



BY EMAIL AND FIRST-CLASS MAIL

February 24, 2022

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

RE: Letter of Response for Grievance #4164 filed on November 18, 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.
 - a. It was reported that Student [REDACTED] has verbally sexually harassed Student A while at [REDACTED]
[REDACTED]

Investigative Procedure

The investigation included interviews with the following individuals:

1. Parent of Student [REDACTED]
2. Parent of Student A

DCPS CARE unsuccessfully attempted to interview Student [REDACTED] about the allegations raised in this grievance. DCPS CARE unsuccessfully attempted to interview Student B 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. Drawings made by Student [REDACTED]
2. Administrative Statement
3. Student Behavior Tracker

Pertinent Regulatory, Policy, and Procedural Considerations

As it relates to a student being subjected to persistent comments that are unwanted and sexual in nature. 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.”

According to the DCPS 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 investigation:

1. DCPS CARE reviewed information that was submitted in the DCPS Student Behavior Tracker.
2. On October 21, 2021, Student A provided a written statement about being made uncomfortable by Student ██████'s continued inappropriate behavior.
3. Student A reported that Student ██████ told them that their face was deformed because they have been ██████
4. Student A reported that Student ██████ made a drawing of Student A having sex.
5. Student A reported that Student ██████ brought a condom to school and stated that they were going to put it on and use it on Student A.
6. DCPS CARE reviewed drawings made by Student ██████ that depicted Student A engaging in sexual acts.
7. During a conversation with you on December 10, 2021, you stated that they were aware that Student ██████ drew inappropriate pictures of Student A and that Student ██████ did speak about Student A in a "disrespectful" manner.

Discussion/Conclusion

5-B DCMR 2405.2(e) is substantiated. DCPS CARE was unable to interview either Student A or Student ██████ in response to these allegations. However, DCPS CARE reviewed drawings made by Student ██████ which depicted Student A engaging in sexual acts. DCPS CARE also reviewed a written statement provided by Student A that explained how Student ██████ repeatedly made comments towards Student A that were sexual in nature, including the act of bringing a condom to school and suggesting that it would be used on Student A. Additionally, you stated that Student ██████ was found to have been speaking to Student A in a "disrespectful" manner. Based on this information, DCPS CARE has found that it is more likely than not that Student A was subjected to conduct by Student ██████ that was sexual in nature and sufficiently severe.

DCPS has taken the following actions below to address this incident:

1. On October 22, 2021, Student ██████ received a Chapter 25 violation as a result of their conduct.
2. Beginning October 2021, Student ██████ began to receive mental health support from ██████ Counselor ██████
3. Beginning October 2021, Student ██████ has engaged in check-ins and check-outs with Behavior Tech ██████
4. On October 25, 2021, a re-entry meeting took place to set expectations for Student ██████'s behavior.

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 202-4425405.

Sincerely,
Anitra Allen, Director CARE



Cc: Principal
Instructional Superintendent