



DISTRICT OF COLUMBIA  
PUBLIC SCHOOLS

Office of the Chief Operating Officer

VIA EMAIL

April 20, 2021

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

RE: Letter of Response for Written Grievance #3866 filed on March 12, 2021

Dear [REDACTED]:

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**

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 2405.1 (e) and 5-B DCMR 2405.2 (e):** Where a student is a victim of bullying or harassment, including sexual harassment. It is alleged that Student B touched Student [REDACTED]'s breast during an in person meeting outside of school. These allegations fall under the District of Columbia Human Rights Law, Title 2, Chapter 14 of the D.C. Official Code, which 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. Student [REDACTED]
2. Parent of Student [REDACTED]
3. Student B
4. Parent of Student B
5. [REDACTED] Assistant Principal
6. [REDACTED], Metropolitan Police Department (MPD) Detective

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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. Written Statement from Student [REDACTED] from March 9, 2021
2. Written Statement from Student B emailed to [REDACTED] on March 5, 2021
3. District of Columbia Human Rights Law Title 2 Chapter 14
4. DCPS Notice of Non-Discrimination

### **Pertinent Regulatory, Policy, and Procedural Considerations**

As it relates to the allegation that Student B touched Student C.Q's breast without their consent, the following applies:

1. According to The District of Columbia Human Rights Law of 1977, Title 2, Chapter 14 of the D.C. Official Code (DC Human Rights Act), § 2-1402.41. It is an unlawful discriminatory practice... for an educational institution...to deny, restrict, or to abridge or condition the use of, or access to, any of its facilities, services, programs, or benefits of any program or activity to any person otherwise qualified, wholly or partially, for a discriminatory reason, based upon...sex."
2. According to the DCPS Notice of Non-Discrimination, DCPS does not discriminate or tolerate discrimination against...students on the basis of...sex.
3. A form of sexual abuse as defined in DC Code § 22-3006 is a sexual act or sexual contact with another person and who should have knowledge or reason to know that the act was committed without that other person's permission.

### **General Findings of Fact**

The following findings of fact resulted from the review:

1. Student [REDACTED] and Student B reported that they met at a park on March 3, 2021. Student [REDACTED]
2. [REDACTED] reported that after the two students hugged, Student B began touching Student [REDACTED]'s breast without their consent.
2. Student B reported when they hugged Student [REDACTED] they touched Student [REDACTED]'s breast. Student [REDACTED] then told Student B no and pushed them away.
4. Student [REDACTED] reported feeling concerned about how this will affect them academically when school returns to in-person learning.

### **Discussion/Conclusion**

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

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1. DCPS finds that **5-B DCMR 2405.1 (e) and 2405.2 (e)** is substantiated. Student [REDACTED] and Student B reported to DCPS CARE that Student B touched Student [REDACTED]'s breast without their consent. Student B engaged in sexual contact with Student [REDACTED] and should have had knowledge or had reason to know that the act was committed without Student [REDACTED]'s permission. Additionally, Student [REDACTED] reported feeling concerned about how this will impact them academically when school returns to in-person learning which may restrict access to DCPS' facilities, services, programs, or benefits. This constitutes a violation of the DC Human Rights Act's prohibition against discrimination on the basis of sex. DCPS CARE finds that Student [REDACTED] was discriminated against on the basis of sex.

In order to respond to your concerns and ensure that your student is supported, [REDACTED] has taken or will take the following action:

1. By April 16, 2021 [REDACTED] will create a separation plan for Student [REDACTED]
2. By April 30, 2021 [REDACTED] Social Worker [REDACTED] Will meet with Student B to discuss healthy relationships.

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 Chief Integrity Officer (CIO) via U.S. Postal Mail to 1200 First St., NE, 10<sup>th</sup> Floor; Attn: CIO or via email at [dcps.cio@k12.dc.gov](mailto: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](mailto:dcps.care@k12.dc.gov) or 202.442.5405.

Sincerely,



Anitra Allen, Director CARE  
cc: Principal  
Instructional Superintendent