



DISTRICT OF COLUMBIA
PUBLIC SCHOOLS

Office of the Chief Operating Officer

BY EMAIL AND FIRST-CLASS MAIL

June 15, 2020

[REDACTED]

RE: Letter of Response for Grievance #3725 filed on March 5, 2020

Dear [REDACTED]:

In accordance with Chapter 24 Subtitle 5-B, Section 2405 of the District of Columbia Municipal Regulations (DCMR), 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 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. It was alleged that on [REDACTED], Student A stated, [REDACTED], pulled down his pants and underwear, and [REDACTED] to [REDACTED] while 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. [REDACTED], Student at [REDACTED]
2. [REDACTED], Parent of Student [REDACTED]
3. [REDACTED], Parent of Student [REDACTED]
4. Parent of Student A
5. Parent of Student B
6. [REDACTED], School Social Worker at [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. Disciplinary records from the DCPS Student Behavior Tracker database
2. Email outlining interim measures put into place, provided by [REDACTED] Principal [REDACTED]
3. Safety Plan for [REDACTED], provided by [REDACTED] Principal [REDACTED]

Findings of Fact

The following findings of fact resulted from the investigation:

1. The incident occurred on [REDACTED], during writing class.
2. Parent of [REDACTED] and parent of Student A did not wish for either student to be interviewed further.
3. [REDACTED] and Student A met with School Social Worker (SSW) [REDACTED] for follow-up and gave their accounts of the incident. Student B also met with SSW [REDACTED] as a witness to the incident.
4. According to [REDACTED], Student A stated, [REDACTED] and then [REDACTED]. Student B corroborated this account.
5. Student A acknowledged to [REDACTED] staff that he made inappropriate comments but did not state exactly what he said. Student A also denied [REDACTED].
6. [REDACTED]'s parent stated that [REDACTED] has felt bad and embarrassed as a result of Student A's behaviors.
7. [REDACTED] and Student A were placed into separate classrooms as a result of the incident.

Discussion/Conclusion

As a result of this investigation, **5-B DCMR 2405.2(e)** is substantiated as a violation of the sexual harassment policy. [REDACTED]'s account of the incident was corroborated by another student. Student A also acknowledged that inappropriate language was used during the incident. Additionally, the students were separated into different classrooms to avoid any additional interactions between the two. Given that Student A stated [REDACTED] in addition to [REDACTED], this behavior is believed to be severe and pervasive to the degree to constitute sexual harassment.

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

1. On [REDACTED], [REDACTED] implemented appropriate disciplinary action, in accordance with DCMR Chapter 25, for Student A.
2. On [REDACTED], [REDACTED] implemented a safety plan for [REDACTED].
3. On [REDACTED], students separated into different classrooms.
4. Starting with the [REDACTED] school year, [REDACTED] and Student A will not be placed in the same classroom. [REDACTED] will take reasonable precautions to ensure this, except in instances where there may be only one class available within a school level.
5. Within the first two weeks of the [REDACTED] school year, [REDACTED] will review and update [REDACTED]'s safety with the input of [REDACTED] and parents before implementation.
6. Both students will continue to have access to the school social worker for support.

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