



DISTRICT OF COLUMBIA  
PUBLIC SCHOOLS

Office of the Chief Operating Officer

BY EMAIL

March 16, 2022

[REDACTED]  
[REDACTED]

RE: Letter of Response for Grievance #3953 filed on September 2, 2021

Dear [REDACTED]:

In accordance with Chapter 24 Subtitle 5-B, Section 2405 of the District of Columbia Municipal Regulations (DCMR), D.C. Public Schools (DCPS) Comprehensive Alternative Resolution and Equity (CARE) team has completed its investigation of the above referenced written 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 2405.1(d) & 5-B DCMR 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. The following is alleged:
  - a. It is alleged that Student B and Student C called Student A [REDACTED] while at [REDACTED] School [REDACTED] on [REDACTED].

Investigative Procedure

The investigation included interviews with the following individuals:

1. Student A
2. Parent of Student A
3. Student B
4. Parents of Student B
5. [REDACTED], [REDACTED] Student
6. Parent of [REDACTED]

The investigation also included review of the following documents which were either submitted by the grievant, submitted by the school, or accessible via DCPS data systems:

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1. Initial report of the incident submitted by Deal Middle School

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

As it relates to Allegation 1a that Student B and N.C. called Student A [REDACTED], the following applies:

1. According to Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, and national origin; no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.
2. 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.”
3. According to the DCPS Notice of Non-Discrimination, DCPS does not discriminate or tolerate discrimination against...students on the basis of...race.”

### **Findings of Fact**

The following findings of fact resulted from the investigation:

1. The incident took place on an outside field at [REDACTED], where students were having lunch, on [REDACTED].
2. Student A threw their trash away and approached the table where Student B and [REDACTED] were sitting, and the students greeted each other.
3. Student B stated, [REDACTED]
4. In an interview with DCPS CARE, Student B acknowledged making the comment. [REDACTED] corroborated that Student B made the comment.
5. [REDACTED] stated they laughed after the comment was made.
6. Student A’s initial reaction to the comment was that Student B and [REDACTED] were making a racist comment towards Student A.
7. Student A left the table and attempted to leave the field but was stopped by an assistant principal before Student A was able to leave.
8. [REDACTED] stated they realized it was a [REDACTED] comment after seeing Student A’s reaction.

### **Discussion/Conclusion**

**5-B DCMR 2405.1(d) & 5-B DCMR 2405.1(e)** are substantiated. Student B acknowledged making the comment and [REDACTED] corroborated the comment was made. Although [REDACTED] did not make the direct comment, [REDACTED] admitted to laughing after the comment was made. Student A.’s initial reaction to the incident was that the comment was racist in nature. The comment made Student A upset enough to attempt to leave the lunch period. Given this information, DCPS CARE finds that calling a black Student [REDACTED], considering the cultural context, is sufficiently severe to constitute a violation.

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As a result of these findings, DCPS has taken or will take the following actions to address this matter:

1. On [REDACTED], in accordance with DCMR Chapter 25, disciplinary action was implemented appropriately.
2. As of [REDACTED], all students involved checked-in with counselor and social worker.
3. As of [REDACTED], students participated in a restorative conversation with [REDACTED] School staff.
4. On [REDACTED], a restorative conversation with the parents of all three students took place at [REDACTED] School. This conversation was facilitated by DCPS Chief Integrity Officer [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, 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,

[REDACTED]

[REDACTED], Director CARE

Cc: Principal  
Instructional Superintendent