



BY EMAIL AND FIRST-CLASS MAIL

September 23, 2019



RE: Letter of Response for Grievance #3194 filed on May 15, 2019

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**

Based on a review of the information provided, the written grievance raised the following issues under the jurisdiction of this office:

1. **24 DCMR Subtitle 5-B, Section 2405.2 (a)** - Where it is alleged that any student or group of students is being denied access to an adequate educational opportunity;
  - a. On May 15, 2019, you reported during the [REDACTED] school year you made multiple requests for a 504 plan for your student, [REDACTED] but never received a response. In addition, you state that [REDACTED] has PTSD and insomnia and as a result, [REDACTED] has continued to have tardy's in her Algebra 1 course and will not be able to attend the promotion ceremony.

**Investigative Procedure**

The investigation included interviews with the following individuals:

1. Parent, [REDACTED]
2. Principal, [REDACTED]
3. Math Teacher, [REDACTED]
4. Assistant Principal, [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. Text messages provided by [REDACTED]
2. Emails provided by [REDACTED]
3. Emails provided by Assistant Principal, [REDACTED]
4. Activity log from Khan Academy

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5. Activity log from ALEKS
  6. DCPS Secondary Grading and Reporting Policy

### General Findings of Fact

The following findings of fact resulted from the investigation:

1. On [REDACTED], Assistant Principal, [REDACTED] emailed the School Psychologist, [REDACTED] about your request to complete the 504-eligibility process.
2. On [REDACTED], School Psychologist, [REDACTED] emailed you with a list of available dates to proceed with the 504-eligibility process and asked that you complete the 504 referral form. School Psychologist, [REDACTED] never received your response.
3. During Literacy Night in [REDACTED] you again requested a 504 plan with Principal, [REDACTED]
4. [REDACTED] Algebra 1 course is held [REDACTED].
5. [REDACTED] has accrued a total of 37 unexcused absences and 45 unexcused tardy's in her Algebra 1 course.
6. DCPS Secondary Grading and Recording Policy states that "secondary students accumulating more than thirty (30) unexcused absences in a course within a full school year shall receive a failing final grade in that course with a resulting loss of course credit."
7. In [REDACTED], Teacher, [REDACTED] provided opportunities for [REDACTED] to raise her Algebra 1 grade by coming to class during lunch and recess to make-up work, attend Saturday School, and to do work outside of school on online programs such as ALEKS and Khan Academy.
8. Between [REDACTED] and [REDACTED], [REDACTED] had a total of 0 hours and 0 minutes of activity on the ALEKS program.
9. Between [REDACTED], [REDACTED] had a total of 12.5 minutes of activity on the Khan Academy program.
10. Teacher, [REDACTED] reported that [REDACTED] came to Saturday School [REDACTED].
11. Teacher, [REDACTED] reported that [REDACTED] did not come to her during recess or lunch to work on math assignments.

### Discussion/Conclusion

1. **24 DCMR Subtitle 5-B, Section 2405.2 (f)** is substantiated. Staff at [REDACTED] did not appropriately respond to multiple requests to begin the 504 eligibility process. After an initial attempt to reach you via email failed, [REDACTED] staff should have made additional attempts to ensure the completion of the 504 process.

DCPS has taken the following actions below to address this incident:

1. On [REDACTED] School Psychologist, [REDACTED] emailed you the 504 Referral Form and requested a time to have the 504 Eligibility meeting.
2. On [REDACTED], you requested to have the 504 meeting on [REDACTED]. However, this meeting did not take place. Psychologist, [REDACTED] additional attempts to confirm a date for a 504 meeting during that summer but have yet to receive a confirmation.
3. At the discretion of Principal, [REDACTED] received a waiver for retention as a result of completing an alternate summer school plan and having demonstrated the ability to pass the Algebra I class in terms of content and work. As a result, [REDACTED] has been promoted to the next grade level.

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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, 11<sup>th</sup> Floor; Attn: CIO or via email at [dcps.cio@dc.gov](mailto: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](mailto:dcps.care@dc.gov) or 202.442.5405.

Sincerely,

A large black rectangular redaction box covering the signature area.

Cc: Principal  
Instructional Superintendent