



BY EMAIL AND FIRST-CLASS MAIL

February 22, 2022

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

RE: Letter of Response for Grievance #4282 filed on January 14, 2021

Dear [REDACTED],

In accordance with Title 5 Education, Subtitle 5-B, Chapter 24, Subsection 2405 of the District of Columbia Municipal Regulations, DC Public Schools (DCPS) Comprehensive Alternative Resolution and Equity (CARE) team has completed its investigation 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. Student [REDACTED] reported that on [REDACTED], they were sexually assaulted by Student B while in class at [REDACTED].

### **Investigative Procedure**

The investigation included interviews with the following individuals:

1. Student [REDACTED]
2. Student B
3. MPD Detective, [REDACTED]
4. Assistant Principal, [REDACTED]

The investigation 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. Written Statement from Student [REDACTED]

### **Pertinent Regulatory, Policy, and Procedural Considerations**

As it relates to a student touching another student without consent and in a manner that is sexual in nature. 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.”

According to the DCPS 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 investigation:

1. In a written statement from Student [REDACTED], they stated that they have avoided coming to school as a result of an incident that took place in class on [REDACTED].
2. Student [REDACTED] explained that while in class, they were seated next to Student B while in Teacher, [REDACTED]'s [REDACTED] class. According to Student [REDACTED], they had no prior friendship or relationship, and this was the second day they had ever spoken with each other.
3. Student B greeted Student [REDACTED] and then asked for a hug. Initially, Student [REDACTED] declined to hug Student B but Student B continued to ask. Eventually, Student [REDACTED] gave Student B a hug.
4. Student [REDACTED] reports that Student B then began to touch them in a sexual manner by [REDACTED]  
[REDACTED].
5. Student [REDACTED] stated that they “froze” in the moment and did not say anything in the moment to inform Student B that the contact was unwelcome.
6. In an interview with Student B, they stated that they were under the impression that Student [REDACTED] liked them after Student [REDACTED] had recently given them their number.
7. While in class, Student B sat next to Student [REDACTED] and asked for a hug. Initially, Student [REDACTED] declined a hug but less than two minutes later, Student [REDACTED] said to Student B, [REDACTED].
8. While sitting down at the table, Student B admitted to rubbing Student [REDACTED]'s [REDACTED] and [REDACTED]. Student B stated that they were under the impression that Student [REDACTED] was okay with the touch but [REDACTED].
9. [REDACTED]  
[REDACTED]
10. Student B denied [REDACTED]  
[REDACTED].
11. There were no identified witnesses to this incident.

### **Discussion/Conclusion**

**5-B DCMR 2405.2(e)** is substantiated. DCPS CARE considered information obtained from interviews from both Student [REDACTED] and Student B. The accounts from both students were mostly consistent, however, there were discrepancies when describing how Student [REDACTED] was touched by Student B. While Student B denied touching Student [REDACTED]'s [REDACTED] and [REDACTED], Student B admits to touching Student [REDACTED]'s [REDACTED] and [REDACTED] in a sexual manner. Student B admitted to being wrong in assuming that they had received consent although consent to be touched in a sexual manner was not explicitly given by Student [REDACTED].

DCPS has taken the following actions below to address this incident:

1. On [REDACTED], Student [REDACTED] met with a school social worker. Student [REDACTED] was offered the opportunity to continue to receive support services, however, Student [REDACTED] stated that this was not

---

needed at this time. Should this change, please contact the administration at [REDACTED] or DCPS CARE using the contact information below.

2. As of [REDACTED], class schedules were changed to reduce interactions between Student [REDACTED] and Student B.
3. As of [REDACTED], Student [REDACTED] has elected to have an alternative class transition plan to avoid any potential interactions with Student B in the hallway. Student [REDACTED] has permission to use an alternative route to transition to classes which is prohibited to other students or to receive a class pass when opting to transition to class after other students.
4. By [REDACTED], Administration at [REDACTED] will issue a Chapter 25 violation for Student B as a result of these findings.

As the complainant, 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 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.

If you have further questions, please do not hesitate to contact us at [dcps.care@k12.dc.gov](mailto:dcps.care@k12.dc.gov) or 202-4425405.

Sincerely,  
Anitra Allen, Director CARE



Cc: Principal  
Instructional Superintendent