

John Doe # 1, et al. v. New York City Department of Education, 16-CV-1684(NGG) (RLM) Report for Fall Semester SY2020-2021

Period of Analysis: 9/16/2020-1/29/2021 (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 no identified victim or 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 the 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, 2021, will include information about complaints of student misconduct not considered to be Bullying Complaints under the Stipulation, but determined to be Material Incidents.

Table 1: Bullying Complaints Data

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 with a New York City School Account (NYCSA)	Number of Timely Notifications of Receipt of a Bullying Complaint ¹ Provided to Alleged Victims (parents (Parent Notification) entered into the Online Occurrence Reporting System (OORS))	Number of Untimely Parent Notifications entered OORS	Number of Parent Notifications not entered OORS	Total Number of Notices of Determination ² Provided to Alleged Victims (Parents (NODs) entered into OORS	Number of NODs entered into OORS that were provided within ten school days after Receipt of the Bullying Complaint	Number of NODs entered into OORS that were provided more than ten school days after receipt of the Bullying Complaint because of Extenuating Circumstances	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	Number of NODs not entered into OORS	Number of Material Incidents ³ resulting from the Bullying Complaints	Number of Victims of Material Incidents resulting from the Bullying Complaints	Number of Victims with Supports & Interventions (S&I) ⁴ 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
1	0	8	2	0	8	7	0	1	2	7	5	5	0	0
2	0	62	4	0	64	55	3	6	2	34	34	**	*	0
3	0	17	0	3	20	17	2	1	0	13	14	**	*	0
4	0	5	2	0	7	3	1	3	0	3	*	*	*	0

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 with a New York City School Account (NYCSA)	Number of Timely Notifications of Receipt of a Bullying Complaint ¹ Provided to Alleged Victims' parents (Parent Notification) entered into the Online Occurrence Reporting System (OORS)	Number of Untimely Parent Notifications entered OORS	Number of Parent Notifications not entered OORS	Total Number of Notices of Determination ² Provided to Alleged Victims' Parents (NODs) entered into OORS	Number of NODs entered into OORS that were provided within ten school days after Receipt of the Bullying Complaint	Number of NODs entered into OORS that were provided more than ten school days after receipt of the Bullying Complaint because of Extenuating Circumstances	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	Number of NODs not entered into OORS	Number of Material Incidents ³ resulting from the Bullying Complaints	Number of Victims of Material Incidents resulting from the Bullying Complaints	Number of Victims with Supports & Interventions (S&I) ⁴ 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
5	0	2	0	0	2	2	0	0	0	1	*	*	0	0
6	0	8	1	0	9	8	0	1	0	8	7	*	*	0
7	2	4	0	0	4	3	0	1	0	7	*	*	0	0
8	0	20	0	0	20	12	0	8	0	7	6	6	0	0
9	0	15	0	0	15	14	1	0	0	10	10	10	0	0
10	1	27	1	0	28	25	1	2	0	20	12	12	0	0
11	0	25	0	0	24	23	0	1	1	15	15	**	*	0
12	0	5	0	0	5	4	0	1	0	4	*	*	*	0
13	0	16	0	1	17	17	0	0	0	22	11	**	*	0
14	0	13	0	0	13	13	0	0	0	7	7	*	*	0
15	2	8	0	0	8	7	1	0	0	8	5	5	0	0
16	0	3	0	0	3	3	0	0	0	3	*	*	0	0
17	0	6	2	0	8	7	0	1	0	4	5	5	0	0
18	0	3	0	0	3	3	0	0	0	3	*	*	*	0
19	0	2	0	0	2	2	0	0	0	3	*	*	0	0
20	0	25	0	1	26	26	0	0	0	14	8	**	*	0
21	1	33	0	0	33	33	0	0	0	24	14	**	*	0
22	0	13	0	0	13	13	0	0	0	7	6	**	*	0
23	0	3	0	0	3	3	0	0	0	1	*	*	0	0
24	0	30	1	1	32	30	1	1	0	23	21	**	*	0
25	0	32	2	1	34	34	0	0	1	19	21	**	*	0
26	0	31	4	0	35	32	2	1	0	20	21	**	*	0
27	0	25	0	0	25	25	0	0	0	21	15	**	*	0
28	0	19	0	1	20	20	0	0	0	21	14	**	*	0
29	0	6	1	0	7	7	0	0	0	3	*	*	0	0

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 with a New York City School Account (NYCSA)	Number of Timely Notifications of Receipt of a Bullying Complaint ¹ Provided to Alleged Victims' parents (Parent Notification) entered into the Online Occurrence Reporting System (OORS)	Number of Untimely Parent Notifications entered OORS	Number of Parent Notifications not entered OORS	Total Number of Notices of Determination ² Provided to Alleged Victims' Parents (NODs) entered into OORS	Number of NODs entered into OORS that were provided within ten school days after Receipt of the Bullying Complaint	Number of NODs entered into OORS that were provided more than ten school days after receipt of the Bullying Complaint because of Extenuating Circumstances	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	Number of NODs not entered into OORS	Number of Material Incidents ³ resulting from the Bullying Complaints	Number of Victims of Material Incidents resulting from the Bullying Complaints	Number of Victims with Supports & Interventions (S&I) ⁴ 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
30	0	30	0	0	30	25	5	0	0	15	14	10	*	*
31	1	53	6	0	56	54	0	2	3	32	34	**	*	0
32	0	4	1	0	5	5	0	0	0	3	*	*	0	0
75	1	21	1	0	21	20	1	0	1	9	10	**	*	0
79	0	3	0	0	3	3	0	0	0	5	*	*	0	0
Citywide Totals	8	577	28	8	603	555	18	30	10	396	335	300	**	*

Table Annotations:

Header Row

1. The parent of an alleged victim must be notified of Bullying Complaints 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 may pose a safety threat to the student. This report only displays the number of parents notified in a timely manner and those who were not. During the reporting period, there were 3 instances in which a school indicated that it was unsafe to notify the parent.
2. Notices of Determination (NODs) are required to be sent to the parent of the alleged victim(s) for all Bullying Complaints post-investigation. The Stipulation requires a NOD to be sent to the parent of the victim, whether or not the Bullying Complaint is a Material Incident, 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. 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.
3. Column K displays the number of Material Incidents resulting from Bullying Complaints. 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 resulting from Bullying Complaints (reported in Column K of this report), the DOE determined that there were 121 additional incidents of student misconduct that were not determined to be Bullying Complaints but which, after investigation, were determined to be Material Incidents. See also [Local Law 51 Report](#) (which will be posted on the DOE’s website by May 31, 2021).

4. Pursuant to the Stipulation, all victims of Material Incidents resulting from Bullying Complaints must be provided with supports and interventions (S&I) unless the school determines that S&I are not warranted.

Cell Annotations

In accordance with the Family Education Rights and Privacy Act (FERPA), any value that would indicate one (1) to four (4) students has been redacted using the symbol “*”, and any number that in combination with other numbers could lead to the disclosure of protected student information has been redacted using the symbol “***”.

Table 2: Notices of Determination sent more than 10 days after receipt of a Bullying Complaint

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	1	1	0	0	0	2
2	6	1	1	4	0	2
3	1	1	0	0	0	0
4	3	0	1	2	0	0
6	1	0	1	0	0	0
7	1	1	0	0	0	0
8	8	3	0	5	0	0
10	2	1	1	0	0	0
11	1	1	0	0	0	1
12	1	1	0	0	0	0
17	1	1	0	0	0	0
24	1	1	0	0	0	0
25	0	0	0	0	0	1
26	1	1	0	0	0	0
31	2	2	0	0	0	3
75	0	0	0	0	0	1
Citywide Totals	30	15	4	11	0	10