



DISTRICT OF COLUMBIA  
PUBLIC SCHOOLS

Office of the Chief Operating Officer

VIA E-MAIL

March 22, 2019

[REDACTED]

[REDACTED]

RE: Letter of Response for Written Grievance #2964 filed on March 15, 2019

Dear [REDACTED]:

In accordance with Subtitle 5-B, Section 2405 of the District of Columbia Municipal Regulations, D.C. Public Schools (DCPS) Comprehensive Alternative Resolution and Equity (CARE) team has completed its investigation of the above referenced written 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. You allege that [REDACTED] was sexually harassed in the bathroom when students came in and began recording [REDACTED] while he was using the toilet. These allegations fall under Federal Title IX Law of the Education Amendment of 1972 ("Title IX"). Title IX prohibits discrimination on the basis of sex which includes sexual harassment and sexual violence.

**Investigative Procedure**

The investigation included interviews with the following individuals:

1. [REDACTED], Guardian of [REDACTED]
2. [REDACTED], Principal at [REDACTED]
3. [REDACTED], Dean at [REDACTED]
4. Student A, Student at [REDACTED]

DCPS attempted to interview Student B, Student at [REDACTED]. However, consent was not granted by the parent of Student B.

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: n/a

**General Findings of Fact**

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The following findings of fact resulted from the investigation:

1. On March 14, 2019, [REDACTED] was in the stall of the restroom at [REDACTED].
2. Student A and Student B entered the restroom.
3. Student B called Student A over to the stall where [REDACTED] was using the restroom.
4. Student A reached over the top of the stall with his cell phone and began recording [REDACTED] as he sat on the toilet.

### **Discussion/Conclusion**

As a result of this review, DCPS has found the following:

1. DCPS finds that **5-B DCMR 2405.2 (e)** is not substantiated. Although inappropriate, the behavior of Student A and Student B was not deemed to be sexual in nature and therefore does not constitute a Title IX violation.

However, to respond to your allegations and to ensure that your student is supported, [REDACTED] [REDACTED] is required to take the following actions by the due dates established below:

1. Provide [REDACTED] four (4) hours of counseling by March 29, 2019.
2. Review School-Wide Restroom Use Guidelines by March 25, 2019.
3. Provide School-Wide Privacy Training, including behavior involving the use of electronics by April 1, 2019.
4. Appropriate Chapter 25 disciplinary infractions were administered.

Additionally, you communicated with the CARE Team that you do not want [REDACTED] to return to [REDACTED] [REDACTED]. In order to facilitate your request, DCPS has taken the following action:

1. On March 7, 2019, DCPS connected you to the Student Placement Office to discuss school location options for [REDACTED]

As the complainant, 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, 11<sup>th</sup> Floor; Attn: CIO or via email at [dcps.cio@dc.gov](mailto:dcps.cio@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.

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If you have further questions, please do not hesitate to contact us at [dcps.care@dc.gov](mailto:dcps.care@dc.gov) or [202.442.5405](tel:202.442.5405).

Sincerely,

A handwritten signature in black ink, appearing to read 'Anitra', with a long horizontal flourish extending to the right.

Anitra Allen-King, Director CARE

cc: Principal

Instructional Superintendent