



VIA EMAIL

August 21, 2023



RE: Letter of Response for Written Grievance #4194 filed on December 1, 2021

Dear [REDACTED]

In accordance with Chapter 24 Subtitle 5-B, Section 2405 of the District of Columbia Municipal Regulations (DCMR), 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 on December 1, 2021, Student [REDACTED] touched Student B's genitals on the playground 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

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

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

1. IRT #9433, December 1, 2021
2. Email, Assistant Principal [REDACTED] December 2, 2021



Pertinent Regulatory, Policy, and Procedural Considerations

1. According to the District of Columbia Human Rights Act of 1977, Title 2, Chapter 14 of the D.C. Official Code, § 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."

General Findings of Fact

1. At the time of these allegations, Student [REDACTED] and Student B were [REDACTED] students at [REDACTED].
2. It is alleged that on December 1, 2021, Student [REDACTED] touched Student B's genitals on the playground at [REDACTED]. Parent of Student B reported the allegations to Teacher [REDACTED] at [REDACTED].
3. DCPS CARE interviewed Student B in the presence of their parent on July 27, 2023. Student B stated that Student [REDACTED] touched them on their genitals without permission both over and under their clothing while they were on the slide and then said sorry.
4. DCPS CARE unsuccessfully attempted to interview Student [REDACTED] regarding these allegations.

Discussion/Conclusion

1. DCPS is unable to substantiate **5-B DCMR 2405.2 (e)**. It is alleged that on December 1, 2021, Student [REDACTED] touched Student B's genitals on the playground at [REDACTED]. DCPS CARE unsuccessfully attempted to interview Student [REDACTED] regarding the allegations of this grievance. Student B stated that Student [REDACTED] touched them on the genitals without permission. While Student [REDACTED] alleged behavior is inappropriate and unacceptable, due to the age of the students and the fact that DCPS CARE was not provided consent to speak with Student [REDACTED] it is difficult to determine the motivation behind the inappropriate touch. As a result, DCPS CARE is unable to substantiate the allegations.

To address these allegations, [REDACTED] has taken the following actions:

1. DC Child and Family Services (CFSA) was notified of the allegations on July 28, 2023.
2. By August 25, 2023, [REDACTED] will ensure that both students are not enrolled in the same classroom.
3. By September 1, 2023, all [REDACTED] students at [REDACTED] will be educated on appropriate/inappropriate touch.

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.



DISTRICT OF COLUMBIA
PUBLIC SCHOOLS

Office of the Chief Operating Officer

If you have further questions, please do not hesitate to contact us at dcps.care@k12.dc.gov or 202-442-5405.

Sincerely,

A handwritten signature in black ink, appearing to read 'Anitra Allen', with a long horizontal flourish extending to the right.

Anitra Allen, Director CARE

cc: Principal
Instructional Superintendent