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**THE DISTRICT OF COLUMBIA
BEFORE
THE OFFICE OF EMPLOYEE APPEALS**

In the Matter of:)	
)	OEA Matter No.: 1601-0002-25
EMPLOYEE ¹ ,)	
Employee)	
)	Date of Issuance: March 12, 2026
v.)	
)	MICHELLE R. HARRIS, ESQ.
D.C. PUBLIC SCHOOLS,)	Senior Administrative Judge
Agency)	
)	
Employee, <i>Pro Se</i>		
Gehrie Bellamy, Esq., Agency Representative		

INITIAL DECISION

INTRODUCTION AND PROCEDURAL HISTORY

On October 3, 2024, Employee filed a Petition for Appeal with the Office of Employee Appeals (“OEA” or “Office”) contesting the District of Columbia Public Schools’ (“Agency” or “DCPS”) decision to terminate him from service. Following a letter from OEA dated October 3, 2024, requesting an Answer in this matter, Agency filed its Answer on November 4, 2024. This matter was assigned to the undersigned Senior Administrative Judge (“SAJ”) on November 4, 2024. On November 5, 2024, I issued an Order convening a Prehearing Conference for December 10, 2024. Both parties appeared for that conference as required. During the conference the undersigned determined that more time was needed for the parties to complete and submit Prehearing Statements due to delays in mailing/receipt of the November 5, 2024 Order. Accordingly, I issued an Order that same day rescheduling the Prehearing Conference for January 15, 2025. Prehearing Statements were due by or before January 8, 2025. Agency submitted its Prehearing statement by the deadline. Both parties appeared for the Prehearing Conference on January 15, 2025. During the Conference, Employee explained that he encountered challenges which prevented his submission of a Prehearing Statement by January 8, 2025. Upon review of the record, the undersigned determined that more time was needed to allow for Employee to submit his Prehearing Statement.

On January 15, 2025, I issue a Post Prehearing Conference Order requiring Employee to submit his Prehearing Statement by or before January 31, 2025, and scheduled a Prehearing Conference for February 6, 2025. Employee filed his Prehearing Statement by the prescribed deadline. Both parties appeared for the Prehearing Conference on February 6, 2025, as required. During the conference, the undersigned determined that supplemental information was required. Further, the undersigned advised the parties that an Evidentiary Hearing was likely warranted for this matter. I issued a Post Prehearing Conference on February 6, 2025, which required Agency to submit a complete copy of the Investigative

¹ Employee’s name was removed from this decision for the purposes of publication on the Office of Employee Appeals’ website.

Report related to the adverse action in this matter. Employee was also advised that he could submit the copies of what he had received. Submissions were due by or before February 18, 2025, and a Status Conference was scheduled for February 27, 2025. Agency did not submit the Investigative Report by February 19, 2025. Both parties appeared for the Status Conference on February 27, 2025, wherein Agency noted that the investigator had been on leave and that it had inadvertently failed to convey that information to the undersigned as related to the submission of the Investigative Report. On February 27, 2025, I issued an Order requiring Agency to submit the Investigative Report by or before March 3, 2025, and also scheduled a Status Conference for March 11, 2025. Both parties appeared for the March 11, 2025 Status Conference. During that Conference, the undersigned advised that an Evidentiary Hearing would be held in this matter. Parties were to check with their witnesses to confirm availability to attend the Evidentiary Hearing. The parties confirmed availability via email on March 14, 2025. On March 14, 2025, I issued an Order Convening an Evidentiary Hearing for May 14, 2025.

On April 15, 2025, Agency filed an Agreed Motion for Continuance. Agency cited therein that the parties were engaged in settlement talks that would likely extend beyond the scheduled hearing date. On April 17, 2025, I issued an Order granting the Motion and requested that the parties provide a Status Update by or before May 5, 2025. On May 7, 2025, Agency filed a Joint Statement/Update. It was noted therein that both parties agreed that the settlement negotiations will extend beyond May 14, 2025, and requested that the Evidentiary Hearing be continued. On May 7, 2025, I issued an Order granting the request. The Evidentiary Hearing scheduled for May 14, 2025, was cancelled. Further, the parties were required to submit a joint status/update by May 27, 2025. On May 27, 2025, Agency filed a Joint Statement/Update citing therein that the parties were still engaged in settlement negotiations. On May 28, 2025, I issued an Order granting the request and required the parties to provide an update by or before June 13, 2025. On June 16, 2025², Agency filed a Joint Statement/Update citing therein that the parties were still engaged in settlement negotiations and the varied availability of the parties involved required additional time. On June 17, 2025, I issued an Order requiring the parties to provide an update by or before July 3, 2025. The parties complied with this Order. The parties cited in their update that negotiations were ongoing and were taking time given involvement with other entities in the process. There was no date specified regarding an expected resolution. As result, I issued an Order on July 14, 2025, requiring the submission of an update by August 4, 2025.

The parties filed another Joint Status Update on August 5, 2025. Again, the parties noted the complexity of the settlement negotiations and Agency also cited that Employee had agreed to supply documentation that will advance the settlement negotiations forward. A date of completion was not provided. On August 5, 2025, I issued an Order requiring the submission of a Status Update by or before September 15, 2025. Further, that Order noted that if a settlement had not been reached by September 15, 2025, a Status Conference would be held on September 30, 2025. The parties filed the Status Update. The Status Conference was held on September 30, 2025, and both parties were present. The parties noted that they still wished to negotiate a settlement and agreed to have participate/be referred to mediation at OEA. Accordingly, I issued an Order on September 30, 2025, noting that the matter would be referred for mediation. That Order also cited that the parties would be contacted by an OEA mediator to schedule mediation sessions as needed. Additionally, the parties were advised that should an update regarding settlement negotiations occur prior to the mediator's outreach, a Status

² Due to road closures on June 13, 2025, for an event in the District, the undersigned advised that the Status Update could be filed after June 13, 2025.

Update should be filed. The parties were also notified that should mediation be unsuccessful, the Evidentiary Hearing in this matter would proceed.

On November 10, 2025, the undersigned was notified that mediation was not successful. On November 12, 2025, I issued an Order scheduling a Status Conference for December 2, 2025, for the purposes of scheduling the Evidentiary Hearing. On November 20, 2025, Agency filed a Motion Requesting a New Date citing a conflict with a previously scheduled OEA matter. On November 25, 2025, I issued an Order granting the request and rescheduled the Status Conference to December 9, 2025, at 11:00am. On December 3, 2025, Agency filed a Motion citing another conflict with an OEA matter at that same time. On December 4, 2025, I issued an Order rescheduling the time to 2:00pm on December 9, 2025. On December 9, 2025, Agency's representative emailed the undersigned citing that she was in an Evidentiary Hearing before another AJ at OEA and could not appear for the scheduled Status Conference. On December 10, 2025, I issued an Order rescheduling the Status Conference for December 16, 2025, at 2:00pm. Both parties appeared on December 16, 2025, as required. Following a brief conversation between the parties, they notified the undersigned that they had reached a settlement in this matter. The undersigned advised the parties that upon the receipt of a withdrawal/motion to dismiss, the matter would be dismissed due to the parties' settlement of the matter. On March 10, 2026, the parties filed a Joint Motion to Dismiss citing that they had settled the matter on January 22, 2026. 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 appeal should be dismissed based on the parties' settlement of this matter.

FINDINGS OF FACT, ANALYSIS AND CONCLUSIONS OF LAW

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.”

In the instant matter, the parties reached a settlement agreement. Furthermore, on March 10, 2026, the parties filed a Joint Motion to Dismiss noting that a settlement had been reached and executed. The parties further requested that this matter be dismissed with prejudice before this Office. For these reasons, and pursuant to the aforementioned code provision, I find that Employee's Petition for Appeal should be dismissed.

ORDER

It is hereby **ORDERED** that the Petition for Appeal in this matter is **DISMISSED with PREJUDICE**.

FOR THE OFFICE:

/s/ Michelle R. Harris
MICHELLE R. HARRIS, ESQ.
Senior Administrative Judge