LETTER TO PARENTS AND STAFF REGARDING THE ROLE OF DPS IN QUARANTINES

October 21, 2020

Dear Parents and Staff,

DPS enjoyed three full weeks without any quarantines, but unfortunately, quarantines have once again impacted our district. This is not entirely unexpected, but it is incredibly frustrating to families. Since DPS staff assist the Oklahoma State Department of Health (OSDH), parents often feel like the school is making these health decisions. The purpose of this letter is to help everyone understand the district’s role in this process and to reassure everyone that DPS is not making health-related decisions for staff or students.

Our local health department officials have been invaluable to DPS, but only a handful of women and men serve all Southern Oklahoma. Therefore, when schools are impacted, we must assist them. Nevertheless, we are very limited regarding the information we can share with nervous parents, and this may be the most frustrating part for everyone involved.

Last month, the OSDH provided schools with a memo entitled “OSDH Authority Over Quarantine and Isolation” to help schools understand the legal authority of the OSDH over quarantines. I think this information will also help parents and staff understand our limits as a school. I have separated the memo into three sections, with the OSDH statements in italics and a few key words underlined for clarity. The link to the full document is at the end of this letter if you wish to review it. Here is the memo and three key points:

1. By law, only the OSDH has the authority to quarantine. Schools must assist, under OSDH direction, but we have no authority in the matter:

   The Oklahoma State Department of Health (“OSDH”), through the State Commissioner of Health, is charged with the duty to control and prevent the spread of communicable disease under 63 O.S. § 1-106. This includes exercising the authority granted under 63 O.S. § 1-504 to impose quarantine or isolation upon any individual suspected or confirmed to pose a risk of transmitting a communicable disease that is harmful to the public.

2. Only OSDH officials can determine who is or who is not quarantined, but schools assist in the process for group quarantines by providing requested information like seating charts and schedules. However, every detail of the quarantine process is overseen and mandated by the OSDH.
The OSDH will determine the terms and conditions of the quarantine or isolation, including, but not limited to, the length of the quarantine or isolation period, with consideration made to the incubation and infectious periods of the communicable disease.

3. Only the OSDH has the authority to enforce a quarantine, by force if necessary. Schools do not have the authority to override or modify the OSDH quarantine. Your own physicians cannot even override their decision.

If OSDH recommends or advises a quarantine or isolation period for any individual, and has reasonable belief that the individual is for any reason not complying with the recommendation, OSDH can issue a quarantine or isolation order upon the individual. This includes any noncompliance due to a conflicting recommendation from a non-OSDH physician. Any violation of the terms and conditions of an order for quarantine or isolation is a violation of law. An individual who violates an order may be subject to detention by law enforcement for the period of quarantine or isolation and/or criminal penalties including the conviction of a misdemeanor and/or a fine.

As you can see, DPS staff helps but cannot interfere or respond on behalf of the health department. Only the health department can answer health questions or change quarantine terms. DPS can only help with educational issues. I am sorry that this has impacted so many families, but I am thankful that we have been able to keep school open during this challenge. And according to our very overworked OSDH officials, this is only possible due to face-coverings, seating charts, and our assistance in quarantining.

This has been a difficult time for many families, but with the continued help of our local health department, we will continue to keep school open safely. We will be there to answer any educational questions, and our partners at the OSDH will help with any quarantine questions. Together, with your support, we will finish the school year with as much normalcy as possible.

By Grace,

Tom Deighan, Superintendent

Link to the OSDH Memo:

https://files.constantcontact.com/9d54e86a401/7a6109d2-f487-4808-bf93-8cd47c03f4cd.pdf