

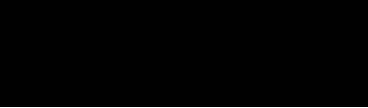


DISTRICT OF COLUMBIA
PUBLIC SCHOOLS

Office of the Chief Operating Officer

BY EMAIL

August 31, 2023



RE: Letter of Response for Case #4175 received 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 (DCMR), the DC Public Schools (DCPS) Comprehensive Alternative Resolution and Equity (CARE) team has completed its review of the above-referenced matter.

Grievance Issues

Based on a review of the information provided, the incident raised the following issues under the jurisdiction of this office:

1. **5-B DCMR Subtitle 2405.1 (d) & (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. It was reported that Student E called Student A, Student B, Student C, and Student [REDACTED]. It was also reported that Student E pulled Student [REDACTED]'s [REDACTED] off.

Review Procedure

The review included interviews with the following individuals:

1. Parent of Student A
2. Parent of Student B
3. Parent of Student C
4. Parent of Student [REDACTED]
5. Parent of Student E

DCPS CARE did not receive consent to interview Student A, or Student B, Student C, Student [REDACTED], or Student E.

The review also included the following which were either submitted by the complainant, submitted by the school, or accessible via DCPS data system:

1. [REDACTED] incident report obtained from the DCPS Incident Reporting Tool
2. [REDACTED] Student A Written Statement
3. [REDACTED] Student B Written Statement
4. [REDACTED] Student C Written Statement
5. [REDACTED] Student [REDACTED] Written Statement
6. [REDACTED] Student E Written Statement

Pertinent Regulatory, Policy, and Procedural Considerations

As it relates to Student E referring to Student A, Student B, Student C, and Student [REDACTED].
And as it relates to Student E pulling Student [REDACTED]'s [REDACTED] off.

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."
2. According to the DCPS Notice of Non-Discrimination and the DCPS Anti-Discrimination Policy, DCPS does not discriminate or tolerate discrimination against students on the basis of race.

General Findings of Fact

The following findings of facts resulted from the review:

1. Student A, Student B, Student C, Student [REDACTED], and Student E were enrolled at [REDACTED] during the [REDACTED] school year.
2. On [REDACTED], Student C reported in a written statement that Student E called Student C and their friends a [REDACTED].
3. In [REDACTED], Student [REDACTED] reported in a written statement that Student E pulled off Student [REDACTED]'s [REDACTED] on multiple occasions.
4. On [REDACTED], Student A reported in a written statement that Student E called Student A and their friends a [REDACTED].
5. On [REDACTED], Student E reported in a written statement that Student E said, [REDACTED] and made other racist comments towards Student E.
6. On [REDACTED], Student B reported in a written statement that Student E made racist comments towards Student B and their friends.
7. On [REDACTED], Parent of Student E reported to DCPS CARE that Student E did not make any racist remarks towards any other student.
8. On [REDACTED], Parent of Student A reported to DCPS CARE that Student E made racist remarks towards Student A.
9. DCPS CARE did not receive consent to interview Student A, Student B, Student C, Student [REDACTED], or Student E.

Discussion/Conclusion

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

1. As it relates to allegations of misconduct against Student A., DCPS CARE is unable to substantiate **5-B DCMR 2405.2(e)**. DCPS CARE did not receive consent to interview Student A, Student B, Student C, Student [REDACTED], or Student E. It was reported that Student E called Student A, Student B, Student C, and Student [REDACTED]. It was also reported that Student E pulled Student [REDACTED]'s [REDACTED] off. Because DCPS CARE was unable to interview any of the students involved and due to the contradictory written statements from [REDACTED], there is insufficient evidence to conclude that Student [REDACTED] was discriminated against on the basis of race.

To address these allegations, [REDACTED] and DCPS has taken or will take the following action:

1. By [REDACTED], [REDACTED] will check-in with Student [REDACTED] and provide counseling as requested.
2. While DCPS CARE is unable to substantiate a violation of the D.C. Human Rights Act based on a preponderance of the evidence, 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.

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.

Sincerely,



Anitra Allen, Director CARE

Cc: Principal
Instructional Superintendent