



DISTRICT OF COLUMBIA  
PUBLIC SCHOOLS

Office of the Chief Operating Officer

VIA EMAIL

May 26, 2021

██████████  
████████████████████

RE: Letter of Response for Grievance #3888 filed on April 21, 2021

Dear ██████████:

In accordance with Chapter 24 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 written 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(c)**: Where it is alleged that any student or group of students is being subjected to an arbitrary or unreasonable regulation, procedure, or standard of conduct.
  - a. You allege that Student ██████ was unfairly denied access to the school building. On ██████, you were asked to pick Student ██████ up because they had a runny nose and were told to obtain a negative COVID-19 test results before Student ██████ could return.
  - b. Additionally, you raise concerns that symptomatic testing was not available on-site at ██████ School.

**Review Procedures**

The review included interviews with the following individuals:

1. ██████, ██████ School Principal

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

1. Aspen, DCPS database for student attendance

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

As it relates to symptoms of COVID-19, the following applies:

1. DC Health COVID-19 Guidance for Schools states, “symptoms of COVID19 include: fever (subjective or 100.4 degrees Fahrenheit) or chills, cough, shortness of breath or difficulty breathing, fatigue, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion or runny nose, nausea or vomiting, or diarrhea.”

As it relates to Student Symptom Identification, Testing, Response, and Re-entry:

1. DCPS COVID-19 School Health Guidance states, “[I]f a student presents with COVID symptoms while at school, a Maxim Patient Care Technician should be alerted to escort the student to the Health Isolation Room. The school nurse (Children’s School Services assigned staff) will come to the Health Isolation Room, evaluate the student, and check Medical Flag List and student health records. The school nurse should contact the parent/guardian, notify them of the situation, and request that the student is picked up. If the student has a valid COVID-19 Testing Consent Form on file, the school nurse will conduct COVID rapid testing.”
2. DCPS COVID-19 School Health Guidance also states, “[I]f student test results are negative for the rapid test, a confirmatory PCR test will be administered. The student will need to remain home until the PCR test results are obtained. If the PCR is negative, the student may return to school.”
3. DCPS COVID-19 Response Protocol states, “[S]chools will provide on-site rapid testing for symptomatic students. Follow-up confirmatory PCR testing is also available should a student receive a negative rapid test result.”

### **General Findings of Fact**

As it relates to [REDACTED] School’s request for Student [REDACTED] to be picked up, the following apply:

1. According to DC Health COVID-19 Guidance for Schools, symptoms of COVID-19 include “congestion or runny nose.”
2. According to DCPS COVID-19 School Health Guidance, parents/guardians should be contacted and requested to pick up students presenting with symptoms of COVID-19. Students will need to remain home until negative PCR test results are obtained.
3. On [REDACTED], you were contacted by [REDACTED] School Manager, Strategy Logistics [REDACTED] to pick Student [REDACTED] up and obtain a negative COVID-19 test or doctor’s note

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before returning to the building due to Student [REDACTED] displaying symptoms of sneezing and a runny nose. You picked Student [REDACTED] up early on [REDACTED].

4. You and Principal [REDACTED] reported to DCPS CARE that Student [REDACTED]'s negative PCR test results were received by [REDACTED] School on [REDACTED], and Student [REDACTED] returned to school the following day.

As it relates to nurse presence at [REDACTED] School, the following apply:

1. You reported to DCPS CARE that [REDACTED] School did not have a nurse on site to administer a symptomatic COVID-19 test.
2. Principal [REDACTED] reported to DCPS CARE that a nurse was not on site on [REDACTED], to offer symptomatic COVID-19 tests.
3. Principal [REDACTED] reported to DCPS CARE that a nurse is typically on site at [REDACTED] School, however, on [REDACTED], the nurse on site was called to support another school.

### **Discussion/Conclusion**

As a result of this review, DCPS has found the following:

1. As it relates to [REDACTED] School's request for Student [REDACTED] to be picked up on [REDACTED], **5-B DCMR 2405.2(c)** is not substantiated. [REDACTED] School contacted you to request that Student [REDACTED] be picked up and tested for COVID-19 due to symptoms of sneezing and a runny nose. According to guidance from DCPS COVID-19 School Health Guidance, schools will provide on-site testing for symptomatic students. However, [REDACTED] School was not able to provide on-site testing on [REDACTED], thus Student [REDACTED] needed to be picked up to receive testing rather than receive testing while on school grounds. In the nurse's absence, [REDACTED] School adhered to DCPS COVID-19 School Health Guidance indicating that a request should be made for parents/guardians to pick up the student presenting with COVID-19 symptoms.
2. As it relates to your concerns that a nurse was not on site to administer symptomatic COVID-19 testing, **5-B DCMR 2405.2(c)** is substantiated. According to DCPS COVID-19 Response Protocol, schools will provide testing for symptomatic students. However, on [REDACTED], [REDACTED] School did not have the staffing available to provide symptomatic testing.

In an effort to address your concerns, DCPS has taken or will take the following action:


1. DCPS CARE will contact the DCPS Student Health Services Team by [REDACTED], to request support in maintaining nurse coverage at [REDACTED] School to provide symptomatic testing to students.


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.

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Please submit appeal requests to the 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](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 202.442.5405.

Sincerely,

A large black rectangular redaction box covering the signature of the Director CARE.

, Director CARE

CC: Principal  
Instructional Superintendent