



BY EMAIL AND FIRST-CLASS MAIL

January 26, 2022

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

RE: Letter of Response for Grievance #4143 filed on November 16, 2021

Dear [REDACTED]

In accordance with Title 5 Education, Subtitle 5-B, Chapter 24, Subsection 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 § 2405.2(e)** Where a student is a victim of bullying or harassment, including sexual harassment.
  - b. It was alleged that Student A was being bullied by Student [REDACTED] during the [REDACTED] school year while at [REDACTED].

**Investigative Procedure**

The investigation included interviews with the following individuals:

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

DCPS CARE unsuccessfully attempted to interview Student A 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. Student Behavior Tracker

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

As it relates to a student being subjected to bullying by another student.

1. According to the November 2013 DCPS District Wide Bullying Prevention Policy Act, bullying by students is prohibited.

**“Bullying,”** means any severe, pervasive, or persistent act or conduct, whether physical, electronic, or verbal that shall reasonably predicted to:

1. Place a student in reasonable fear of physical harm to his or her person or property.
2. Cause a substantial detrimental effect on the student’s physical or mental health.

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3. Substantially interfere with the student's academic performance or attendance.
  4. Substantially interfere with the student's ability to participate in or benefit from school activities or services; or
  5. Materially and substantially disrupts the education process or the orderly operation of a school.

All references to bullying in this policy shall also be understood to include cyber bullying. Cyber Bullying – bullying through the use of technology or electronic devices such as telephones, cell phones, computers, and the Internet. It includes, but is not limited to, email, instant messaging, text messages, and Internet postings.

### General Findings of Fact

The following findings of fact resulted from the investigation:

1. Student A and Student [REDACTED] are both [REDACTED] students at [REDACTED]
2. It was reported that Student [REDACTED] has stabbed Student A with a pencil, hit the student with books, and has inflicted physical harm.
3. In a conversation with staff at [REDACTED], DCPS CARE learned that there have been three documented incidents between Student A and Student [REDACTED]
4. On [REDACTED], it was documented that Student [REDACTED] poked Student A's arm with a pencil.
5. During the week of [REDACTED], it was reported that Student [REDACTED] ran out of the classroom and made contact with Student A's arm.
6. It was also reported that in [REDACTED], Student [REDACTED] told Student A that they would beat them up.
7. In an interview with Student [REDACTED], they denied poking or stabbing Student A with a pencil but says that they were stabbed with a pencil by Student A while in class.
8. Student [REDACTED] admitted to telling Student A that they would beat them up. Student [REDACTED] stated that this was in response to Student A stabbing them with a pencil.
9. Student [REDACTED] denied hitting Student A with a book.
10. Student [REDACTED] denied kicking Student A.
11. Student [REDACTED] admitted to running into Student A while running out of the classroom. Student [REDACTED] stated that this was an accident and that they apologized to Student A for the incident.
12. In an interview with Teacher [REDACTED], they stated that they have observed Student [REDACTED] and Student A both engage in rough play with each other.
13. Teacher [REDACTED] stated that both students have engaged in name calling. Teacher [REDACTED] stated that they have not observed any physical fighting between Student [REDACTED] and Student A.
14. Teacher [REDACTED] confirmed that it was Student [REDACTED] that jabbed Student A with a pencil. This act did not result in an injury and medical attention was not needed.

### Discussion/Conclusion

5-B DCMR § 2405.2(e) is unable to be substantiated. DCPS CARE was not granted an opportunity to interview Student [REDACTED] about the allegations raised in this grievance. Therefore, DCPS CARE relied on information gathered from interviews with Student B and school staff. DCPS CARE also reviewed the Student Behavior Tracker. Student [REDACTED] denied inflicting harm on Student A. However, staff at [REDACTED] confirmed that Student [REDACTED] either poked or stabbed Student A with a pencil but denied being aware of any incidents where Student [REDACTED] has punched, kicked, or used an object to harm Student A. DCPS CARE recognizes that there may be incidents that have occurred between Student [REDACTED] and Student A that were not reported. Therefore, DCPS CARE is unable to determine if Student [REDACTED] engaged in behavior that could be considered as bullying towards Student A.

Although no violation was found, DCPS has taken the following actions below to address this incident:

1. Staff at [REDACTED] reported that Student [REDACTED] has had previous behavioral issues with other students. As a result, Student [REDACTED] will continue to meet weekly with a school social worker.

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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, 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 202-4425405.

Sincerely,  
Anitra Allen, Director CARE



Cc: Principal  
Instructional Superintendent