



DISTRICT OF COLUMBIA
PUBLIC SCHOOLS

Office of the Chief Operating Officer

VIA MAIL/EMAIL

October 24, 2022

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

RE: Letter of Response for Written Grievance #4259 filed on December 29, 2021

Dear [REDACTED]:

In accordance with Chapter 24 Subtitle 5-B, Section 2405 of the District of Columbia Municipal Regulations, 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 Student [REDACTED] placed his hand up the skirt of Student B on an unknown date 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. Guardian of Student B
2. [REDACTED], Parent of Student [REDACTED]

DCPS CARE did not obtain consent to speak to either Student [REDACTED] or Student B regarding the allegations of this grievance.

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. Email, [REDACTED], Specialist, DCPS CARE, December 29, 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 B were both [REDACTED] students at [REDACTED] at the time of these allegations.
2. It is alleged that Student [REDACTED] crawled under the table and placed his hand up Student B’s skirt during lunch at [REDACTED]. The exact date of the incident is unknown.
3. Parent of Student [REDACTED] reported that the issue was resolved and there was no need to interview Student [REDACTED]
4. Parent of Student B reported that the issue was resolved at the school level and did not provide consent to interview Student B.

Discussion/Conclusion

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

DCPS is unable to substantiate **5-B DCMR 2405.2 (e)**. It is alleged that Student [REDACTED] placed his hand up the skirt of Student B on an unknown date at [REDACTED]. DCPS CARE did not obtain consent to speak to Student B or Student [REDACTED]. As a result of the lack of evidence, the CARE Team is unable to substantiate **5-B DCMR 2405.2 (e)**.

In order to address these concerns, [REDACTED] has taken the following action:

1. 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.
2. Student [REDACTED] and Student B have been placed in separate classrooms.

As the Respondent, 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,

A handwritten signature in black ink, appearing to read 'Anitra', written over a light blue horizontal line.

Anitra Allen-King, Director CARE

cc: Principal
Instructional Superintendent