



BY EMAIL AND FIRST-CLASS MAIL

April 2, 2020



RE: Letter of Response for Grievance #3335 filed on August 30, 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. **5-B DCMR 2405.2(f)**-Any other violation of a right granted by law that does not have a specific grievance procedure or hearing process provided in this title. You reported concerns for the safety of your student, [REDACTED] who attended [REDACTED]. These concerns occurred after it was found that in May 2019, a DCPS Employee locked her in a cabinet at school.
2. **5-B-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 that on August 26, 2019, Student [REDACTED] experienced an episode in reaction to seeing [REDACTED] Educational Aide [REDACTED], who was alleged to have locked Student [REDACTED] in a cabinet, punched her in the stomach, and pulled her ear in May 2019.

**Investigative Procedure**

The investigation included interviews with the following individuals:

1. [REDACTED], Parent
2. [REDACTED], Assistant Principal
3. [REDACTED], Special Education Coordinator
4. [REDACTED], Social Worker
5. [REDACTED], Special Education Coordinator
6. [REDACTED], Teacher
7. [REDACTED], Paraprofessional Support and Medical Education Support

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## General Findings of Fact

The following findings of fact resulted from the investigation:

1. During your conversations with DCPS CARE, you explained in May 2019, [REDACTED] was locked in a cabinet by a DCPS Employee while at [REDACTED]. This incident was investigated by the Labor Management and Employee Relations department.
2. [REDACTED] expressed concern about returning to [REDACTED] due to the trauma of the above-mentioned incident.
3. Additionally, you stated that [REDACTED] has suffered a broken finger while at school, bruises under her arms, has had her hair pulled out, and that she has come home with feces on her.
4. The staff at [REDACTED] were unaware of how some of the injuries to [REDACTED] transpired.

## Discussion/Conclusion

1. **5-B DCMR 2405.2(e)** is substantiated. DCPS CARE found that the concerns for the safety of [REDACTED] were credible. DCPS CARE believes that the staff at [REDACTED] need to be better trained on how to adequately support and monitor [REDACTED] while in and out of the classroom.
2. DCPS CARE withholds issuing a finding for **5-B DCMR 2405.2(c)**; employee misconduct investigation outcomes are confidential.

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

1. Regarding the **5-B DCMR 2405.2(c)** allegation a referral was sent to Labor Management and Employee Relations (LMER) on August 30, 2019, for the review and investigation of these allegations. Their findings and any disciplinary actions will remain confidential due to employee privacy guidelines.
2. A re-entry meeting was held on September 16, 2019 for Student [REDACTED] to return to [REDACTED].

On September 27, 2019, you withdrew [REDACTED] from [REDACTED] is no longer enrolled at a DC Public School. DCPS will take the following actions below to address your concerns should [REDACTED] return to DCPS in the future:

1. A Functional Behavioral Assessment will be conducted and used to create or improve upon her current Behavior Intervention Plan.
2. A DSI Specialist from the Academic Programs Team will observe [REDACTED] inside of the classroom. After the observation, a report with recommendations will be written to suggest any strategies and interventions that are needed.
3. Two central office Behavior Technicians will work with [REDACTED] and the classroom team to train them on how to address [REDACTED]'s needs based on her Behavior Intervention Plan.

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.

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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, 10<sup>th</sup> Floor; Attn: CIO or via email at [dcps.cio@k12.dc.gov](mailto: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](mailto:dcps.care@k12.dc.gov) or 202.442.5405.

Sincerely,

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

Anitra Allen-King, Director CARE

Cc: Principal  
Instructional Superintendent