



DISTRICT OF COLUMBIA
PUBLIC SCHOOLS

Office of the Chief Operating Officer

BY FIRST-CLASS MAIL

September 23, 2019



RE: Letter of Response for Grievance #3339 filed on September 4, 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 September 3, 2019, [REDACTED] and Student A reported to their teacher that Student B was touching himself inappropriately and touched Student A on the shoulder. 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. Assistant Principal, [REDACTED]
2. Parent, [REDACTED]
3. [REDACTED]
4. Student A

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 [REDACTED]
2. Written Statement from Student A
3. Written Statement from Student B

General Findings of Fact

The following findings of fact resulted from the investigation:

1. [REDACTED] and Student A reported that they were sitting with Student B while in their technology class.
2. While in technology class, [REDACTED] stated that she observed Student B [REDACTED].
3. [REDACTED] told Student B that he was [REDACTED]. Student B responded that he was wearing shorts under his pants to imply that he was not doing anything inappropriate.
4. [REDACTED] then observed Student B touch Student A on her shoulder. [REDACTED] and Student A stated that Student B was laughing while this occurred.
5. [REDACTED] and Student A stated that they did not hear Student B make any inappropriate or sexual comments.

Discussion/Conclusion

5-B DCMR 2405.2(e) is not substantiated. Based on the information gathered during this investigation, we cannot determine that Student B's behavior was intended to be sexual in nature. Additionally, [REDACTED] and Student A reported that there was no inappropriate touch(ing) or sexual language used.

Although a Title IX violation was not found, DCPS has taken the following actions below to address this incident:

1. On September 4, 2019, [REDACTED] met with Social Worker, [REDACTED], for support and to ensure that the student feels safe in her educational environment. Should you choose to seek 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, 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-King, Director CARE

Cc: Principal
Instructional Superintendent