



DISTRICT OF COLUMBIA
PUBLIC SCHOOLS

Office of the Chief Operating Officer

BY EMAIL

December 29, 2020

[REDACTED]
[REDACTED]

RE: Letter of Response for Grievance #3687 filed on February 12, 2020

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. The following is alleged during the [REDACTED] school year at [REDACTED] School:
 - a. STUDENT B sexually harassed [REDACTED] by calling [REDACTED] a [REDACTED] and pulling [REDACTED] down to the floor. It is also alleged that on a separate incident, STUDENT B told [REDACTED] and a group of students [REDACTED]
 - b. STUDENT B stated they would rape Student D and kill [REDACTED], Student E, and Student [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 A
2. Parent of STUDENT B
3. Parent of Student D

4. Parent of Student E

DCPS CARE attempted to interview STUDENT B, [REDACTED], Student D, Student E, and Student F but was unsuccessful. 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 witness statements from Student A, [REDACTED], and Student E provided by [REDACTED] School, dated [REDACTED]

Findings of Fact

The following findings of fact resulted from the investigation:

1. [REDACTED] reported in their written statement an incident when STUDENT B called [REDACTED] a [REDACTED] and pulled [REDACTED] down to the floor.
2. Student A reported there was an incident during lunch when STUDENT B stated STUDENT B would rape Student D and kill [REDACTED], Student E, and Student F. Student [REDACTED] and Student E also reported this in their written statements.
3. [REDACTED] reported in their written statement an incident when STUDENT B walked up to a group of girls and stated, [REDACTED]

Discussion/Conclusion

5-B DCMR 2405.2(e) is substantiated. This decision is based upon a preponderance of the evidence standard. DCPS CARE attempted to contact all students referenced in the written statements provided by [REDACTED] School. DCPS CARE attempted to obtain consent to interview STUDENT B, however the Parent of STUDENT B did not provide consent for an interview. Student [REDACTED] reported being called [REDACTED] on more than one instance. DCPS CARE also took into account the written statements by students and Student A's statements that they witnessed STUDENT B's similar behaviors towards students at [REDACTED] School. Additionally, the three students who provided written statements all acknowledged that they felt threatened at school by the behaviors of STUDENT B. Given that DCPS CARE was unable to obtain consent to interview STUDENT B for additional context for the allegations, based on the information available, DCPS CARE finds that the behaviors are sufficiently severe, pervasive, and persistent to constitute a violation of sexual misconduct.

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

1. In [REDACTED], [REDACTED] School staff conducted a meeting with Student A, Parent of STUDENT B, Student E, and Parent of Student E to discuss the reported allegations.

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2. [REDACTED] School will offer to develop a safety plan for Student A, [REDACTED], Student D, and Student F by [REDACTED]. The safety plan must be developed with the input of each student and the student's parent or guardian.
 3. Upon receipt of consent from the Parent of STUDENT B, [REDACTED] School mental health staff will provide STUDENT B five hours of healthy relationships counseling.
 4. Appropriate Chapter 25 disciplinary infraction(s) will be administered to STUDENT B by [REDACTED].

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,

[REDACTED]

[REDACTED], Director CARE

Cc: Principal
Instructional Superintendent