

## John Doe # 1, et al. v. New York City Department of Education, 16-CV-1684(NGG)(RLM) Report for Fall Semester 2019-2020

Period of Analysis: 9/5/2019-1/27/2020 (Fall Semester)

The following report is provided in accordance with the requirements of the stipulation of settlement in John Doe # 1, et al. v. New York City Department of Education (the “Stipulation”). It includes data regarding “Bullying Complaints” as defined in the Stipulation. Pursuant to the Stipulation, “Bullying Complaints” are allegations of student-on-student bullying, harassment, intimidation and/or discrimination, including sexual harassment. An individual complaint may have more than one victim. Unless otherwise specified, the data reported here is based on individual students who are alleged to be victims, not on incidents. Through an investigative process, which is documented in DOE’s Online Occurrence Reporting System (“OORS”), schools determine if these allegations rise to the level of a violation of Chancellor’s Regulation A-832 (a “Material Incident”).

The DOE is also required to file reports in accordance with Local Law 51, the requirements of which differ from the reporting requirements under the Stipulation. Accordingly, the Local Law 51 report, which will be posted on the DOE’s website by May 31, 2020, will include information about student misconduct not considered to be Bullying Complaints under the Stipulation, but which were determined to be violations of [Chancellor’s Regulation A-832](#).

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
CSDs and Administrative Districts	Number of Unique Complaints submitted through Electronic Reporting System (ERS) by a Victim’s parent/guardian with a New York City School Account (NYCSA)	Number of Timely Notifications of Receipt of a Bullying Complaint <sup>1</sup> provided to Alleged Victims’ parents (Parent Notification) entered into the Online Occurrence	Number of Untimely Parent Notifications entered OORS	Number of Parent Notifications not entered OORS <sup>2</sup>	Total Number of Notices of Determination <sup>3</sup> provided to Alleged Victims’ Parents (NODs) entered into OORS	Number of NODs entered into OORS that were provided within 10 school days after Receipt of the Bullying Complaint	Number of NODs entered into OORS that were provided more than 10 school days after receipt of the Bullying Complaint because of Extenuating Circumstances	Number of NODs entered into OORS that were provided more than 10 school days after receipt of the Bullying Complaint, but not due to Extenuating Circumstances	Number of NODs not entered into OORS <sup>4</sup>	Number of Material Incidents <sup>5</sup> resulting from Bullying Complaints	Number of Victims of Material Incidents resulting from Bullying Complaints	Number of Victims with Supports & Interventions <sup>6</sup> (S&I) entered into OORS	Number of Victims with S&I documented in OORS as Not Warranted	Total Number of Victims with No S&I documented in OORS <sup>7</sup>
1	0	69	0	3	63	58	0	5	9	39	*	33	*	11
2	0	452	19	62	465	406	8	51	67	272	291	227	14	50
3	0	166	17	20	167	128	6	33	37	102	105	56	6	43
4	0	134	2	15	132	110	4	18	19	65	76	41	8	27
5	0	54	0	10	53	50	1	2	11	38	*	22	*	14
6	0	88	2	13	91	82	2	7	12	55	*	45	*	6
7	0	136	2	12	130	119	2	9	20	76	*	61	*	21
8	0	152	1	15	136	119	2	15	32	84	*	48	*	36
9	0	152	1	25	156	142	3	11	22	106	108	92	7	9
10	0	345	15	43	332	270	11	51	71	190	*	189	*	45
11	0	404	5	44	373	314	6	53	80	225	*	202	*	44
12	0	182	4	22	168	151	3	14	40	89	78	47	0	31
13	0	109	8	16	111	97	1	13	22	78	*	43	*	42
14	0	127	5	23	124	114	0	10	31	84	102	50	5	47

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
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15	1	194	1	17	185	155	4	26	27	115	*	79	*	49
16	0	24	0	5	23	18	3	2	6	18	15	7	0	8
17	0	116	3	13	115	99	2	14	17	69	72	52	5	15
18	0	61	0	4	51	47	0	4	14	33	*	18	*	17
19	0	104	1	13	104	101	0	3	14	56	*	27	*	39
20	1	354	9	40	362	315	8	39	41	143	168	146	10	12
21	0	208	0	41	221	177	4	40	28	127	131	97	17	17
22	0	117	0	31	127	106	0	21	21	69	80	68	6	6
23	0	65	0	4	58	53	1	4	11	42	46	23	0	23
24	0	354	5	13	309	282	2	25	63	186	212	137	7	68
25	2	272	4	34	251	220	3	28	59	120	135	83	8	44
26	1	250	11	22	246	212	5	29	37	137	146	75	10	61
27	0	180	4	19	165	148	2	15	38	94	*	92	*	19
28	0	237	2	17	218	192	5	21	38	150	156	140	6	10
29	1	123	1	8	112	95	2	15	20	77	87	52	10	25
30	0	169	4	12	149	139	1	9	36	91	*	66	*	30
31	1	775	7	45	639	591	4	44	188	390	408	358	14	36
32	0	70	1	17	78	72	0	6	10	40	46	31	0	15
75	0	175	1	32	192	174	5	13	16	108	118	85	9	24
79	0	12	0	3	15	14	0	1	0	5	5	5	0	0
<b>Citywide Totals</b>	<b>7</b>	<b>6,430</b>	<b>135</b>	<b>713</b>	<b>6,121</b>	<b>5,370</b>	<b>100</b>	<b>651</b>	<b>1,157</b>	<b>3,573</b>	<b>3,916</b>	<b>2,797</b>	<b>175</b>	<b>944</b>

Table Annotations:

Header Row

1. Parents/guardians of alleged victims must be notified of Bullying Complaints, as defined by the Stipulation, unless it is unsafe to do so. In certain limited circumstances, a school may determine that there are reasons which indicate that notifying the parent/guardian may pose a safety threat to the student. This report only displays the number of parents/guardians notified timely and those who were not. During the reporting period, there were 17 instances where a school indicated that it was unsafe to notify the parent/guardian.
2. During the reporting period, various programming and design issues resulted in incomplete data for 713 of the required Parent Notifications. Consequently, this chart may not reflect all the Parent Notifications that were actually given to parents/guardians. The DOE has been working to resolve each of these issues.

3. NODs are required to be sent to the parent/guardian of the alleged victim(s) for all Bullying Complaints post-investigation. The Stipulation requires a NOD to be sent to the parents/guardians of the victim(s), whether or not the complaint is substantiated, within ten (10) school days of receipt of the Bullying Complaint unless there are extenuating circumstances. NODs are not sent if the school previously determined that it was unsafe to notify the parent/guardian. The report displays the number of NODs sent in accordance with the requirements of the Stipulation and those that were not sent in accordance with the Stipulation.
4. In September and October, programming issues in OORS prevented schools from entering data in OORS regarding NODs, including the date a NOD was sent. This field was added to OORS in the end of October 2019. Of the NODs for which data was not entered into OORS, 1,120 are due to this programming issue.
5. Column K displays the number of Material Incidents, as defined in the Stipulation. The DOE investigates all incidents of student misconduct to determine appropriate follow-up action. As a result, in addition to the number of Material Incidents substantiated from Bullying Complaints reported in Column K of this report, the DOE determined that there were 1,558 additional incidents of student misconduct that were not considered to be Bullying Complaints under the Stipulation but which, after investigation, were determined to be violations of Chancellor's Regulation A-832. Please see [Local Law 51 Report](#) which will be posted on the DOE's website by May 31, 2020.
6. As per the Stipulation, all victims of Material Incidents must be provided with S&I unless the school determines that S&I are not warranted.
7. At the end of December 2019, OORS was modified to ensure that schools either enter the S&I to be provided to a victim of a Material Incident or indicate that it has been determined that S&I are not warranted. Prior to this adjustment, schools could provide S&I without making an entry into SOHO/OORS. Therefore, there are 944 victims of Materials Incidents for which there are no S&I documented in OORS. Consequently, this chart may not reflect all students for whom the school determined that S&I were warranted.

#### *Cell Annotations*

The symbol "\*" is used to protect data in accordance with the Family Education Rights and Privacy Act (FERPA). Any value that reflects one (1) to four (4) students has been redacted as well as any number that in combination with other numbers would allow determination of the value of a redacted number.

CSDs and Administrative Districts	Number of NODs entered into OORS that were provided more than ten school days after receipt of the Bullying Complaint, but not because of Extenuating Circumstances	1 to 5 days late	6 to 10 days late	11 to 29 days late	30 days and more late	Number of NODs not entered into OORS
1	5	1	0	2	2	9
2	51	3	6	20	22	67
3	33	11	2	12	8	37
4	18	0	0	13	5	19
5	2	0	1	0	1	11
6	7	2	0	5	0	12
7	9	1	1	3	4	20
8	15	4	4	5	2	32
9	11	1	1	1	8	22
10	51	8	1	24	18	71
11	53	3	10	30	10	80
12	14	1	2	7	4	40
13	13	1	1	5	6	22
14	10	2	2	0	6	31
15	26	3	4	6	13	27
16	2	0	0	1	1	6
17	14	2	0	10	2	17
18	4	1	1	2	0	14
19	3	1	1	1	0	14
20	39	0	4	16	19	41
21	40	3	4	14	19	28
22	21	1	0	6	14	21
23	4	0	0	0	4	11
24	25	3	3	9	10	63
25	28	6	2	9	11	59
26	29	6	2	7	14	37
27	15	2	0	3	10	38
28	21	2	4	4	11	38
29	15	3	2	5	5	20
30	9	2	0	1	6	36
31	44	6	4	9	25	188
32	6	0	1	0	5	10
75	13	0	3	8	2	16
79	1	0	0	0	1	0
<b>Citywide Totals</b>	<b>651</b>	79	66	238	268	1157