



VIA EMAIL

August 14, 2023




RE: Letter of Response for Written Grievance #4231 filed on November 22, 2021

Dear 

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 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 repeatedly touched the thighs of Student . 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 
2. Student 
3. Parent of Student A
4. Student C

DCPS CARE unsuccessfully attempted to obtain consent to speak to 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. Student Behavior Tracker report, November 22, 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 November 18, 2021, Student A repeatedly touched the thighs of Student [REDACTED] during two classes at [REDACTED]. Student [REDACTED] reported the alleged incident to their classroom teacher.
3. DCPS CARE interviewed Student [REDACTED] on December 20, 2021. Student [REDACTED] stated that Student A repeatedly grabbed their thighs under the desk during both English and Math classes at [REDACTED] without their consent. Student [REDACTED] stated that Student A moved their hands closer to Student A's genitals but did not touch them. Student [REDACTED] said that after the incidents, they told their friend what happened, and the friend reported it to the teacher, but that no one saw when Student A touched them under the desk. DCPS CARE unsuccessfully attempted to obtain the name of the friend the incident was reported to from Student [REDACTED].
4. DCPS CARE interviewed Student C on August 4, 2023. Student C stated that Student [REDACTED] was crying after class, and when Student C inquired about what was wrong, Student [REDACTED] shared that during class, Student A touched Student [REDACTED] on the thighs after Student A had made a series of inappropriate jokes directed at Student [REDACTED]. Student C witnessed the inappropriate jokes made by Student A in both Math class and English class.
5. DCPS CARE was not provided consent to interview Student A regarding the allegations of this grievance.

Discussion/Conclusion

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

1. DCPS finds that **5-B DCMR 2405.2 (e)** is substantiated. It is alleged that Student A repeatedly touched the thighs of Student [REDACTED]. Student [REDACTED] stated that Student A repeatedly grabbed their thighs under the desk during both English and Math classes at [REDACTED] without their consent. Student [REDACTED] stated that Student A moved their hands closer to Student A's genitals but did not touch them. Student C corroborated what Student [REDACTED] reported. DCPS CARE did not obtain consent to speak to Student A regarding the allegations of this grievance. Based on Student [REDACTED] statement and the corroboration of this statement from Student C, DCPS CARE finds that Student [REDACTED] actions were sufficiently severe and pervasive to constitute a violation of DCPS policy.



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In order to address these concerns, DCPS has taken the following actions:

1. It was reported that Student [REDACTED] receives counseling services from a psychologist. Should Student [REDACTED] be in need of counseling services from DCPS, please contact dcps.care@k12.dc.gov or at 202-442-5405.
2. If at any time both students are registered at the same [REDACTED] the school will ensure that a safety plan is put in place for Student [REDACTED] and that both students never come into close proximity with each other.

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