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THE DISTRICT OF COLUMBIA
BEFORE
THE OFFICE OF EMPLOYEE APPEALS

In the Matter of:)	
)	
TRACIE WILLIAMS)	OEA Matter No. 1601-0268-12
Employee)	
)	
v.)	Date of Issuance: September 29,
)	2014
)	
DISTRICT OF COLUMBIA PUBLIC SCHOOLS)	Lois Hochhauser, Esq.
Agency)	Administrative Judge
)	
Carl Turpin, Esq., Agency Representative		
Tracie Williams, Employee, <i>Pro Se</i>		

INITIAL DECISION

INTRODUCTION AND PROCEDURAL BACKGROUND

Tracie Williams, Employee herein, filed a petition with the Office of Employee Appeals (OEA) on September 27, 2012, appealing the decision of the District of Columbia Public Schools, Agency herein, to remove her from her position as a Teacher, effective September 12, 2012. At the time the petition was filed, Employee held a permanent appointment.

The matter was assigned to me on December 11, 2013. I issued an Order scheduling a prehearing conference for February 7, 2014. At the prehearing conference, the parties presented their positions. Both parties agreed that there was no need for an evidentiary hearing. They agreed to submit closing arguments by March 7, 2014. An Order was issued on February 10, 2014 memorializing the decisions reached at the prehearing conference.

On March 31, 2014, I issued an Order directing Agency to respond to Employee's request to resolve the matter by permitting her to resign in lieu of removal, by April 22, 2014. Agency responded that was amenable to resolving this matter, provided Employee agreed to withdraw this petition. The parties entered into settlement negotiations. I issued Orders thereafter on April 15, 2014, May 5, 2014, July 9, 2014, August 12, 2014, and September 8, 2014, directing the parties to notify me of the status of the negotiations, and directing Employee to file a request to withdraw the appeal if the parties had settled the matter. The parties responded to the Orders indicating that the matter was close to resolution. On September 19, 2014, Employee submitted a document with OEA which stated:

I, Tracie Williams, wish to withdraw my appeal against DCPS in the matter of OEA No. 1601-0268-12. Thank you.

The record is now closed.

JURISDICTION

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

ISSUE

Should the petition be dismissed?

FINDINGS OF FACT, ANALYSIS AND CONCLUSIONS

Employee filed a document with this Office requesting that this petition for appeal be dismissed. Earlier statements and submissions from Employee support the conclusion that the parties have resolved the matter and that a Settlement Agreement was executed. It appears from the previous statements and submissions that Employee's request to dismiss her appeal is an informed decision that was made voluntarily by Employee. Therefore, the Administrative Judge concludes that the request should be granted and that this petition for appeal should be dismissed. The Administrative Judge commends the parties on their successful resolution of this matter.

In sum, based on the analysis, findings and conclusions stated herein, the Administrative Judge concludes that this petition for appeal should be dismissed.

ORDER

This petition for appeal is dismissed.

FOR THE OFFICE:

LOIS HOCHHAUSER, Esq.
Administrative Judge