



DISTRICT OF COLUMBIA
PUBLIC SCHOOLS

Office of the Chief Operating Officer

VIA EMAIL

February 1, 2023

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

RE: Letter of Response for Written Grievance #4076 filed on October 19, 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 2405.2 (e)**: Where a student is a victim of bullying or harassment, including sexual harassment. It is alleged that Student [REDACTED] used transphobic language in referring to Student B on [REDACTED], at [REDACTED]. These allegations fall under DC Human Rights Act of 1977 which, in part, prohibits discrimination on the basis of sex (including sexual harassment).

Review Procedure

The review included interviews with the following individuals:

1. Parent of Student [REDACTED]
2. Parent of Student B
3. Student B
4. Principal [REDACTED]

DCPS CARE unsuccessfully attempted to obtain consent to speak with Student [REDACTED] regarding the allegations of this grievance.

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

1. Student Behavior Tracker report, [REDACTED]
2. Email between [REDACTED] DCPS Office of Equity, and DCPS CARE
3. Email to Parent of Student B, [REDACTED]

Pertinent Regulatory, Policy, and Procedural Considerations

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 Anti-Discrimination Policy and the Notice of Non-Discrimination, DCPS does not discriminate or tolerate discrimination against...students on the basis of... sexual orientation, gender identity, or gender expression.

General Findings of Fact

The following findings of fact resulted from the review:

1. Student B and Student [REDACTED] were [REDACTED] [REDACTED] students at [REDACTED] at the time of these allegations.
2. It is alleged that Student [REDACTED]. used transphobic language in referring to Student B on [REDACTED]. Specifically, Student B reported to their parent that Student [REDACTED]. stated of Student B, [REDACTED] Parent of Student B reported the allegation to [REDACTED]
3. DCPS CARE interviewed Student B on [REDACTED]. Student B stated that students have been using the [REDACTED] more and more frequently at school. However, they do not think the slur is directed at them, but that students are not aware of the meaning of the word. They stated that they don't think the term is being used to upset them. They added that some teachers still misgender them and they think that there needs to be education disseminated on the issue of gender. They stated that they feel safe at school but would like to speak to a licensed counselor.
4. DCPS CARE interviewed Principal [REDACTED] on [REDACTED] Principa [REDACTED] stated that they were aware of the incident and spoke to Student [REDACTED] regarding their conduct.
5. DCPS CARE did not obtain consent to interview Student [REDACTED] regarding the allegations of this grievance.

Discussion/Conclusion

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

1. DCPS CARE is unable to substantiate 5-B DCMR 2405.2 (e). It is alleged that Student [REDACTED] used transphobic language in referring to Student B on [REDACTED]. [REDACTED] DCPS CARE spoke with Student B who stated that students used transphobic language in general conversation. DCPS CARE unsuccessfully attempted to obtain consent to speak with Student [REDACTED] regarding the allegations of this grievance., DCPS CARE is unable to substantiate 5-B DCMR 2405.2 (e).

In order to address these concerns, [REDACTED] has taken the following actions:

1. Metropolitan Police Department (MPD) was contacted on [REDACTED].
2. By [REDACTED] students will watch the DCPS CARE video on civil rights protections and participate in the corresponding assignment.

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, 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](tel:202.442.5405).

Sincerely,



Anitra Allen-King, Director CARE

cc: Principal
Instructional Superintendent