

Dear [REDACTED]:

In accordance with Chapter 25 Subtitle 5-B, Section 2405 of the District of Columbia Municipal Regulations, D.C. Public Schools (DCPS) Comprehensive Alternative Resolution and Equity (CARE) team has completed its review of the above referenced written 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 issue 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.
 - a. You reported staff treatment concerns regarding Teacher [REDACTED], specifically that Teacher [REDACTED] did not follow Student [REDACTED]'s 504 plan by refusing to let Student [REDACTED] use the restroom.
 - b. Additionally, you reported that Teacher [REDACTED] engaged in a verbal altercation with Student [REDACTED]

Review Procedure

The review included interviews with the following individuals:

1. [REDACTED], Grievant/Grandparent of Student [REDACTED]
2. [REDACTED] Principal

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

1. Accelify – DCPS 504 plan database
2. Aspen – DCPS student attendance database
3. SBT – DCPS student behavior database

General Findings of Fact

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1. You reported to DCPS CARE that in January 2019 Student [REDACTED] asked Teacher [REDACTED] to use the restroom and Teacher [REDACTED] told her “no.” You allege that Student [REDACTED] said she had a 504 plan and Teacher [REDACTED] allegedly said in front of the class, [REDACTED]
 2. DCPS CARE obtained Student [REDACTED]’s 504 plan which states that Student [REDACTED] receive the accommodation of frequent bathroom breaks in the classroom.
 3. You reported to DCPS CARE that during the week of February 4, 2019, Student [REDACTED] was talking with another student about Teacher [REDACTED] and Teacher [REDACTED] overheard the conversation, confronted Student [REDACTED], and the two began arguing and yelling at each other.
 4. On March 8, 2019 Principal [REDACTED] reported to DCPS CARE that Student [REDACTED] called Teacher [REDACTED] and struck her. Principal [REDACTED] reported that police were called.
 5. Student [REDACTED] was issued a 10-day suspension.
 6. On March 12, 2019 Principal [REDACTED] reported to DCPS CARE that the hearing judge agreed to reduce the 10-day suspension to a 5-day suspension and ordered a second mediation/restorative circle.
 7. On March 12, 2019 Principal [REDACTED] reported to DCPS CARE that the first restorative circle was not successful, which originated when Teacher [REDACTED] wouldn’t let Student [REDACTED] use the restroom
 8. Student [REDACTED] did not return to [REDACTED] for the 2019-2020 school year.

Conclusion

- a. As it relates to your concerns regarding Teacher [REDACTED] not following Student [REDACTED]’s 504 plan, DCPS CARE finds that **5-B DCMR 2405.2 (c)** is substantiated. DCPS CARE obtained Student [REDACTED]’s 504 plan which states that the student is permitted to take frequent bathroom breaks. You reported to DCPS CARE that Teacher [REDACTED] did not allow Student [REDACTED] to use the restroom. During the review, Principal [REDACTED] confirmed that Teacher [REDACTED] didn’t let Student [REDACTED] use the restroom.
- b. As it relates to your concerns regarding Teacher [REDACTED] engaging in a verbal altercation with Student [REDACTED] DCPS CARE withholds issuing a finding. Personnel investigations are outside the jurisdiction of this office.

To address your concerns regarding Teacher [REDACTED], DCPS has taken the following action:

1. A restorative circle was held on February 6, 2019 and March 12, 2019.
2. A referral was sent to Labor Management and Employee Relations (LMER) on May 19, 2020, for the review and investigation of these allegations. Their findings and any disciplinary actions will remain confidential due to employee privacy guidelines.

DCPS will review all available information related to this incident to determine whether employee misconduct has occurred. Although DCPS appreciates your need to know the results of its review, we are unable to share the results of personnel investigations, including any employee disciplinary action that may have been taken, because this information is contained in confidential employee records.

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.

If you have further questions, please do not hesitate to contact us at dcps.care@k12.dc.gov or 202.442.5405.

Sincerely,

A handwritten signature in black ink, appearing to read 'Anitra Allen', with a long horizontal flourish extending to the right.

Anitra Allen, Director CARE

Cc: Principal
Instructional Superintendent