Notice: This decision may be formally revised before it is published in the *District of Columbia Register* and the Office of Employee Appeals' website. Parties should promptly notify the OEA's Chief Operating Officer of any formal errors so that this Office can correct them before publishing the decision. This notice is not intended to provide an opportunity for a substantive challenge to the decision.

THE DISTRICT OF COLUMBIA

BEFORE

THE OFFICE OF EMPLOYEE APPEALS

In the Matter of:	)	
	)	
EMPLOYEE,	)	
Employee	)	OEA Matter No. J-0041-25
	)	
v.	)	Date of Issuance: May 29, 2026
	)	
DISTRICT OF COLUMBIA PUBLIC SCHOOLS,	)	
Agency	)	ERIC T. ROBINSON, ESQ.
	)	SENIOR ADMINISTRATIVE JUDGE
	)	

Amos Jones, Esq., Employee Representative
Gehrrie Bellamy, Esq., Agency Representative

INITIAL DECISION

INTRODUCTION AND PROCEDURAL HISTORY

Employee is an Instructional Superintendent with the District of Columbia Public Schools. On May 20, 2025, Employee filed a Petition for Appeal with the Office of Employee Appeals ("OEA" or the "Office") contesting the imposition of a 10 (ten) day suspension. On June 5, 2025, the District of Columbia Public Schools submitted an Answer and Motion to Dismiss. In it, DCPS asserts that Employee serves in an at-will status and cannot appeal this action to the OEA. This matter was assigned to the Undersigned on June 9, 2025. Thereafter, an Order requiring the parties to brief the issue surrounding whether the OEA may exercise jurisdiction over this matter was issued. Upon consideration and review, I decided to hold a Status Conference in order to ascertain the salients facts in this matter. During this conference, the parties asked for leave to discuss settlement of this matter. Over time, the parties were seemingly successful in coming to a settlement agreement that was fully executed by the parties on April 27, 2026. Of note, there was extended discussion over whether parts of the agreement were adhered to. Of further note, the salient portion of that agreement entails dismissing the instant matter. In order to effectuate the dismissal of this matter, DCPS forwarded a copy of the fully executed settlement agreement to the OEA on May 29, 2026. After reviewing the documents of record, I have determined that no further proceedings are warranted. The record is now closed.

JURISDICTION

The Office has jurisdiction in this matter pursuant to D.C. Official Code § 1-606.03 (2001).

ISSUE

Whether this matter should be dismissed.

BURDEN OF PROOF

OEA Rule 631.1, 6-B DCMR Ch. 600 (December 27, 2021) states:

> The burden of proof for material issues of fact shall be by a preponderance of the evidence. "Preponderance of the evidence" shall mean:
>
> That degree of relevant evidence which a reasonable mind, considering the record as a whole, would accept as sufficient to find a contested fact more probably true than untrue.

OEA Rule 631.2 id. States:

> For appeals filed under §604.1, the employee shall have the burden of proof as to issues of jurisdiction, including timeliness of filing. The agency shall have the burden of proof as to all other issues.

FINDINGS OF FACTS, ANALYSIS AND CONCLUSIONS OF LAW

I am guided by the OEA rules in this matter. OEA Rule 607.11 states that "if the parties reach a settlement, the matter shall be dismissed in accordance with D.C. Official Code § 1-606.06(b)." The parties have submitted a copy of the fully executed settlement agreement that provides as follows that "[Employee] shall withdraw the OEA Appeal within five (5) business days after receiving confirmation that the Notice of Suspension has been removed from her OPF [Official Personnel File]."[1] [2] I hereby find that in accordance with this condition contained within the Settlement Agreement executed by the above captioned parties, Employee's Petition for Appeal should be dismissed in accordance with OEA Rule 607.11.

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[1] See clause 4 of the Settlement Agreement between Employee and DCPS signed on April 27, 2026.

[2] Although I may not discuss every aspect of the evidence in the analysis of this case, I have carefully considered the entire record. *See Antelope Coal Co./Rio Tino Energy America v. Goodin,* 743 F.3d 1331, 1350 (10th Cir. 2014) (citing *Clifton v. Chater,* 79 F.3d 1007, 1009-10 (10th Cir. 1996)) ("The record must demonstrate that the ALJ considered all of the evidence, but an ALJ is not required to discuss every piece of evidence").

ORDER

Based on the foregoing, it is hereby ORDERED that this matter be DISMISSED.

FOR THE OFFICE:

/s/ Eric T. Robinson

ERIC T. ROBINSON, ESQ.
SENIOR ADMINISTRATIVE JUDGE