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THE DISTRICT OF COLUMBIA
BEFORE
THE OFFICE OF EMPLOYEE APPEALS

In the Matter of:)	
)	OEA Matter No.: 1601-0091-16
DANNY VELASQUEZ,)	
Employee)	
)	Date of Issuance: April 5, 2017
v.)	
)	
DISTRICT OF COLUMBIA PUBLIC SCHOOLS,)	
Agency)	
)	
)	Arien P. Cannon, Esq.
)	Administrative Judge
Danny Velasquez, Employee, <i>Pro se</i>		
Lynette A. Collins, Esq., Agency Representative		

INITIAL DECISION

INTRODUCTION AND PROCEDURAL BACKGROUND

Danny Velasquez (“Employee”) filed a Petition for Appeal with the Office of Employee Appeals (“OEA”) on September 6, 2016, challenging the District of Columbia Public Schools’ (“Agency”) decision to remove her from her position as an Educational Aide. Employee was removed pursuant to Agency’s IMPACT policy. IMPACT is Agency’s Effectiveness Assessment System for School-Based Personnel. I was assigned this matter on October 18, 2016.

A Prehearing Conference was convened on February 8, 2017. Subsequently, a Post Prehearing Conference Order was issued which required the parties to submit legal briefs addressing the issues in this matter. Agency’s brief was due on or before March 24, 2017, while Employee’s brief was due on April 24, 2017. Prior to the submission of briefs, the parties agreed to mediate this matter. Accordingly, a mediation was held on March 29, 2017, which resulted in a successful resolution between the parties. As such, a Settlement Agreement, along with a Request to Dismiss the Appeal, was submitted to this Office.

JURISDICTION

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

ISSUE

Whether Employee's Petition for Appeal should be dismissed as a result of a Settlement Agreement.

ANALYSIS AND CONCLUSION

D.C. Official Code §1-606.06(b) (2001) states in pertinent part, that:

If the parties agree to a settlement without a decision on the merits of the case, a settlement agreement, prepared and signed by all parties, shall constitute the final and binding resolution of the appeal, and the [Administrative Judge] shall dismiss the appeal with prejudice.

Here, a copied of the Settlement Agreement, along with Employee's Request to Dismiss the Appeal, was provided to the undersigned. Both documents were signed and dated March 30, 2017. Accordingly, I find that Employee's Petition for Appeal shall be dismissed.

ORDER

It is hereby **ORDERED** that Employee's Petition for Appeal is **DISMISSED**.

FOR THE OFFICE:

Arien P. Cannon, Esq.
Administrative Judge