

## DCPS Return to In-Person Work Guidelines

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### Background

The District of Columbia Public Schools (DCPS) is committed to ensuring every student feels loved, challenged, and prepared to positively influence society and thrive in life. At DCPS, we are committed to educating the whole child by providing rigorous, joyful, and inclusive academic and social-emotional learning experiences to ensure all students are college and career ready. As a part of this commitment, DCPS works to create a safe and secure learning environment that supports the whole child and ensures that every student has access to joyful and rigorous academic experiences.

During this unprecedented public health emergency, **DCPS continues to prioritize staff and student safety**. As the city progresses through Phase Two of its ReOpenDC plan, DCPS has developed these guidelines to ensure a safe return to work for employees, in accordance with recommendations from DC Health.

DCPS will implement a hybrid learning model for the 2020- 21 School Year (SY) that will include continued virtual instruction and in-person instruction for a portion of our students. DCPS will continue to ensure the safety of school-based employees who report to work in-person.

Central office staff whose roles require them to be on-site and can safely perform their roles will be expected to work on-site for their standard tour of duty. Central office staff whose work does not require them to be on-site to fulfill their roles will be provided options to work remotely through a modified rotational telework policy. More details regarding the modified telework policy will be forthcoming.

### Universal Safeguards for In-Person Work Environments

#### Personal Protective Equipment (PPE) and Cleaning Supplies

All employees who report to work in-person will be provided with a daily supply of disposable face masks at no cost to the employee. Additionally, staff will be provided with a full supply of hand sanitizers and cleaning supplies to maintain their workspaces.

Employees and visitors will not be allowed entry into any facility without using required PPE. Employees who do not comply with directives will be subject to progressive discipline.

#### Enhanced Health Procedures

##### Daily Health Screening

DCPS will implement a daily health screen for all students and staff entering DCPS buildings. Employees will complete this screening through a self-assessment that needs to occur before arrival daily. A team of screening facilitators will monitor screening results to ensure appropriate follow up occurs.

An individual with any of the following symptoms will be instructed to not enter DCPS buildings, to isolate immediately, and call their healthcare provider:

- Fever (defined as 100.4 degrees Fahrenheit);
  - Chills, cough, shortness of breath or difficulty breathing;
  - Fatigue, muscle or body aches, headache; or
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- New loss of taste or smell, sore throat, congestion, nausea or vomiting, or diarrhea, or otherwise feeling unwell.

If a student or staff member develops any of the symptoms above during the course of the school day, DCPS will have a designated physical location and a process in place that allows the individual to isolate until it is safe to go home and seek healthcare provider guidance.

#### Enhanced Cleaning Routines

Schools will undergo daily cleaning at the end of each day and deep cleaning based on a prescribed schedule.

#### **Physical and Operational Workspace Adjustments<sup>1</sup>**

##### Social Distancing Controls

In accordance with DC Health guidelines, DCPS will ensure appropriate physical distancing by implementing the following protocols:

- Class sizes will be capped in alignment with DC Health guidelines, to ensure adequate social distancing.
- Student desks will be separated and face in the same direction.
- Scheduling will be designed to ensure that students are grouped together each day as much as feasible and that staff transition is minimized throughout the day.
- Each school's daily schedule will be developed to ensure that transitions are minimized and that interactions during required traditional transition points are limited (e.g. lunch, restroom breaks, entry, dismissal).
- Non-essential visitors will be restricted from entering the building. Any visitor with an essential meeting will follow health screening protocols.
- Large group activities and activities requiring children and staff to sit or stand in close proximity will be prohibited.
- Break rooms, copy rooms, and other shared spaces will be capped at 2-3 staff members and physical distancing guidelines should be followed.
- Shared offices should be utilized in a manner that adheres to DC Health physical distancing guidelines. Additional workstations will be set up across the facility if needed.

#### **Enhanced Safeguards for Unique Work Environments**

Certain school-based work environments qualify for enhanced safeguards due to the increased likelihood of close contact with students and/or staff. These environments include early childhood classrooms, self-contained special education classrooms serving students with high levels of need, and staff involved with managing students identified as potentially positive during the workday in accordance with DC Health recommendations.

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<sup>1</sup> A detailed operational guidebook that will provide guidance and requirements to ensure we are creating a safe learning environment is forthcoming. School-specific operational plans will be developed with school leadership in July.

In accordance with DC Health recommendations, staff members working with students with high levels of need and staff members managing students and/or staff identified as potentially positive will receive additional PPE on top of the baseline mask distribution.

#### Mandatory Training and Technical Assistance

All employees will be required to participate in a mandatory Return to In-Person Work webinar before their first day of in-person duty. This webinar will review standard safety protocols and expectations to ensure employee safety and well-being during the public health emergency. More information related to this training will be shared soon.

## Health Considerations for Employees Returning to In-Person Work

### **The Family Medical Leave Act (FMLA)**

Federal FMLA entitles eligible employees to take *unpaid, job-protected leave* for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave. Eligible employees are entitled to:

- Twelve workweeks of leave in a 12-month period:
  - for the birth of a child and to care for the newborn child within one year of birth;
  - for the placement with the employee of a child for adoption or foster care and to care for the newly placed child within one year of placement;
  - to care for the employee's spouse, child, or parent who has a serious health condition;
  - for a serious health condition that makes the employee unable to perform the essential functions of his or her job; and
  - for any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a covered military member on "covered active duty;" or
- Twenty-six workweeks of leave during a single 12-month period to care for a covered servicemember with a serious injury or illness if the eligible employee is the servicemember's spouse, son, daughter, parent, or next of kin (military caregiver leave).

Under District of Columbia FMLA, eligible employees are eligible for 16 weeks of medical leave and 16 weeks of family leave during a twenty-four (24) month period.

Once an employee determines that they will be absent from work for more than five business days for one of the eligible reasons provided in the sections above, they must complete a Request for Leave of Absence and upload a medical certification in the [Leave of Absence application](#) in Quickbase.

### **Americans with Disabilities Act (ADA)**

Under Title I of the ADA, employers are required to provide necessary reasonable accommodations unless doing so would impose an undue hardship on the employer. A "reasonable accommodation" is a change in the workplace that enables an employee to perform the essential functions of their job. Leave is one form of reasonable accommodation in that it enables the employee to take time off from work, take care of whatever circumstances prompted the need for leave, and return to work and the performance of the job's essential functions.

When considering whether leave is required, the employee must apply for FMLA first. After eligibility for FMLA is considered, the employee will be referred to the Labor Management and Employee Relations (LMER) team at

[dcps.eeo-ada@k12.dc.gov](mailto:dcps.eeo-ada@k12.dc.gov) to apply for ADA leave if the employee is not eligible for FMLA, or if the need for leave exceeds the limits of FMLA and a request for additional leave must be made under ADA. See the FMLA section above for instructions on how to apply for FMLA.

### **Considering Risk Factors for Severe Disease**

In accordance with DC Health guidelines, it is recommended that students and staff at high-risk for experiencing severe illness due to COVID-19 consult with their medical provider before attending in-person activities. Risk factors include:

- People 65 years and older
- People who live in a nursing home or long-term care facility
- People of all ages with underlying medical conditions, particularly if not well-controlled, including:
  - People with chronic lung disease or moderate to severe asthma
  - People who have serious heart conditions
  - People who are immunocompromised
    - Many conditions can cause a person to be immunocompromised, including cancer treatment, smoking, bone marrow or organ transplantation, immune deficiencies, poorly controlled HIV or AIDS, and prolonged use of corticosteroids and other immune weakening medications
  - People with severe obesity (body mass index [BMI] of 40 or higher)
  - People with diabetes
  - People with chronic kidney disease undergoing dialysis
  - People with liver disease

Any child or staff member who has a medical condition not on this list but is still concerned about their safety should also consult their medical provider.

Given these high-risk conditions, if the employee has a serious health condition or is caring for an individual with a serious health condition that requires leave under FMLA or ADA, the employee should follow the directions in the FMLA section above and complete a Request for Leave of Absence in [Quickbase](#).

### **The Families First Coronavirus Response Act (FFCRA)**

The federal Families First Coronavirus Response Act (FFCRA) requires certain employers to provide employees with paid sick leave or expanded family and medical leave for specified reasons related to COVID-19. The Department of Labor's (Department) Wage and Hour Division (WHD) administers and enforces the new law's paid leave requirements. These provisions apply through December 31, 2020. *DCPS employees are eligible for up to 10 weeks of leave at two-thirds of the regular rate of pay under the FFCRA* if they meet the following qualifications related to COVID-19:

The employee is unable to work (or unable to telework) due to a need for leave because the employee --

- 1) Is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
- 2) Has been advised by a health care provider to self-quarantine related to COVID-19;
- 3) Is experiencing COVID-19 symptoms and is seeking a medical diagnosis;
- 4) Is caring for an individual subject to an order described in 1) or self-quarantine as described in 2);
- 5) Is caring for a child whose school or place of care is closed (or child-care provider is unavailable) for reasons related to COVID-19; or
- 6) Is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services, in consultation with the Secretaries of Labor and Treasury.

Under the Act, an employee also qualifies for leave pursuant to the FFCRA if the employee is caring for a child whose school or place of care is closed (or childcare provider is unavailable) for reasons related to COVID-19.

Consistent with the FFCRA, and for those District government employees who are unable to work or telework due to COVID-19 circumstances, a new, temporary COVID Sick Leave benefit has been added to the District's family and medical leave program. Under the paid COVID Sick Leave benefit, the District government will provide employees who are unable to work or telework with between two and twelve workweeks of paid COVID Sick Leave for certain circumstances related to the current public health emergency. COVID Sick Leave is an employee benefit that is separate and in addition to the employee's other paid leave. Any employee who believes that they have a qualifying event under FFCRA should follow the directions in the FMLA section above and complete a Request for Leave of Absence in [Quickbase](#).

### Additional Considerations for Employees

Some employees may not qualify for paid leave through ADA, FMLA, or FFCRA but may not feel comfortable returning to in-person work. In these instances, individuals will be expected to use accrued annual leave.

### Technical Assistance

If you have questions about this guidance, please email [dcps.covidqs@k12.dc.gov](mailto:dcps.covidqs@k12.dc.gov).