



DISTRICT OF COLUMBIA
PUBLIC SCHOOLS

Office of the Chief Operating Officer

BY EMAIL

April 29, 2021

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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.
 - a. It was alleged that during virtual learning, while in a breakout room, Student B and Student C told Student ██████ that they could not play the role of a princess because they were ██████.

Investigative Procedure

The investigation included interviews with the following individuals:

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

DCPS CARE unsuccessfully attempted to interview Student B 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 ██████████, students in Teacher, ██████’s Performing Arts course were tasked with a storytelling assignment. Student ██████, Student B, 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 ██████ alleged that Student B and Student C were not listening to their ideas and that while assigning roles, Student ██████ was told that they could not play the role of a princess because they were ██████.
3. Teacher, ██████ stated that only Student ██████, Student B, and Student C were present in the virtual breakout room at the time the alleged comment was made. Teacher, ██████ 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 B and Student C, separately. According to Principal, [REDACTED], the students denied excluding Student [REDACTED] 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, the parent of Student B explained that they had a conversation with Student B about the incident in question. According to the parent of Student B, Student B denied that there was a conversation about race and that Student [REDACTED] was not denied an opportunity to play a princess.

6. In an interview and in an email, the parent of Student C reported that after speaking with Student C, the student reported that Student [REDACTED] was not excluded from playing a role of the princess based on race. The parent of Student C was told that Student [REDACTED] was assigned to play 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 [REDACTED] 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 [REDACTED], Student B, and Student C were present. There is no recording of the conversation available for review. DCPS CARE was unable to interview either Student B or Student C. However, Student B and Student C did discuss the incident with their parents and with Principal [REDACTED]. In those conversations, Student B and Student C denied excluding Student [REDACTED] 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. A safety plan has been created for Student [REDACTED]. The safety plan includes but is not limited to the following measures:
 - a. [REDACTED] staff are required to intervene immediately upon any instances of bullying or discrimination and to report any such behavior to the principal within one hour.
 - b. All [REDACTED] with instructional and supervisory responsibility for Grade 4 students commit to limiting opportunity for interaction between Student [REDACTED] and Student B and Student C.

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- c. Student [REDACTED]'s teacher will establish a weekly check in to promote open dialogue and timely communication of positive and negative interactions.
 - d. The school social worker will be available for unscheduled and/or scheduled sessions upon request of the student or parents.
 - e. Any reported incidents of bullying, discrimination, etc. involving Student [REDACTED] will be communicated to the parents within the same day of the incident occurring.
2. 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.
 3. Following this incident, you were offered an opportunity to participate in a restorative meeting with all students and parents involved. At the time, you declined to participate. Should you wish to hold a restorative meeting in the future, please contact Principal [REDACTED] or DCPS CARE.

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,



Anitra Allen, Director CARE

Cc: Principal
Instructional Superintendent