



DISTRICT OF COLUMBIA
PUBLIC SCHOOLS

Office of the Chief Operating Officer

VIA EMAIL

July 13, 2020

[REDACTED]

RE: Letter of Response for Grievance #3786 filed on June 25, 2020

Dear [REDACTED]:

In accordance with Chapter 25 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 issue under the jurisdiction of this office:

1. **5-B DCMR 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. You allege on [REDACTED] Student [REDACTED] was jumped in the stairwell at [REDACTED] School ([REDACTED]) because of a lack of supervision in the school.
 - b. You expressed additional safety and supervision concerns regarding a student in Student [REDACTED]'s classroom/Student B bringing a weapon to school on [REDACTED] and allegedly directing it towards another student.
 - c. You allege Student [REDACTED] was left at Union Station for over an hour during a school field trip on [REDACTED].
 - d. You expressed concerns regarding Student [REDACTED]'s grades and concerns regarding teacher engagement during distance learning.
 - e. You expressed concerns regarding Student [REDACTED]'s Individual Education Program (IEP). Specifically, you allege that you did not hear from any school staff regarding Student [REDACTED]'s IEP until the end of the [REDACTED] school year.

Review Procedure

The review included information from the following individuals:

1. [REDACTED], Grievant/Parent of Student [REDACTED]
2. [REDACTED], Principal

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3. [REDACTED], DCPS School Security Manager

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

1. SBT – DCPS student behavior database
2. Email chain including you, Principal [REDACTED], Instructional Superintendent [REDACTED], [REDACTED], [REDACTED], [REDACTED], and [REDACTED] dated [REDACTED] - [REDACTED] regarding the Union Station allegation
4. DCPS Field Trip Policy

General Finding of Fact

Regarding the allegation that your student was jumped, the following findings of fact resulted from the review:

1. Principal [REDACTED] reported to DCPS CARE that the students were running in the hallway and Student B jumped on Student [REDACTED]'s back. Principal [REDACTED] reported that Student [REDACTED] was not jumped.
2. Principal [REDACTED] reported that the school investigated the incident, took disciplinary action, and that the students did not have any classes together.
3. Additionally, Principal [REDACTED] reported the school's supervision protocol which includes three security guards rotating amongst the building's four floors, administrators rotating around the building with walkie talkies and during transition times; the expectation is that teachers stand at their door to provide supervision in the hallways.

Regarding the allegation that Student B brought a weapon to school, the following findings of fact resulted from the review:

1. Principal [REDACTED] reported to DCPS CARE that Student B brought a knife to school on [REDACTED]. Principal [REDACTED] also reported that Student B did not use the knife against a student.
2. Additionally, Principal [REDACTED] reported that the school took immediate disciplinary action and that a community letter was sent out regarding the incident.

Regarding the allegation that your student was left at Union Station, the following findings of fact resulted from the review:

1. On [REDACTED] Student [REDACTED] went on a field trip to Union Station.
2. In your [REDACTED] email, you stated that Student [REDACTED] called you to say that he was left alone at Union Station.
3. Principal [REDACTED] replied to your [REDACTED] email less than ten minutes later stating that he was with Student [REDACTED] and that he was safe. Additionally, Principal [REDACTED] said that he would gather information to find out how Student [REDACTED] had been left unattended and would follow up accordingly.
4. In the [REDACTED] email Principal [REDACTED] stated the field trip chaperones counted 26 students before departing Union Station, which they thought was the correct number of students; however, there were 27 students on the field trip.
5. Additionally, Principal [REDACTED] stated that there was a misunderstanding about the time the students

were to return to the meeting point and the expectation that students should never wander off alone.

6. In the [REDACTED] email Principal [REDACTED] outlined school-based actions that he planned to take to mitigate the possibility of any similar field trip issues in the future.

Discussion/Conclusion

1. As it relates to the [REDACTED] incident, DCPS CARE is unable to substantiate **5-B DCMR 2405.2(c)**. During the review, you reported that Student [REDACTED] was jumped by two other students. Principal [REDACTED] reported to DCPS CARE that the students were running in the hallway and Student B jumped on Student [REDACTED]'s back. Principal [REDACTED] clarified that the incident was not a jumping. The reported behavior is not sufficiently severe, persistent or pervasive to constitute an ongoing safety concern to Student [REDACTED]. Principal [REDACTED] reported to DCPS CARE that the incident was investigated, and appropriate disciplinary action was taken.
2. As it relates to your concerns regarding Student B bringing a weapon to school thus posing a safety risk, DCPS CARE substantiates **5-B DCMR 2405.2(c)**. During the review, Principal [REDACTED] confirmed that Student B brought a knife to school on [REDACTED]. Principal [REDACTED] reported that immediate disciplinary action was taken. The Family Educational Rights and Privacy Act (FERPA) prevents DCPS from sharing another student's information. If you have additional questions regarding disciplinary action, please contact Student Behavior within the Social Emotional Academic Development team at dcps.sel@k12.dc.gov.
3. As it relates to Student [REDACTED] being left at Union Station, DCPS CARE substantiates **5-B DCMR 2405.2(c)**. During the review, Principal [REDACTED] confirmed that Student [REDACTED] was left behind during the [REDACTED] field trip. Principal [REDACTED] provided DCPS CARE with the steps the school has taken since this incident took place to prevent a similar incident from occurring.
4. As it relates to your grading concerns and teacher engagement during distance learning, DCPS CARE withholds issuing a finding for **5-B DCMR 2405.2(c)**. Employee misconduct investigations remain confidential due to employee privacy guidelines. Additionally, DCPS CARE does not have jurisdiction to issue official findings related to grades. For additional support related to grading, please see the attached Secondary Grading Policy regarding how to appeal a grade.
5. As it relates to Student [REDACTED]'s IEP not being implemented, DCPS CARE withholds issuing a finding for **5-B DCMR 2405.2 (c)**. DCPS CARE does not have jurisdiction to issue official findings related to IEP implementation. For more information regarding your student's IEP and the Individuals with Disabilities Education Amendment Act (IDEA) please contact the DCPS Monitoring and School Support Team at dcps.spedconcerns@k12.dc.gov. Additionally, you can file a written complaint with the Office of the State Superintendent of Education by contacting hearing.office@dc.gov or call (202) 698-3819. You may also file a state complaint with the Office of the State Superintendent of Education State Complaint Office by contacting osse.IDEstatecomplaints@dc.gov or (202) 727-6436.

DCPS has taken or will take the following action as a result of these allegations:

1. Regarding the [REDACTED] incident and the weapon incident, appropriate Chapter 25 infractions were administered.
2. Regarding the [REDACTED] incident and the weapon incident, before the start of the [REDACTED] school year, [REDACTED] administration will review its school supervision and safety protocol. Any necessary changes will be made within 5 business days of the review.

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3. By the start of the [REDACTED] school year, a safe point of contact will be assigned to Student [REDACTED]. This staff member will provide weekly check-ins with Student [REDACTED].
 4. Regarding the Union Station incident and teacher engagement during distance learning concerns, a referral was sent to Labor Management and Employee Relations (LMER) on [REDACTED] and [REDACTED] for the review and investigation of these allegations. Their findings and any disciplinary actions will remain confidential due to employee privacy guidelines.

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.

5. Following the Union Station incident, Principal [REDACTED] suspended all field trips to Union Station during the investigation of this incident. Principal [REDACTED] held a meeting with staff in [REDACTED] to review field trip best practices and reviewed the DCPS Field Trip Policy with staff. Additionally, a new field trip protocol was created including a roll call of each student's name and chaperones checking off a hard copy of a student roster.

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.

Sincerely,

[REDACTED]

[REDACTED], Director CARE

Cc: Principal
Instructional Superintendent