



DISTRICT OF COLUMBIA
PUBLIC SCHOOLS

Office of the Chief Operating Officer

VIA EMAIL

April 30, 2021

[REDACTED]

RE: Letter of Response for Grievance #3887 filed on April 20, 2021

Dear [REDACTED]:

In accordance with Chapter 25 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 grievance.

Grievance Issues

Based on a review of the information provided, the grievance raised the following issues under the jurisdiction of this office:

1. **5-B DCMR 2405.2(d)**: Where it is alleged that any student is being denied participation in any activity for which the student is eligible.
 - a. You alleged that [REDACTED] is not allowing Student [REDACTED] to attend in-person learning because she has not been vaccinated. Additionally, you alleged that [REDACTED] is not accepting the Religious Immunization Exemption Certificate you submitted.

Review Procedure

The review included collecting information from and/or interviewing the following individuals:

1. [REDACTED], Parent of Student [REDACTED]/Grievant
2. [REDACTED], [REDACTED] Business Manager
3. [REDACTED], DCPS Student Health Services Specialist

The review also included the following which were either submitted by the complainant, submitted by the school, or accessible via DCPS data systems:

1. Religious Immunization Exemption Certificate for Student [REDACTED] dated [REDACTED]
2. Immunization Policy for In-Person Attendance School Year [REDACTED]

Pertinent Regulatory, Policy, and Procedural Considerations

As it relates to immunization requirements, the following applies:

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1. According to the Immunization Policy for In-Person Attendance School Year [REDACTED], “DC Official Code requires that no student shall be admitted by a school unless the school has a valid certification of immunization documenting that the student has been successfully immunized in accordance with DC Health immunization requirements or the student is exempt for medical or religious purposes (DC Official Code § 38–502).”
 2. According to the Immunization Policy for In-Person Attendance School Year [REDACTED], “the student may not attend the school in-person via regular instruction without immunization certification (or exemption).”
 3. According to the Immunization Policy for In-Person Attendance School Year [REDACTED], “Religious exemptions shall be submitted to the school each school year using the official DC Health Religious Immunization Exemption Certificate which may only be obtained directly at the DC Health headquarters.”

As it relates to Student [REDACTED] being denied in-person learning, the following applies:

1. The Immunization Policy for In-Person Attendance School Year [REDACTED] outlines that students may not be permitted to attend in-person learning without the school receiving a valid certification of immunization or exemption.
2. The Immunization Policy for In-Person Attendance School Year [REDACTED] outlines that religious exemptions shall be obtained directly from DC Health.

Findings of Fact

Below are the findings of fact related to Student [REDACTED] being denied in-person learning:

1. Student [REDACTED] enrolled in [REDACTED] on [REDACTED]. When you enrolled the student, you provided the school with a Religious Immunization Exemption Certificate dated [REDACTED].
2. On [REDACTED], [REDACTED] Business Manager informed you that Student [REDACTED] could not attend in-person learning due to concerns regarding the Religious Immunization Exemption Certificate you submitted.
3. The Immunization Policy for In-Person Attendance School Year [REDACTED], states that the DC Health Religious Immunization Exemption Certificate may only be obtained directly at the DC Health headquarters. You reported that you did not receive the certificate from DC Health.

Discussion/Conclusion

During this investigation DCPS CARE found that [REDACTED] adhered to the following legal/regulatory requirements:

1. Immunization Policy for In-Person Attendance School Year [REDACTED]

The DCPS CARE review resulted in the following conclusions:

1. As it relates to Student [REDACTED] being denied in-person learning, DCPS CARE finds that **5-B DCMR 2405.2(d)** is not substantiated. [REDACTED] followed policy and informed you that Student [REDACTED] could not attend in-person learning due to you submitting the incorrect immunization exemption form, thus making her ineligible to attend.

DCPS has taken or will take the following action as a result of these findings:

1. On [REDACTED], a phone conference was held with you, [REDACTED], [REDACTED] Business Manager; [REDACTED], DCPS Student Health Services Specialist, and DCPS CARE. During this call, you were provided instructions and contact information for obtaining the correct DC Health Religious Immunization Exemption Certificate. You were also provided this information in writing via email after the phone conference on [REDACTED].

If you are not satisfied with this 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 Chief Integrity Officer (CIO) 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.

Sincerely,

[REDACTED]

[REDACTED], Director CARE

Cc: Principal

Instructional Superintendent