



DISTRICT OF COLUMBIA
PUBLIC SCHOOLS

Office of the Chief Operating Officer

VIA E-MAIL AND FIRST-CLASS MAIL

December 3, 2020

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

RE: Letter of Response for Written Grievance #3495 filed on November 13, 2019 Dear

Ms. Olaseha:

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

We acknowledge that there has been a lapse in time since the filing of this grievance. 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.

- a. You alleged that Student [REDACTED], was physically and sexually assaulted by Student B at [REDACTED] on or around October 30, 2019.
- b. Furthermore, you alleged that Student B bullied Student [REDACTED] by hitting Student [REDACTED] on multiple occasions.

Review Procedure

The review included interviews with the following individuals:

1. [REDACTED], Principal at [REDACTED]
2. [REDACTED], Mother of Student [REDACTED]
3. Student [REDACTED]
4. [REDACTED], Special Education Aide and [REDACTED] Afterschool Program Staff
5. [REDACTED], [REDACTED] Teacher
6. Parent of Student B
7. Student B

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8. Parent of Student C
 9. Student D
 10. [REDACTED], DCPS Central Office Behavior Technician
 11. [REDACTED], Uncle of Student [REDACTED]
 12. [REDACTED], [REDACTED] Teacher
 13. [REDACTED], DCPS Out of School Time Programs Specialist

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:

1. Student Behavior Tracker (SBT) – DCPS behavior tracking database
2. Student [REDACTED]'s Safety Plan created by [REDACTED] dated November 21, 2019
3. Emails dated November 12, 2020 from DCPS Staff: [REDACTED], Manager of Partner Engagement; [REDACTED], Director of Extended Learning and Academic Recovery; [REDACTED], Specialist for the Out of School Time Programs and [REDACTED], Director of Partnerships and Design
4. ASPEN – DCPS data monitoring database

General Findings of Fact

Regarding the allegation was physically and sexually assaulted by Student B at [REDACTED] the following findings of fact resulted from the review:

1. Student [REDACTED] reported that Student B grabbed Student [REDACTED] and started punching Student [REDACTED]. A fight ensued. Student [REDACTED] reported that Student B grabbed Student [REDACTED] [REDACTED] [REDACTED] during the physical altercation.
2. Student B reported that they pinched Student [REDACTED] on the leg because Student [REDACTED] pinched them on the shoulder.

Regarding the allegation that Student B bullied Student [REDACTED], the following findings of fact resulted from the review:

1. Parent [REDACTED] reported on November 15, 2019, Student B hit Student [REDACTED] while in line for lunch.
2. Student [REDACTED] reported that Student B continuously tries to trip them, and on one occasion punched them in the back causing them to fall down the stairs.
3. Student [REDACTED] reported that Student B has been pushing, tackling and putting their hands on Student [REDACTED] since [REDACTED].
4. On November 6, 2020, Teacher [REDACTED] reported that while Student [REDACTED] and Student B had disagreements, they do not believe that Student B only targeted Student [REDACTED].

5. Student [REDACTED] and Student B do not currently attend the same school.

Discussion/Conclusion

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

- a. DCPS is unable to substantiate **5-B DCMR Subtitle 2405.2(e)**. While Student B reported that they did pinch Student [REDACTED] on the leg, DCPS CARE is unable to conclude that the conduct of Student B was sufficiently, severe or pervasive to constitute sexual harassment. DCPS CARE finds that while Student B exhibited unwelcomed behaviors toward Student [REDACTED] during their physical altercation, Student [REDACTED] was not discriminated against on the basis of sex.

- b. DCPS finds that **5-B DCMR Subtitle 2405.2 (e)** is substantiated for bullying. Student [REDACTED] reported that Student B has pushed, hit and tripped Student [REDACTED] for several years. Based on our review, DCPS CARE finds that the conduct of Student B was sufficiently persistent to constitute bullying as defined by DCPS policy.

[REDACTED] has taken the following actions below to address this incident:

1. On November 15, 2019 Principal [REDACTED] switched the classes of Student [REDACTED] and Student B.
2. On November 15, 2019 Principal [REDACTED] arranged a mediation between Student [REDACTED], Student B and the Parents of Student [REDACTED] and Student B.
3. On November 15, 2019 Student [REDACTED] and Student B were placed in separate [REDACTED] classes.
4. On November 21, 2019 Principal [REDACTED] created a safety plan for Student [REDACTED]

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

