



DISTRICT OF COLUMBIA
PUBLIC SCHOOLS

Office of the Chief Operating Officer

BY FIRST-CLASS MAIL

April 30, 2020



RE: Letter of Response for Grievance #3350 filed on September 13, 2019

Dear [REDACTED],

In accordance with Chapter 24 Subtitle 5-E, Section 405 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-E DCMR 405.3(c)** Where an individual is a victim of bullying or harassment, including sexual harassment.
 - a. It was reported that on September 13, 2019, [REDACTED] touched Teacher, [REDACTED] inappropriately several times on her [REDACTED], [REDACTED], and [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. Teacher, [REDACTED]
2. Dean of Students, [REDACTED]
3. Student, [REDACTED]

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 Teacher, [REDACTED]

General Findings of Fact

The following findings of fact resulted from the investigation:

1. Student, [REDACTED] is enrolled at [REDACTED] in a Behavior and Education Support self-contained classroom.

2. On September 13, 2019, it was reported that while in the classroom, [REDACTED] was taken to the de-escalation room after exhibiting behavior that could have been harmful to other students.
3. Once in the de-escalation room, [REDACTED] began “darting back and forth and jumping on the walls”. [REDACTED] would not comply with verbal directions from Teacher, [REDACTED]
4. [REDACTED] then would start a countdown and pretend to hit [REDACTED]’s [REDACTED]. After being re-directed, [REDACTED] continued this behavior until he eventually made contact with [REDACTED]’s [REDACTED]. [REDACTED] would continue to inappropriately touch [REDACTED] despite being redirected and while [REDACTED] tried to block his attempts with her arms.
5. [REDACTED] explained that moments later, [REDACTED] “charged” at her and pulled at the neck of her shirt. [REDACTED] pulled [REDACTED]’s shirt down and then grabbed [REDACTED]’s pants at the waist, trying to pull them down.
6. [REDACTED] reached his hands up [REDACTED]’s shirt, [REDACTED]. After [REDACTED] removed his hand from [REDACTED], [REDACTED] touched [REDACTED] and [REDACTED]. [REDACTED] stated that this occurred more than once and that [REDACTED] would make sexual noises while touching [REDACTED]
7. In an interview on September 18, 2019 with DCPS CARE, [REDACTED] admitted to pulling [REDACTED]’s shirt down and touching her [REDACTED]. [REDACTED] also admitted to touching [REDACTED]’s [REDACTED].

Discussion/Conclusion

1. **5-B DCMR 2405.2(e)** is substantiated. Based on the information gathered during this investigation, DCPS CARE has found that Student, [REDACTED] repeatedly made inappropriate contact with Teacher, [REDACTED]’s [REDACTED], [REDACTED], and [REDACTED]. [REDACTED] repeated this behavior even after being redirected several times. The behavior exhibited by [REDACTED] was “severe, persistent, and pervasive” which constitutes as sexual harassment.

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

1. DCPS CARE has requested that Student, [REDACTED] be transferred to a Behavior and Education Support program at a different elementary school or educational institution.

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