



DISTRICT OF COLUMBIA  
PUBLIC SCHOOLS

Office of the Chief Operating Officer

**BY EMAIL AND FIRST-CLASS MAIL**

December 15, 2020

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

RE: Letter of Response for Grievance #3240 filed on May 29, 2019

Dear [REDACTED],

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. On May 23, 2019, Student [REDACTED] reported to staff at [REDACTED] that they were sexually assaulted by Student B in December 2018.

**Investigative Procedure**

The investigation included interviews with the following individuals:

1. Parent, [REDACTED]
2. Social Worker, [REDACTED]
3. Detective [REDACTED], Metropolitan Police Department
4. Student B
5. Parent of Student B
6. Student C
7. Student D

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DCPS CARE did not receive permission to interview Student [REDACTED] about the allegations raised in this grievance.

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. Written Statement from Student [REDACTED]

### **General Findings of Fact**

The following findings of fact resulted from the investigation:

1. In a written statement, Student [REDACTED] stated that on December 13, 2018, they went to the top of the stairwell with Student B. While at the top of the stairs, Student [REDACTED] says that Student B attempted to convince Student [REDACTED] to [REDACTED]. Student [REDACTED] denied this request.
2. Student [REDACTED] writes that Student B then attempted to put their hand down Student [REDACTED]'s pants despite repeatedly telling Student B "no". Student [REDACTED] says that the two students had already had sex that day and was already in pain.
3. According to Student [REDACTED]'s statement, Student B proceeded to touch Student [REDACTED]'s [REDACTED] and [REDACTED]. Student [REDACTED] says Student B went to wash their hands and after exiting the bathroom, Student B saw Student [REDACTED] crying and asked, [REDACTED]
4. In an interview, Student B described being in a relationship with [REDACTED] during their [REDACTED] year. After their relationship ended, they continued to engage in sexual acts. At the time of the alleged incident, Student B and Student [REDACTED] were not in a romantic relationship.
5. Student B stated that Student [REDACTED] has previously made false accusations about him in the past and stated that the alleged incident on December 13, 2018 did not occur.
6. Student B denied ever asking Student [REDACTED] for [REDACTED] while on a stairwell inside of the school. Student B also stated that while in engaging in sexual behaviors with Student [REDACTED], there was always consent.
7. Student B stated that there has never been a time where they observed Student [REDACTED] crying or feeling uncomfortable after the two had engaged in sexual acts.
8. At the time of the report, video footage of the alleged incident could not be recovered from the incident that occurred approximately 6 months prior.
9. There were no reported fact-based witnesses to this incident.

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## Discussion/Conclusion

**5-B DCMR 2405.2(e)** is unable to be substantiated. Based on the information gathered during the course of the investigation, DCPS CARE has determined that there is not enough evidence to conclude that a violation has occurred. DCPS CARE received conflicting accounts from both Student [REDACTED] and Student B. DCPS CARE was able to speak to two students familiar with the relationship between Student [REDACTED] and Student B, but were unable to find any fact-based witnesses with information about the alleged incident in question. Additionally, security camera footage from the alleged incident was unable to be recovered.

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

1. On May 29, 2019, the Metropolitan Police Department (MPD) and Child and Family Services Agency (CFSA) were notified.
2. On May 29, 2019, a Safety Plan was created for Student [REDACTED]
3. Following this report, a schedule change was made for Student [REDACTED] to limit the interactions between Student B or 3<sup>rd</sup> party contacts.
4. Following this report, Student [REDACTED] began to meet with Social Worker, [REDACTED] on an as needed basis. During a phone call on March 23, 2020, you stated that Student [REDACTED] was uncomfortable seeking any additional support outside of Social Worker, [REDACTED]. Should you seek any additional support services, please contact DCPS CARE at the number below.

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, 10<sup>th</sup> Floor; Attn: CIO or via email at [dcps.cio@k12.dc.gov](mailto: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](mailto:dcps.care@k12.dc.gov) or 202.442.5405.

Sincerely,



Anitra Allen, Director CARE

Cc: Principal  
Instructional Superintendent