



DISTRICT OF COLUMBIA  
PUBLIC SCHOOLS

Office of the Chief Operating Officer

**SENT VIA EMAIL**

July 10, 2023

[REDACTED]

RE: Letter of Response for Grievance #4251 filed on December 23, 2021

Dear [REDACTED]:

In accordance with Title 5 Education, Subtitle 5-B Chapter 24, Subsection 2405 of the District of Columbia Municipal Regulations (DCMR), DC Public Schools (DCPS) Comprehensive Alternative Resolution and Equity (CARE) team has completed its review 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. You allege around November 30, 2021, Student [REDACTED] was bitten by Student B.
  - b. You allege around the first week in December 2021, Student [REDACTED] had a mark on their eye.
  - c. You allege on December 22, 2021, Student C cut Student [REDACTED] hair which left two noticeable bald spots on the top of Student [REDACTED] head.

**Review Procedure**

The review included collecting information from and/or interviewing the following individuals:

1. [REDACTED] Parent of Student [REDACTED]
2. Parent of Student D
3. Student D
4. Parent of Student E
5. Student E
6. Parent of Student F
7. Student F
8. [REDACTED] Teacher at [REDACTED]
9. [REDACTED] Principal at [REDACTED]
10. [REDACTED] Education Aide at [REDACTED]
11. [REDACTED] Teacher at [REDACTED]

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On December 29, 2021, DCPS CARE attempted to interview Student [REDACTED] but you did not want DCPS CARE to interview Student [REDACTED]

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. Email dated January 4, 2022, from [REDACTED] Parent of Student [REDACTED]. that included pictures of Student [REDACTED] haircut and a mark under Student [REDACTED] eye.

### **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.
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**

1. Student B and Student [REDACTED] were enrolled in [REDACTED] at [REDACTED] at the time of these allegations.

As it relates to Student B biting Student [REDACTED] the following was found:

1. On December 29, 2021, you reported that Student B bit Student [REDACTED]
2. On February 8, 2022, [REDACTED], Principal at [REDACTED] reported that they knew Student B had accidentally stepped on Student [REDACTED] hand but was not targeting Student [REDACTED]
3. On March 3, 2022, [REDACTED] Teacher at [REDACTED] reported they were informed by [REDACTED] Nurse at [REDACTED], that Student [REDACTED] was bitten by Student B during lunch.
4. Teacher [REDACTED] reported Nurse [REDACTED] informed them there was no sight of redness or evidence of injury.
5. On March 3, 2022, you reported that Student B was still in the class with Student [REDACTED] and was not bullying or targeting Student [REDACTED]

As it relates to Student [REDACTED] having a mark on their eye, the following was found:

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1. On December 29, 2021, you reported that you witnessed a mark under Student [REDACTED] eye.
  2. On January 4, 2022, DCPS CARE reviewed a photo that was emailed to them by you which showed a faint mark under Student [REDACTED] left eye.
  3. On February 8, 2022, [REDACTED], Principal at [REDACTED] reported they did not see the mark under Student [REDACTED] eye because Student [REDACTED] had on a mask that was covering the mark.
  4. On March 3, 2022, [REDACTED], Education Aide at [REDACTED] reported around the beginning of December 2021, they noticed that Student [REDACTED] eye had a “reddish color” but when they asked Student [REDACTED] if they were okay and what happened Student [REDACTED]. said nothing happened and their eye was okay.

As it relates to Student C cutting Student [REDACTED] hair and leaving two noticeable bald spots on the top of Student [REDACTED] head, the following was found:

1. On December 29, 2021, you reported that when Student [REDACTED] came home from school you noticed they had [REDACTED] in the top of their head. You reported that’s when Student [REDACTED] started crying and said, [REDACTED] but wouldn’t articulate.
2. On December 29, 2021, you reported on December 25, 2021, Student [REDACTED] told you that Student C cut their hair.
3. On January 4, 2022, Student D reported they saw hair on the ground when they went to wash their hands but further reported that Student C was never in the class during the time when Student [REDACTED] hair was cut.
4. On January 4, 2022, Student E reported they were sitting at the table with Student [REDACTED] and Student [REDACTED] took the scissors and cut their own hair.
5. Student E also reported that Student C was not in the class when Student [REDACTED] cut their hair.
6. On January 4, 2022, Student F reported Student [REDACTED] took the scissors and cut their own hair.
7. Student F reported they told Student [REDACTED] but Student [REDACTED] took the scissors and cut his own hair.
8. Student F reported that Student C was not in the class with them and Student [REDACTED] at the time of the incident.

### Discussion/Conclusion

1a. As it relates to your concerns that Student B bit Student [REDACTED] DCPS CARE finds that 5-B DCMR 2405.2 (e) is not substantiated. Based on the information gathered during this investigation, DCPS has found that although Student B bit Student [REDACTED] Student B’s behavior was not consistent with DCPS’s definition of bullying. Additionally, considering the age of the students, Student B’s behavior towards Student [REDACTED] was not sufficiently severe, persistent or pervasive After speaking with [REDACTED], Principal at [REDACTED] and with you it was determined that Student [REDACTED] was not being targeted by Student B.

1b. As it relates to your concern that Student [REDACTED] had a mark on their eye, DCPS CARE finds that 5-B DCMR 2405.2 (e) is unable to be substantiated. Student [REDACTED]. told [REDACTED] Education Aide that they were okay and that nothing happened to their eye. Although DCPS observed a photo that showed Student [REDACTED] with a mark under their eye, due to a lack of information DCPS cannot definitively say how Student [REDACTED] received the mark under their eye.

1c. As it relates to your concern that Student C cut Student [REDACTED] hair and left two noticeable bald spots DCPS CARE finds that 5-B DCMR 2405.2 (e) is unable to be substantiated. It was reported that Student C cut Student [REDACTED] hair. Student E, Student F and Student D reported that Student C was not in the

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classroom during the time of the incident. Student E and Student F reported seeing Student [REDACTED] take the scissors and cut their own hair. There is insufficient evidence to show that Student C cut Student [REDACTED] hair.

DCPS has taken the following actions to address the allegations:

1. On January 4, 2022, [REDACTED] Social Worker at [REDACTED] created a safety plan for Student [REDACTED]

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 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.

Sincerely,



Anitra Allen, Director CARE

Cc: Principal  
Instructional Superintendent