



DISTRICT OF COLUMBIA
PUBLIC SCHOOLS

Office of the Chief Operating Officer

BY EMAIL AND FIRST-CLASS MAIL

December 3, 2020

██████████ and ██████████
██████████ and ██████████

RE: Letter of Response for Grievance #2560 filed on November 2, 2018

Dear ██████████ and ██████████:

In accordance with Chapter 24 Subtitle 5-B, Section 2405 of the District of Columbia Municipal Regulations, DC Public Schools (DCPS) Comprehensive Alternative Resolution and Equity (CARE) team has completed its investigation of the above referenced grievance.

Grievance Issues

Based on a review of the information provided, the written grievance raised the following issues under the jurisdiction of this office:

1. **5-B DCMR 2405.2(e)**: Where a student is a victim of bullying or harassment, including sexual harassment.
 - a. It was reported by ██████████ that several students, including ██████████, engaged in a “private parts” club.

These allegations fall under Title IX of the Education Amendments Act of 1972 (“Title IX”) which prohibits discrimination on the basis of sex.

Investigative Procedure

The investigation included interviews with the following individuals:

1. ██████████, School Social Worker at ██████████
2. ██████████, Principal at ██████████
3. ██████████, Teacher at ██████████
4. ██████████, Parent of ██████████
5. ██████████, Parent of ██████████

The investigation also included review of the following documents which were either submitted by the complainant, submitted by the school, or accessible via DCPS data systems:

1. Letter (dated 10/16/18) from [REDACTED] to [REDACTED] and [REDACTED]-grade parents addressing “private parts” club
2. Summary of interviews with students conducted by the school social worker

Findings of Fact

The following findings of fact resulted from the investigation:

1. The incident involved students in [REDACTED] and [REDACTED] grade at [REDACTED] during the 2018-19 school year.
2. Social Worker [REDACTED] interviewed eight students who were alleged to be part of the “private parts” club.
3. It was reported that [REDACTED], Student B, Student C, and Student D were responsible for “inviting” peers to “join” the club.
4. Students reported that the incidents occurred primarily on playdates outside of school and once during a PTA Back to School picnic.
5. It was unclear from the interviews with the eight students if anyone ever exposed their private area to another student; however, all students denied any inappropriate touching by a peer or adult.
6. Each student who was interviewed was provided a “good touch, bad touch” discussion. The [REDACTED]-grade class and [REDACTED]-grade class were advised that the “private parts” club was inappropriate and provided a “good touch, bad touch” discussion.
7. When interviewed as a follow-up to this incident, [REDACTED] and [REDACTED] indicated that no additional concerns related to this matter were reported to [REDACTED] for the remainder of the 2018-19 school year or during the 2019-20 school year.

Discussion/Conclusion

5-B DCMR 2405.2(e) is unable to be substantiated as a violation of policy. Although [REDACTED] administration confirmed that students engaged in the “private parts” club, it is unclear if any student actually exposed themselves to another student. Additionally, all students who were interviewed denied that any inappropriate touching occurred. Ross [REDACTED] took reasonable steps to address the concern by talking with students about appropriate behavior and informing students’ parents about the matter. As noted in the letter

to parents, it is developmentally appropriate for students of this age to be curious about their development. Given this information, this situation does not rise to the level of “severe, pervasive, or persistent” to constitute sexual harassment.

DCPS has taken the following actions below to address this incident:

1. On, October 16, 2018, ██████████ sent communication to ██████████-grade and ██████████-grade parents outlining concerns and supportive measures taken to address concerns.
2. As of October 16, 2018, Social Worker ██████████ conducted “good touch, bad touch” with individual students.
3. As of October 16, 2018, Social Worker ██████████ conducted class-wide “good touch, bad touch.”

If you are not satisfied with the outcome, you have the right to file an appeal. Appeals must be submitted in writing and received within 10 calendar days of receipt of this notice. Please submit appeal requests to the Office of Integrity via U.S. Postal Mail to 1200 First St., NE, 10th Floor; Attn: CIO or via email at dcps.cio@k12.dc.gov. You may also contact the U.S. Department of Education, Office for Civil Rights (1-800-421-3481) to report any educational discrimination.

If you have further questions, please do not hesitate to contact us at dcps.care@k12.dc.gov or 202.442.5405.

Sincerely,



Anitra Allen, Director CARE

Cc: Principal
Instructional Superintendent