



DISTRICT OF COLUMBIA
PUBLIC SCHOOLS

Office of the Chief Operating Officer

VIA E-MAIL AND FIRST-CLASS MAIL

May 19, 2020



RE: Letter of Response for Written Grievance #3499 filed on November 15, 2019

Dear [REDACTED]:

In accordance with Chapter 24 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

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 Subtitle 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. It is alleged that Student [REDACTED]'s fingernail was torn off during the school day.
 - b. It is alleged that school staff placed multiple layers of pull-ups on student [REDACTED]

Review Procedure

The review included interviews with the following individuals:

1. [REDACTED], Grandmother of [REDACTED]
2. [REDACTED] AP, [REDACTED]
3. Aide, [REDACTED]
4. Teacher, [REDACTED]
5. Nurse, [REDACTED] (via phone)

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

Student Behavior Tracker
DCPS Special Education Database
observation of Student, [REDACTED]

General Findings of Fact

The following findings of fact resulted from the review:

1. AP [REDACTED] reported that [REDACTED]'s classroom teacher examined and photographed [REDACTED]'s hand and confirmed the student's fingernail was in tact. Teacher [REDACTED] confirmed that photographs were taken on [REDACTED], the day after the incident was reported to her.
2. On or around [REDACTED] Nurse [REDACTED] at [REDACTED] examined and confirmed [REDACTED] fingernail was intact.
3. On [REDACTED]; [REDACTED]'s Aide, [REDACTED] reported that since she's worked with him, she hasn't noticed anything wrong with [REDACTED]'s fingernail nor has he been involved in an incident that could have caused the removal of his fingernail.
4. On [REDACTED]; [REDACTED], students classroom teacher, confirmed that she puts four pull ups on [REDACTED] to prevent leaks and saturation of clothes.

Discussion/Conclusion

As a result of this review, DCPS has found the following:

- a. DCPS finds that **5-B DCMR Subtitle 2405.2(c)** not substantiated (**allegation a**). The DCPS CARE Team observed that student [REDACTED] fingernail was intact. Photos captured by the teacher on or around [REDACTED] show the students fingernail intact. Additionally, all classroom staff members who interacted with [REDACTED] reported that they have not observed any missing fingernails on the students' hand.
- b. DCPS is unable to substantiate **5-B DCMR Subtitle 2405.2(c)** (**allegation b**) 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. DCPS CARE is unable to determine if the student is uncomfortable when wearing more than one pull up. Classroom Teacher [REDACTED]'s acknowledged she places multiple pull-ups on student [REDACTED] to prevent his clothes from becoming saturated with urine.

Although the allegation was not found, River Terrace will take or has taken the following actions below to address this incident:

1. Upon students return to school; [REDACTED] will complete check ins with [REDACTED] family to ensure that they don't have any concerns.
2. Upon students return to school; [REDACTED] will meet to determine if the student requires a toileting plan, if warranted team will develop plan.
3. By the end of SY [REDACTED], [REDACTED] will connect family with community resources that can assist with personal care needs and products.

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@k12.dc.gov or 202.442.5405.

Sincerely,


, Director CARE

cc: Principal
Instructional Superintendent