



DISTRICT OF COLUMBIA
PUBLIC SCHOOLS

Office of the Chief Operating Officer

BY EMAIL

April 29, 2021

██████████
████████████████████

RE: Letter of Response for Grievance #3881 filed on April 5, 2021

Dear ██████████,

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 2405.1 (d) & 2405.1 (e)** Where it is alleged that there has been a violation of Title VI of the Civil Rights Act of 1964 which prohibits discrimination on the basis of race, color, and national origin; and the D.C. Human Rights Act of 1977 which, in part, prohibits discrimination on the basis of race and color.
 - b. It was alleged that during virtual learning, while in a breakout room, Student ██████ and Student C told Student A that they could not play the role of a princess because they were ██████.

Investigative Procedure

The investigation included interviews with the following individuals:

1. Parent, ████████████████████
2. Parents of Student A
3. Parent of Student C
4. Teacher, ██████
5. Principal, ██████

DCPS CARE unsuccessfully attempted to interview Student A and Student C regarding the allegations of this grievance.

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. Incident Reporting Tool form
2. Relevant emails

Pertinent Regulatory, Policy, and Procedural Considerations

As it relates to a student being denied the ability to participate in an assignment by another student because of their race.

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...race.”
2. According to the DCPS Notice of Non-Discrimination, DCPS does not discriminate or tolerate discrimination against...students on the basis of...race.

General Findings of Fact

The following findings of fact resulted from the investigation:

1. On [REDACTED], students in Teacher, [REDACTED]’s Performing Arts course were tasked with a storytelling assignment. Student A, Student [REDACTED], and Student C were put into a group to remake a fairytale by developing their own characters.
2. While in the virtual breakout room, Student A alleged that Student [REDACTED] and Student C were not listening to their ideas and that while assigning roles, Student A was told that they could not play the role of a princess because they were [REDACTED].
3. Teacher, [REDACTED] stated that only Student A, Student [REDACTED], and Student C were present in the virtual breakout room at the time the alleged discriminatory comment was made. Teacher, [REDACTED] explained that throughout the class period, they checked in on the students often but did not hear any discriminatory comments. No students reported the incident during the class.
4. After the incident was reported, Principal, [REDACTED] had a conversation with both Student [REDACTED] and Student C, separately. According to Principal, [REDACTED], the students

denied excluding Student A from playing a role of a princess. The students also denied that there was mention of race during their time in the virtual breakout room.

5. In an interview, you explained that you had a conversation with Student [REDACTED] about the incident in question and they denied that there was a mention of race during the virtual breakout room and that Student A was not denied an opportunity to play a princess.

6. In an interview and in an email, the Parent of Student C, they reported that after speaking with Student C, the student reported that Student A was not excluded from playing a role of the princess based on race. The Parent of Student C stated that Student A was assigned two princess roles, Princess Tiana and Princess and the Pea.

Discussion/Conclusion

5-B DCMR 2405.2(e) is unable to be substantiated. Based on the information gathered during this investigation, DCPS CARE is unable to determine if Student A was discriminated against on the basis of race during virtual learning on [REDACTED]. The alleged comment was made during a virtual learning breakout room where only Student A, Student [REDACTED], and Student C were present. There is no recording of the conversation available for review. DCPS CARE was unable to interview Student A, Student [REDACTED], or Student C. However, Student [REDACTED] and Student C did discuss the incident with their parents and with Principal [REDACTED]. In those conversations, Student [REDACTED] and Student C denied excluding Student A from playing the role of a princess because of their race. As a result of a lack of evidence, DCPS CARE is unable to substantiate 5-B DCMR 2405.2(e).

Although DCPS was unable to substantiate a violation, DCPS has completed or will complete the following actions:

1. By [REDACTED], [REDACTED] will identify a date(s) for a conversation/presentation with all 4th grade students around topics of exclusion, discrimination, bullying, allyship, etc.
2. By [REDACTED], Principal [REDACTED] will hold a follow-up conversation with Student [REDACTED] to have a general discussion about topics related to this incident.

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, 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,

A handwritten signature in black ink, appearing to read 'Anitra Allen', with a long horizontal flourish extending to the right.

Anitra Allen, Director CARE

Cc: Principal
Instructional Superintendent