

# Congress of the United States

Washington, D.C. 20515

October 29, 2021

Delivered via Email

Scott Ziegler  
Superintendent of Schools  
Loudoun County Public Schools  
21000 Education Court  
Ashburn, VA 20148

Dear Superintendent Ziegler:

We write to you not only as senior Republicans on the U.S Senate and House Education Committees but also as concerned parents. We are profoundly concerned over your recent admission that Loudoun County Public Schools (LCPS), and specifically you, misled parents during a June 22, 2021, school board meeting about a sexual assault that occurred on school grounds. Your lack of candor, as well as subsequent actions by your office, led to another sexual assault on LCPS grounds. As Superintendent of LCPS, you not only have a duty to maintain the safety of all students and to be truthful to parents, but you also have a duty under Federal law to respond to allegations of sexual assault. We write to gain further information regarding what happened and how this tragic set of events could have been avoided.

On May 28, 2021, the School Resource Officer at Stone Bridge High School received a report from a school staff member that an alleged sexual assault had taken place on the school's campus. It is unclear how events transpired after this, but ultimately the alleged victim's father, and subsequently, the Loudoun County Sheriff's Office, were called to the school. It is also unclear whether the school called the sheriff's office to respond to the alleged sexual assault or to the understandably upset father. After an investigation by the sheriff's office, a 14 year-old male student at Stone Bridge High School was arrested and has since been found guilty of forcible sodomy of a fellow female student.<sup>1</sup>

It does not appear that the school responded in any reasonable manner to the allegations. Instead, an email was sent to all parents informing them of the police presence at the school, without any mention of the alleged sexual assault. Then, during a June 22, 2021, school board meeting, when questioned about sexual assault incidents taking place in LCPS, you said the following: "To my knowledge, we don't have any record of assaults occurring in our restrooms." As you well know,

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<sup>1</sup> [https://www.washingtonpost.com/local/public-safety/in-case-at-center-of-political-firestorm-judge-finds-teen-committed-sexual-assault-in-virginia-school-bathroom/2021/10/25/42c037da-35cc-11ec-8be3-e14aaacfa8ac\\_story.html](https://www.washingtonpost.com/local/public-safety/in-case-at-center-of-political-firestorm-judge-finds-teen-committed-sexual-assault-in-virginia-school-bathroom/2021/10/25/42c037da-35cc-11ec-8be3-e14aaacfa8ac_story.html); <https://www.nbcwashington.com/news/local/northern-virginia/teen-accused-of-sexual-assaults-in-2-virginia-high-schools/2831314/>

and acknowledged recently, this was untrue as you and LCPS were aware of the incident and that the student had been arrested.<sup>2</sup>

It was also reported that at some point your office transferred the offending student to Broad Run High School. Tragically, and likely as a direct result of your actions, the public has since learned that this same student allegedly committed yet another sexual assault on October 7, 2021. The victims would undoubtedly have been spared indignity and trauma had your office been truthful from the beginning and had not transferred the student while criminal proceedings were pending.

Under Title IX of the Education Amendments of 1972 (Title IX), K-12 school districts have a duty to respond to allegations of sexual harassment and assault to ensure every student, regardless of sex, has equal access to education. Title IX's implementing regulations not only outline the procedures a school must take when an allegation is made, but also state that a school is in violation of Title IX when the school has failed to "respond promptly in a manner that is not deliberately indifferent." This means that LCPS and you were under an obligation to respond promptly to the May 28 incident in a manner that is not "clearly unreasonable in light of the known circumstances."

There is no known evidence that you followed any of the procedures outlined in the Title IX regulations. For example, there is no known evidence that an investigation was conducted by LCPS, or that any grievance procedures were followed, or that any notice was sent to the necessary parties. Instead, the only response we know about is that LCPS and you attempted to conceal the original incident, transferred the accused student while known criminal charges were pending, and created the opportunity for another student to be allegedly assaulted. Your response to the incidents was not even remotely reasonable and could be in violation of the requirements of Title IX.

Given the very serious nature of the alleged crimes that have been committed and LCPS' obligations under Title IX to protect the equal access to education for all students, we write to request the following documents from LCPS by November 5, 2021:

1. Any and all communication between you and other school and/or district office personnel regarding the May 28, 2021, and October 7, 2021, incidents;
2. A detailed accounting of when and under what procedures the accused student was transferred from Stone Bridge High School to Broad Run High School;
3. Any disciplinary actions taken against the accused student for both incidents with a record of when they were taken;
4. Any and all communication with outside crisis and public relations communicators, including non-profit or advocacy organizations, regarding both incidents;

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<sup>2</sup> [https://www.loudountimes.com/news/superintendent-notified-school-board-of-may-28-sexual-assault-on-same-day-lcps-says/article\\_e2f09a98-32e2-11ec-a900-03b9b54d8877.html](https://www.loudountimes.com/news/superintendent-notified-school-board-of-may-28-sexual-assault-on-same-day-lcps-says/article_e2f09a98-32e2-11ec-a900-03b9b54d8877.html);  
<https://www.nbcwashington.com/news/local/northern-virginia/teen-accused-of-sexual-assaults-in-2-virginia-high-schools/2831314/>

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5. Any and all communications with the U.S. Department of Education and the U.S. Department of Justice regarding both incidents; and
6. A statement to us that you have and currently are preserving all records relating to both incidents in accordance with LCPS and Virginia record keeping requirements.

Thank you for your attention to this matter.

Sincerely,



Richard Burr  
Ranking Member  
U.S. Senate Committee on Health, Education,  
Labor and Pensions



Virginia Foxx  
Ranking Member  
U.S. House Committee on  
Education and Labor