



DISTRICT OF COLUMBIA
PUBLIC SCHOOLS

Office of the Chief Operating Officer

VIA EMAIL/MAIL

October 12, 2022

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

RE: Letter of Response for Written Grievance #4110 filed on September 21, 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 A was looking at pornographic images on their laptop and showed their screen to Student [REDACTED] during class at [REDACTED] on September 28, 2021. 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. Student [REDACTED]
3. Parent of Student A
4. Student A

The review 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. School Behavior Tracker, Teacher [REDACTED], September 21, 2021

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... sex.

General Findings of Fact

The following findings of fact resulted from the review:

1. Student [REDACTED] and Student A were both [REDACTED] students at [REDACTED] at the time of these allegations.
2. It is alleged that on September 21, 2021, Student A was looking at pornographic images on their laptop and showed their screen to Student [REDACTED] during class at [REDACTED].
3. Teacher [REDACTED] reported, through School Behavior Tracker, that Student A had been working at the back of the classroom. They observed Student A turn their laptop towards Student [REDACTED] and saw that Student A had pornographic anime images on their laptop. Teacher [REDACTED] stated that they immediately asked Student A to bring their laptop to Teacher [REDACTED]. However, Student A quickly restarted their device, then became defiant and disrespectful. Teacher [REDACTED] asked Student [REDACTED] what they had seen on Student A's device, and Student [REDACTED] stated that Student A was looking at nude images.
3. DCPS CARE interviewed Student [REDACTED] on September 27, 2022. Student [REDACTED] stated that they saw Student A looking at an image of a naked person on Student A's device.
4. DCPS CARE interviewed Student A on September 19, 2022. Student A stated that they never looked at pornographic content on their device. They stated that they were looking at images of their favorite show, Tac Titans, and that everything was appropriate. They stated that everyone was wearing clothes on the website and that they did not do what Student [REDACTED] and Teacher [REDACTED] claimed they had done.

Discussion/Conclusion

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

5-B DCMR 2405.2 (e) is not substantiated. It is alleged that Student A was looking pornographic images on their laptop and showed their screen to Student [REDACTED] during class at [REDACTED]. DCPS CARE interviewed Student [REDACTED] who stated that Student A was looking at a naked person on their device which matches what was reported on School Behavior Tracker by Teacher [REDACTED]. Teacher [REDACTED] also reported seeing Student A display a naked person on their device. Based on this information, DCPS CARE has determined that based on the preponderance of the evidence, Student A is responsible for looking at pornographic images on their laptop and showing their screen to Student [REDACTED]. However, while this conduct is inappropriate, it is not sufficiently severe, persistent or pervasive to constitute discrimination on the basis of sex.

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

1. While DCPS CARE did not substantiate a violation of the D.C. Human Rights Act, school-based staff determined that disciplinary action was appropriate to address this matter. As a result, an appropriate Chapter 25 disciplinary infraction was administered by school-based staff at the time of these allegations.

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 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