

## VIA E-MAIL AND REGULAR MAIL

July 3, 2019



RE: Letter of Response for Written Grievance #3255 filed on June 7, 2019



In accordance with Chapter 24 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 review of the above referenced written grievance.

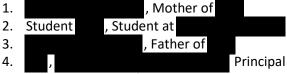
### **Grievance Issues**

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 Student A grabbed pure, pushed her to the ground, got on top of her and began groping her and making sexual movements on top of her. Allegedly, and told Student A to stop but Student A did not stop. 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.

### **Review Procedure**

The review included interviews with the following individuals:



5. Parent B, Parent of Student B

DCPS CARE contacted the parent of Student A to request consent to interview Student A. DCPS CARE did not receive consent to interview Student A.

The review 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 prepared by
- 2. Student Behavior Tracker (SBT)

### **General Findings of Fact**

The following findings of fact resulted from the investigation:

- 1. On March 14, 2019, principal contacted Central Office regarding classrooms with defective locks/doors.
- 2. On May 7, 2019, Student entered an unlocked classroom at No DCPS Staff were in the classroom. Student A and Student B were in the classroom.
- 3. Student was approached by Student A who touched Student in a sexual manner.

# **Discussion/Conclusion**

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

| 1. | DCPS finds that <b>5-B DCMR 2405.2 (e)</b> is substantiated. Student A made non-consensual sexual     |
|----|---|
|    | contact with Student While in an unsupervised classroom, Student A pushed Student                     |
|    | to the ground, got on top of her and began making gestures which emulate sexual intercourse.          |
|    | Student told Student A to stop through words and actions. Student B was in the classroom.             |
|    | Student A intentionally touched Student in a sexual way without her consent and with                  |
|    | force. As such, it is found that the conduct of Student A constitutes a Title IX violation as Student |
|    | was subject to discrimination on the basis of sex.  |

In response, and/or DCPS has taken or will take the following action by the due dates established below:

- 1. DCPS will provide Student up to eight hours of independent counseling at an hourly rate not to exceed \$81.48, to be completed by December 31, 2019.
- 2. DCPS will provide Student A eight hours of healthy-relationship counseling by September 30, 2019.
- 3. will provide Student B 1.5 hours of bystander-prevention counseling by September 30, 2019.
- 4. Chapter 25 disciplinary action was taken on May 7, 2019.
- will develop a Safety Plan for by August 23, 2019.
  will update the Safety Plan by September 11, 2019, if necessary.
  staff will receive Title IX Training by August 26, 2019.
- 7. By September 30, 2019, september 30, 2019,
- 8. Student A will not attend beginning the 2019-2020 school year.
- 9. The defective door locks at will be fixed by August 26, 2019.

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 <a href="mailto:dcps.cio@dc.gov">dc.gov</a>. 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 <a href="mailto:dcps.care@dc.gov">dcps.care@dc.gov</a> or <a href="mailto:202.442.5405">202.442.5405</a>.

Sincerely,

Anitra Allen-King, Director CARE

cc: Principal

**Instructional Superintendent**