



COUNCIL OF THE DISTRICT OF COLUMBIA
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Phil Mendelson
Chairman

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January 11, 2022

Dr. Lewis D. Ferebee, Chancellor
District of Columbia Public Schools
1200 First Street, NE – 12th Floor
Washington, D.C. 20002

Dear Chancellor Ferebee:

Ronan Gulstone, Director of OPLA, responded to the emails I sent you asking two questions. I am disappointed you are unavailable to meet with councilmembers and conversationally address their concerns. Nevertheless, Ronan stated that DCPS is available to answer additional written questions and I have six.

1. When do you plan to inform individual schools their proposed/preliminary SY 22-23 budgets? Do you have a date?

2. What steps is DCPS taking, *now*, to ensure that parents are notified within 24 hours of a COVID case in their child's school? On Friday's COVID conference call with councilmembers, Deputy Mayor Kihn was heard to state that parents would be notified within 24 hours, but you were unable to state that in your January 3rd answers. Current law, *Protecting Our Children Emergency Amendment Act of 2021* (DC Act 24-190), has two provisions: (1) Each school shall notify all parents... whenever it receives notice that a student... or a staff member... tests positive; and (2) After a confirmed COVID-19 case... a school shall send notice to all parents or guardians of [close contacts] (section 104(a)). These are separate requirements; the law does not require the identification of close contacts (what's in paragraph (2)) before the general notification to parents required by paragraph (1). Can you state unequivocally that schools will notify parents within 24 hours of learning of a COVID case in their child's school?

3. Please identify each school that does not have a COVID Strategy & Logistics Coordinator at this time. If easier, list the schools that do have a Coordinator at this time. You may also provide a timeline for staffing all the schools. Regarding these coordinators, I note that the Mayor announced this staffing on or about October 14th, almost 3 months have since passed, and we are almost halfway through the school year.

4. Your January 3rd answers included this statement regarding the weekly testing of students: "Please note that opt-outs and high percentages of vaccinated students impact the ability of many high schools to reach their testing goals." Here again DCPS is misreading the law. DC Act 24-190 requires weekly asymptomatic testing of "at least 20% of its students attending in-person learning."

That is not “20% of its *unvaccinated* students...” While CDC guidance recommends, as part of its layered strategy, the testing of 10% of asymptomatic unvaccinated students, DC law does not make that distinction. Nothing prevents DCPS from doing both: testing at least 20% of all students including 10% of the unvaccinated students. I request your response whether this is how DCPS plans to go forward with weekly testing from now on.

5. I applaud yesterday’s announcement that DCPS will implement weekly rapid tests for staff and Pre-K and K. Although the Mayor’s presentation did not state whether the testing is required, I assume it will be. Am I correct?

6. I also applaud the plan to launch a new Test to Stay program to enable close contacts to stay in school; I encourage this to become system-wide as soon as possible. Regarding test-to-return, however, given that the Omicron variant is on the ascendancy now and is likely to peak soon and then diminish substantially and quickly in a few weeks, I do not understand why the next test-to-return will not occur until February 28th. Last week’s test-to-return had a positivity rate greater than 5%, – highlighting the value of the strategy to reduce community spread. Please explain the value in waiting another seven weeks before the next test-to-return.

There are six questions in this letter. I request your response this week.

Sincerely,

A handwritten signature in blue ink, appearing to read "Phil Mendelson", with a long, sweeping horizontal line extending to the right.

Phil Mendelson
Chairman

PM/ms
cc: Ronan Gulstone