



DISTRICT OF COLUMBIA
PUBLIC SCHOOLS

Office of the Chief Operating Officer

BY EMAIL AND FIRST-CLASS May 3, 2019

[REDACTED]

RE: Letter of Response for Written Grievance # 2911 filed on March 11, 2019.

Dear [REDACTED]

In accordance with 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 written grievance.

Grievance Issues:

Subtitle 5-B, Section 2405.1(d), which prohibits discrimination on the basis of race, color, and national origin

You allege that your student was not selected as a member of the [REDACTED] varsity baseball team based on his race.

Subtitle 5-B, Section 2405.2(c), allegation that any student or group of students is being subjected to an arbitrary or unreasonable regulation, procedure, or standard of conduct

You allege that your student was improperly not selected as a member of the varsity baseball team based on a "pay to play" selections process.

Subtitle 5-B, Section 2405.2(f), other violation

You allege that [REDACTED] is improperly raising and managing money on behalf of the team to support the program and its annual [REDACTED]

Investigative Procedure:

The investigation included interviews with the following individuals:

1. Complainant
2. Student, [REDACTED]
3. Principal, [REDACTED]
4. Athletic Director, [REDACTED]
5. Director of Strategy and Logistics, [REDACTED]
6. Dean / Assistant Coach, [REDACTED]
7. Varsity Baseball Coach, [REDACTED]
8. Varsity / Junior Varsity Coach, [REDACTED]
9. Parent / [REDACTED]
10. Parent / [REDACTED]

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

1. Canceled check made payable to [REDACTED] for [REDACTED] contribution(s)
2. [REDACTED] payment breakdown
3. [REDACTED] information
4. Email communications regarding the [REDACTED]
5. Travel documents submitted to DCPS related to the [REDACTED]
6. Baseball Team Rosters for [REDACTED] (beginning of the season and [REDACTED] playoff roster)
7. [REDACTED] guidance from Principal [REDACTED] to parents and guardians regarding payments made for school activities
8. [REDACTED] one-pager and financial snapshot.
9. [REDACTED] Player Evaluations / Baseball Skills Assessments

Findings of Fact:

1. At a tournament in the fall of 2018 [REDACTED] (African-American) was benched for [REDACTED] (Caucasian) who started in his place.
2. [REDACTED] broke his leg playing "fall ball" but was never checked on by Coach [REDACTED]
3. [REDACTED] was one of the fastest players in the baseball program.
4. [REDACTED] (African-American) was one of three starters who did not attend a [REDACTED] After the trip, the other two players (both Caucasian) resumed their starting positions while [REDACTED] did not return to his starting position for several games.
5. Coaches [REDACTED] worked with [REDACTED] on his bunting as a way to utilize his speed and increase his batting average in an effort to increase his standing as a varsity prospect.
6. Coach [REDACTED] told the players he would call each player to let them know how they did during try-outs.
7. [REDACTED] is an unofficial Booster Club (operating without 501(c)3 status or a tax identification number) set up to raise money to support baseball at [REDACTED] [REDACTED] is an official booster club for all [REDACTED] athletics.
8. [REDACTED] requests that each member of the team pay dues.
9. Since [REDACTED] baseball players, coaches, and employees have traveled annually to the [REDACTED]
10. DCPS does not financially support the [REDACTED]
11. The [REDACTED] is funded by its student participants.
12. A portion of the funds paid on student's behalf are set aside for students who cannot afford the trip.
13. Coach [REDACTED] endorsed the check written by the grievant and turned it over to [REDACTED]

Discussion/Conclusion:

1. DCPS finds that Subtitle 5-B, Section 2405.1(d) is not substantiated. DCPS conducted a review of the player evaluation and skill assessments for all students who tried out for the [REDACTED] varsity baseball team during SY [REDACTED] and determined that the selections were based on the athletic skill of the students. While it is clear there were circumstances that were handled poorly, there was no evidence to support a claim of race-based discrimination.¹
2. DCPS finds that Subtitle 5-B, Section 2405.2(c) is not substantiated. Parents of student athletes on [REDACTED] baseball team from SY [REDACTED] were sent an email dated [REDACTED] to which you were included. This email was also re-sent to parents on [REDACTED] The email explicitly states the following:

[REDACTED]

¹ See finding of fact 1.

[REDACTED]

DCPS investigated your allegation of a "pay to play" process; however, we did not find evidence of the suggested process. Specifically, we identified at least one player who participated in the [REDACTED] that did not make financial contributions.

3. DCPS is unable to substantiate Subtitle 5-B, Section 2405.2(f). DCPS does not have jurisdiction over PTSOs, PTAs or booster organizations. However, our investigation confirmed that [REDACTED] is a registered, licensed 501(c)3 organization in the District of Columbia. Additionally, during SY [REDACTED] marketed information about the financial position of the organization, its purpose, the support it provides [REDACTED] baseball and the reasons why funding was needed. Further, by letter dated [REDACTED] Athletic Director informed parents that [REDACTED] was organized by a group of parents and the organization is requesting financial support for all [REDACTED] athletic teams.


However, to ensure your concerns have been considered and heard, DCPS will take the following action:

1. By [REDACTED] DCPS will refer any DCPS staff member who may have acted inappropriately to the District's Board of Ethics and Government Accountability (BEGA) for further review.

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, 11th Floor; Attn: CIO or via email at dcps.cio@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@dc.gov or 202.442.5405.

Sincerely,


Anitra Allen-King, Director CARE

cc: Principal
Instructional Superintendent