



BY EMAIL AND FIRST-CLASS MAIL

May 21, 2020



RE: Letter of Response for Grievance #3347 filed on September 10, 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 10, 2019, it was reported that [REDACTED] "sexually harassed" Student A by licking a pillow, rubbing the pillow in [REDACTED], and making sexually explicit comments while in a classroom at [REDACTED]. 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. Student, [REDACTED]
2. Teacher, [REDACTED]
3. Witness #1
4. Witness #2

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. Student Behavior Tracker

General Findings of Fact

The following findings of fact resulted from the investigation:

1. [REDACTED] admitted to [REDACTED] a pillow in class but denied licking the pillow or to making any inappropriate noises.
2. Witness #1 and Witness #2 observed [REDACTED] making a sexual gesture with a pillow while in class.
3. Teacher, [REDACTED] did not observe [REDACTED] making any sexual noises or sexual gestures with a pillow.

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4. [REDACTED] stated that his actions were meant to be a joke in front of the classroom as a whole and was not directed at Student A or any student in the classroom.
 5. Witness #1 stated that [REDACTED]'s actions appeared to be a joke and was not aimed at a specific student in the classroom.
 6. Witness #2 explained that [REDACTED] "was trying to be funny" and was not directing his behavior at a specific student.

Discussion/Conclusion

1. **5-B DCMR 2405.2(e)** is unable to be substantiated. While [REDACTED] exhibited inappropriate behavior inside of the classroom with a pillow, there is no evidence to support the claim that [REDACTED]'s behavior was targeted at Student A or any specific student during this incident.

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, Director CARE

Cc: Principal
Instructional Superintendent