



DISTRICT OF COLUMBIA
PUBLIC SCHOOLS

Office of the Chief Operating Officer

BY E-MAIL AND FIRST-CLASS MAIL

April 13, 2020

[REDACTED]

RE: Letter of Response for Grievance #3292 filed on June 26, 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 review 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. **5-B DCMR 2405.1 (a) & (b):** Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990, which prohibits discrimination on the basis of disability. It is alleged that during the [REDACTED] school year, [REDACTED] math teacher, [REDACTED] did not implement his 504 plan which resulted in an adverse impact on his grade.

Review Procedure

The review included interviews with the following individuals:

1. [REDACTED]
2. [REDACTED] Assistant Principal
3. [REDACTED] Grievant, Parent of [REDACTED]

The review 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. Aspen – DCPS Student Data System
 - a. Honors Algebra I Assignment List and Grades for [REDACTED]
2. Relevant e-mail correspondence regarding [REDACTED] 504 Plan and mathematics
3. [REDACTED] Honors Algebra I assignments

- a. [REDACTED] (no date written)
- b. [REDACTED] (no date written)
- c. "Homework" on standard form equation of circles (no date written)
- d. [REDACTED] (no date written)
- e. [REDACTED] " dated [REDACTED]
- f. [REDACTED] on solving quadratic equations (no date written)
- g. [REDACTED] "
- h. [REDACTED] on adding/subtracting polynomials dated [REDACTED]

General Findings of Fact

The following findings of fact resulted from the review:

- 1. Student [REDACTED] has a Section 504 Plan that provides the following accommodation: [REDACTED]
- 2. Student [REDACTED] was enrolled in the Honors Algebra I class of [REDACTED] for the [REDACTED] school year.
- 3. Student [REDACTED] received a C- as a final grade in Honors Algebra I.

Discussion/Conclusion

- 1. DCPS finds that 5-B DCMR 2405.1 (a) & (b) is substantiated. The assignment [REDACTED] on adding/subtracting polynomials dated [REDACTED] has the following notation: [REDACTED] There is no indication on the assignment, through marks or comments, that the 70% grade was due to incorrect or missing responses. A review of [REDACTED] final grades in Aspen show that [REDACTED] received 70% for the assignment named [REDACTED]. The assignment date and due date in Aspen for [REDACTED] is [REDACTED]. It is more likely than not that [REDACTED] received a 70% grade for the [REDACTED] assignment due to it being [REDACTED]. This is a violation of [REDACTED] 504 Plan and constitutes discrimination on the basis of [REDACTED] disability. It is unclear but possible that other assignments were graded in violation of [REDACTED] 504 Plan.

In response, [REDACTED] and/or DCPS has taken or will take the following action by the due dates established below:

- 1. A referral was sent to Labor Management Employee Relations (LMER) on [REDACTED] for the review and investigation of the conduct of Teacher [REDACTED]. Their findings and any disciplinary actions will remain confidential due to employee privacy guidelines.
- 2. A referral was sent to the [REDACTED] Principal, [REDACTED] and the [REDACTED] Instructional Superintendent for [REDACTED] to address potential inaccuracies regarding [REDACTED]'s grade in Honors Algebra I on [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.

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

Sincerely,

[Redacted Signature]

[Redacted Title]

Cc: Principal
Instructional Superintendent
Section 504 and Student Accommodations Team