



DISTRICT OF COLUMBIA
PUBLIC SCHOOLS

Office of the Chief Operating Officer

VIA E-MAIL AND FIRST-CLASS MAIL

May 12, 2020



RE: Letter of Response for Written Grievance #3476 filed on November 01, 2019

Dear [REDACTED]:

In accordance with Chapter 24 Subtitle 5-B, Section 2405 of the District of Columbia Municipal Regulations and Chapter 4, Subtitle 5-E, Section 405 of the District of Columbia Municipal Regulations 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 Subtitle 2405.2(e)** where a student is a victim of bullying or harassment, including sexual harassment. It was alleged that Student [REDACTED] has been attempting to touch Student A and other students in inappropriate ways, and has been making comments such as, [REDACTED]. These allegations fall under Federal Title IX Law of the Education Amendment Act 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:

1. [REDACTED], Parent of Student A
2. Student A
3. [REDACTED], Principal at [REDACTED]
4. [REDACTED], Parent of [REDACTED]

The review also included a review of the following documents which were either submitted by the complainant, submitted by the school, or accessible via DCPS data systems: A Review of the Student Behavior Tracker to review the incident and infraction, interviews.

General Findings of Fact

The following findings of fact resulted from the review:

1. On November 15, 2020; Student A reported that during [REDACTED] class, Student [REDACTED] was talking about [REDACTED], then said, [REDACTED], (referring to Student A) then Student [REDACTED] kept trying to touch Student A in the [REDACTED] area.
2. Student A reports that he told Student [REDACTED] to stop like 5 times but Student [REDACTED] was constantly trying to grab him.
3. Student A reports that Student [REDACTED] left him alone during the remaining 5 minutes in class and that's when Student A called Student [REDACTED], [REDACTED] and scooted away from Student [REDACTED]
4. Student A reports that Student [REDACTED] says, "weird things" about people, such as [REDACTED] and Student [REDACTED] says [REDACTED] and [REDACTED].
5. Around December 19, 2019; parent [REDACTED] agreed to bring Student [REDACTED] to the DCPS headquarters to be interviewed but the interview did not take place.
6. Around February 05, 2020; after the holiday break, The CARE Team contacted Parent [REDACTED] to reschedule the interview but [REDACTED] declined due to the amount of time that had passed.

Discussion/Conclusion

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

1. DCPS finds that **5-B DCMR Subtitle 2405.2(e)** is substantiated. Student A reported to the DCPS CARE Team that Student [REDACTED] touched [REDACTED] and stated that [REDACTED]. Based on the interviews that were conducted which coincided with the information reviewed in the Student Behavior Tracker, such as the written statements from both student A and Student [REDACTED]. This conduct is sufficiently severe and pervasive to constitute sexual harassment and thereby constitutes a violation of Title IX. DCPS CARE finds that Student A was discriminated against on the basis of sex.

DCPS and [REDACTED] has taken or will take, the following actions below to address this incident:

1. On November 1, 2020; Student [REDACTED] was issued a disciplinary consequence under Chapter 25 for touching Student A and using seriously offensive and abusive language.
2. Upon students return to school, [REDACTED] will identify a safety resource that Student A can speak with during the school day if he feels uncomfortable.

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
