



DISTRICT OF COLUMBIA
PUBLIC SCHOOLS

Office of the Chief Operating Officer

BY EMAIL AND FIRST-CLASS MAIL

December 23, 2021

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

RE: Letter of Response for Grievance #4060 filed on October 22, 2021

Dear [REDACTED],

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 Student [REDACTED] made a racially discriminatory comment towards Student A while at [REDACTED] School.

Investigative Procedure

The investigation included interviews with the following individuals:

1. Parent, [REDACTED]
2. Assistant Principal [REDACTED]

DCPS CARE unsuccessfully attempted to interview Student A about the allegations raised in this grievance. DCPS CARE unsuccessfully attempted to interview Student [REDACTED] about the allegations raised in 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
2. Aspen Student Database

Pertinent Regulatory, Policy, and Procedural Considerations

As it relates to a student being subjected to discriminatory comments from another student.

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

General Findings of Fact

The following findings of fact resulted from the investigation:

1. On [REDACTED], it was reported that Student [REDACTED] made a racially discriminatory comment towards Student A while in class at [REDACTED] School.
2. Specifically, it was reported that Student [REDACTED] said to Student A, [REDACTED] Student A responded, [REDACTED] Student [REDACTED] then replied, [REDACTED]
3. According to the Aspen student database, Student A’s race is categorized as [REDACTED]. Student [REDACTED]’s race is categorized as [REDACTED].
4. In a conversation with you on [REDACTED], you explained that Student [REDACTED] did admit to making the statement, [REDACTED].

Discussion/Conclusion

5-B DCMR 2405.1 (d) & 2405.1 (e) is unable to be substantiated. Based on the information gathered during this investigation, DCPS CARE has determined that Student [REDACTED] made an inappropriate comment towards Student A about the color of their skin. However, based on Student [REDACTED]'s age and the reported inability of Student [REDACTED] to understand the implications of their comment or their ability to discern why this insult was different than others, DCPS CARE is unable to determine if Student [REDACTED] intentionally discriminated against Student A on the basis of race. Additionally, after a review of the Aspen student database, there is no observable impact to Student A's educational environment as a result of Student [REDACTED]'s comment.

In response to these allegations, DCPS has taken the following action below to address this incident:

1. On [REDACTED], Student [REDACTED] met with Assistant Principal [REDACTED] to engage in a conversation about the incident and discussed topics such as the use of appropriate language and discrimination.
2. On [REDACTED], [REDACTED] School convened a meeting with the DCPS Equity team for supports.
3. As of [REDACTED], Student [REDACTED] and Student A were separated while in the classroom to prevent further conflict.

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,

[REDACTED]

[REDACTED], Director CARE

Cc: Principal
Instructional Superintendent