

DISTRICT OF COLUMBIA PUBLIC SCHOOLS

NOTICE OF FINAL RULEMAKING

The Chancellor of the District of Columbia Public Schools (DCPS), pursuant to Section 103 of the District of Columbia Public Education Reform Amendment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-172(c) (2012 Repl.)), and Mayor's Order 2007-186, dated August 10, 2007, hereby gives notice of the adoption of the following rule to add a new Section 405 (Third Party Grievance Procedure) of Chapter 4 (Community Involvement in Education) of Subtitle E, Title 5 (Education), of the District of Columbia Municipal Regulations (DCMR).

The purpose of the rule is to amend the language regarding the procedures for the filing, investigation, and resolution of complaints or grievances filed by parents, guardians, visitors and others in cases of discrimination, bullying, or harassment. The amendment is necessary because DCPS must ensure that its grievance procedures contain language that satisfies requirements set forth by the U.S. Department of Education, Office of Civil Rights.

A Notice of Emergency and Proposed Rulemaking was published in the *D.C. Register* on September 27, 2013 at 60 DCR 13425. No changes have been made to the text of the proposed rules. Additionally the "Parents, Guardians and Visitors Grievance Procedure Regulations Approval Resolution of 2013" was submitted to the Council on September 24, 2013 (PR-20-460). The Council has neither approved nor disapproved during the 45-day period of review and these rules are therefore deemed approved, pursuant to Section 103 of the Act. These rules were adopted as final on February 6, 2014 and 0 Td()Tj/T.

the basis of race, color, and national origin;

(e) The District of Columbia Human

administrator other than the principal or official

- (n) If the grievant is not satisfied with the response or the designated school official is unable to achieve an adequate resolution, either the grievant or designated school official may, within ten (10) calendar days of the written response, request that the grievance be brought before a grievance review panel to ensure appropriate and fair resolution of the grievance. The panel shall be comprised of three (3) persons appointed by the Chancellor or designee, and may include the Section 504 Coordinator, the Title IX Coordinator, individuals from the DCPS Office of Compliance, Office of the General Counsel, other Instructional Superintendents or school officials, and other disinterested persons with training and knowledge about the issues raised by the grievance.
- (o) In all cases brought before the review panel, the panel shall provide the designated school official with written findings and recommendations for suggested implementation by the Instructional Superintendent and the principal; a copy of the written findings and recommendations shall also be issued to the grievant. The findings and recommendations shall be issued within ten (10) school days of receipt by the panel of the request referenced in §E-405.5(n) of this section.
- (p) Within five (5) days of receipt