



DISTRICT OF COLUMBIA
PUBLIC SCHOOLS

Office of the Chief Operating Officer

VIA EMAIL

March 3, 2021

██████████
████████████████████

RE: Letter of Response for Grievance #3840 filed on January 7, 2021

Dear ██████████:

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 investigation 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 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 allege that Student ██████'s 504 plan is not being properly implemented by teachers at ██████████ School. Specifically, you allege ██████ is not being given additional time to complete assignments.

Review Procedures

The review included interviews with the following individuals:

1. ██████, Parent of Student ██████
2. ██████, ██████████ School Principal
3. ██████, ██████████ School Assistant Principal
4. ██████, ██████████ School Counselor
5. ██████, ██████████ School English Teacher
6. ██████, ██████████ School Science Teacher

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

1. Aspen, DCPS database for student grades and attendance
2. Student ██████'s ██████████ 504 Plan

-
3. Screenshot of date Student [REDACTED] completed ANet 2 English Language Arts Interim Assessment sent by Teacher [REDACTED]

General Findings of Fact

1. Student [REDACTED]'s 504 plan indicates that Student [REDACTED] should be allowed 50% additional time to complete classroom tests and quizzes.
2. According to Assistant Principal [REDACTED], Student [REDACTED]'s 504 plan has been shared with all of his teachers on [REDACTED] and on [REDACTED].
3. According to Principal [REDACTED], Student [REDACTED] gets additional time to complete assignments and all assignments are accessible until the end of each term. Assistant Principal [REDACTED] reported that some assignments close automatically, however, all assignments have been updated and now have a later due date.
4. According to Counselor [REDACTED], during tests in the virtual setting, Student [REDACTED] is placed in a break-out room where he is provided specific instructions and extended time.
5. Teacher [REDACTED] reported to DCPS CARE that Student [REDACTED] was permitted the entire 9-weeks of Term [REDACTED] to complete classroom tests given to students each Wednesday of the term.
6. Additionally, Teacher [REDACTED] reported that in [REDACTED], students were given the ANet English Language Arts Interim Assessment to be completed in one class period from 9:00am to 11:00am, however, Student [REDACTED] was not timed and was permitted as much time as he needed to complete the assessment. ANet was assigned to students on [REDACTED]. According to the screenshot provided by Teacher [REDACTED] Student [REDACTED] completed the assessment on [REDACTED].
7. Teacher [REDACTED] reported Student [REDACTED] was permitted four class periods to complete the Reading Inventory Assessment in [REDACTED].
8. Teacher [REDACTED] reported to DCPS CARE that Student [REDACTED] is given until the end of the term to complete all assignments. Additionally, Teacher [REDACTED] reported that Student [REDACTED] receives additional support by being placed in small groups or receiving one-on-one support from Teacher [REDACTED]

Discussion/Conclusion

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

1. DCPS CARE is unable to substantiate **5-B DCMR 2405.2 (b)**. Based on the information gathered during this investigation, there is insufficient evidence to indicate that Student [REDACTED] did not receive extended time to complete assignments. Although it was reported that some assignments had closed automatically, they have been reopened by [REDACTED] School teachers in order to allow for additional time for students to complete them.

In order to ensure your concerns are addressed, DCPS has taken the following action:

-
1. As of [REDACTED], [REDACTED] School has updated assignments to be open until the end of Term [REDACTED], which is [REDACTED].
 2. By [REDACTED], the DCPS Section 504 and Student Accommodations Team will meet with appropriate [REDACTED] School staff to review requirements and reinforce expectations for Student [REDACTED]'s 504 plan implementation.

Additionally, you raise concerns that you have made several attempts to schedule an Individualized Education Plan (IEP) eligibility meeting with [REDACTED] School but have been unsuccessful. The concerns you shared are important to DCPS but fall outside the jurisdiction of this office. DCPS CARE has made a referral to the DCPS Monitoring and School Support team on [REDACTED] for review of this matter. For more information regarding the Individuals with Disabilities Education Amendment Act (IDEA), you may also contact 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.

For additional support regarding Student [REDACTED]'s 504 plan, you may also request an impartial hearing to resolve differences involving the identification, evaluation, and placement of a student with disabilities entitled to protection under Section 504. For additional information related to 504 impartial hearings, the DCPS Section 504 and Student Accommodations Team can be contacted by email at 504@k12.dc.gov or by telephone at 202-442-5471.

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,

[REDACTED], Director CARE
[REDACTED]

CC: Principal
Instructional Superintendent