



## Legislation Text

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**File #:** Res 1410-2020, **Version:** A

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### Res. No. 1410-A

Resolution calling on the Department of Education to only open school buildings that have met the health and safety standards prescribed in the UFT 50-item checklist and implement a medically recommended mandatory randomized COVID-19 testing program for adults and students in all school buildings as agreed upon by the administration and the labor organizations representing school personnel including UFT, CSA, and DC37.

By Council Members Treyger, Cumbo, Chin, Constantinides, Levin, Reynoso, Rivera, Brannan, Cohen, Kallos, Gjonaj, Lancman, Ampry-Samuel, Vallone, Rose, Menchaca, Cabrera, Salamanca, Rosenthal, Richards, Moya, Holden, Cornegy, Levine, Gibson, Ayala, Adams, Van Bramer, Maisel, Koslowitz, Torres, Dromm, Grodenchik, Louis, Lander, Rodriguez, Powers, Barron and the Public Advocate (Mr. Williams)

Whereas, On March 1, 2020, New York City (NYC) announced its first case of coronavirus disease 2019 (COVID-19) as a result of infection with severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2); and

Whereas, On March 3, 2020 New York State announced the first case of COVID-19 community spread leading to 1,000 people asked to quarantine after an infected resident attended a service in a congregate space in Westchester County;

Whereas, The Centers for Disease Control reports that SARS-CoV-2 primarily spreads from person to person through respiratory droplets emitted when an infected individual sneezes or coughs; and

Whereas, On March 11, 2020, the World Health Organization declared the rapid spreading of the SARS-CoV-2 causing the disease COVID-19 a global pandemic; and

Whereas, To curb the spread of the coronavirus, NYC's public school system closed its school buildings to students on March 16, 2020, and on March 23, 2020 to teachers, shifting the City's 1.1 million students to fully remote learning for the remainder of the 2019-20 academic school year; and

Whereas, As of June 22, 2020, 79 Department of Education (DOE) employees, including 31 teachers,

28 paraprofessionals, two administrators, as well as other members of the school community, including bus drivers and other school staff, lost their lives to coronavirus-related illness; and

Whereas, As of August 25, 2020 NYC reported 23,666 deaths due to COVID-19; and

Whereas, On August 20, 2020, New York City Emergency Management reported that there were over 22 million COVID-19 positive cases globally and nearly 230,000 COVID-19 positive cases in NYC; and

Whereas, School districts in other states, including Georgia and Indiana, that opened their school buildings in August 2020 had to close their buildings due to widespread transmission of COVID-19; and

Whereas, In June and July 2020, many colleges and universities, including the City University of New York, announced that they will provide online instruction for the fall 2020 semester to curb the spread of COVID-19; and

Whereas, On August 31, 2020 SUNY Chancellor Jim Malatras issued an order to shut down the SUNY Oneonta campus for two weeks and asked students and professors to go to full time remote learning for two weeks after the number of positive cases exceeded the threshold of number positive cases that would trigger a campus shut down; and

Whereas, On July 31, 2020, the City announced that it would reopen its school buildings in September with a hybrid schedule that includes a combination of onsite instruction and remote learning for students; and

Whereas, New York City is the only large school district in the country that is planning to reopen its school buildings this fall; and

Whereas, The City's school reopening plan has not yet ensured that every school building in the City has been deemed safe and equipped with enough supplies and staff to curb the spread of the virus; and

Whereas, Families can choose to opt their children out of in-person learning and into fully remote learning; and

Whereas, Teachers can apply to teach remotely if they have underlying health conditions, but cannot if a family member has co-morbidities; and

Whereas, The de Blasio Administration has introduced a list of safety precautions it plans to take to reopen schools, including providing personal protective equipment (PPE) and cleaning supplies to all schools, providing access to a full-time nurse in every school building, and closing (or not reopening) school buildings if the infection rate of positive COVID-19 cases in NYC reaches three percent or above; and

Whereas, The de Blasio Administration has also stated that the City will prioritize free COVID-19 testing and expedite results for school staff, that the NYC Test + Trace Corps will investigate confirmed cases of COVID-19, and that the DOE will implement cleaning and quarantines when confirmed cases are reported in a school; and

Whereas, However, several news outlets, school administrators, teachers, and parents have reported that the implementation of such plans and protocols may be inadequate, and that the de Blasio Administration has not provided clear guidance or sufficient resources to school-based staff; and

Whereas, On August 12, 2020, the City's school administrators, represented by the Council of School Supervisors and Administrators, delivered a letter to the de Blasio Administration questioning the lack of adequate planning for school buildings to reopen and requesting a delay to the start of in-person learning; and

Whereas, During an August 19, 2020 press conference, United Federation of Teachers (UFT) president Michael Mulgrew, representing the teachers of the City, indicated that while teachers prefer and want in-person learning, individual school buildings should not reopen on September 10, 2020 unless they meet stringent health and safety standards proposed by the union; and

Whereas, The UFT proposed a three-point health and safety plan that would require that each school: pass the UFT's comprehensive safety review on PPE, ventilation, school nurse staffing, eating areas, and hallway movement; have a COVID-19 building response team responsible for implementing the procedures needed to keep the virus at bay and to isolate and deal with it quickly if there is a case; mandate that every child and adult be tested for the virus before entering a school building whether it be an antibody or diagnostic test and create a system of random, repeated COVID testing of every school community; and

Whereas, The number of families opting to have their students receive fully remote instruction in the fall continues to grow, hitting 366,553 on September 1, 2020, and as of that date, approximately 15% of teachers requested to teach remotely; and

Whereas, According to a poll released on August 20, 2020 by The Education Trust-New York, across New York State, only 47% of Black parents and 61% of Latinx parents reported that their child will attend in-person instruction this fall where given the option, versus 74% of White parents; and

Whereas, According to the same poll, for families who are choosing to have their children learn from home, concerns of contracting COVID-19 were reported to be a major factor in their decision-making; and

Whereas, On September 1, 2020 the administration reached an agreement with labor organizations representing school personnel including UFT, CSA, and DC37 requiring all New York City public school buildings remain closed to students until September 21, while final safety arrangements are completed, including the assignment of a school nurse to every building, ventilation checks and the presence of sufficient protective and cleaning supplies; and a system of random, monthly testing of every school community to detect asymptomatic spread; and

Whereas, The agreement also mandates that the decision on whether to re-open a school building to students will be based on the UFT 50-item safety checklist, including social distancing of student desks, the availability of masks and face shields, and a room-by-room review of ventilation effectiveness; and

Whereas, School buildings or rooms that do not meet safety standards will remain closed; and

Whereas, The agreement also called on teachers working in school buildings that have been classified as safe to report to school buildings on September 8 to work with their colleagues to plan and develop strategies for the blended remote/in-person instruction that will be the learning method for the overwhelming majority of the city's public-school students; and

Whereas; After consulting with independent medical and public health experts, the epidemiologists assured that pre-school COVID-19 testing is useful but that the results soon go out of date and instead

recommended, as much more effective, that the administration implement a mandatory robust system of repeated random COVID-19 testing of adults and students;

Whereas, All of the terms of the agreement were incorporated in an amendment to the city's reopening schools plan submitted to the state; now, therefore, be it,

Resolved, That the Council of the City of New York calls on the New York City Department of Education to only open school buildings that have met the health and safety standards prescribed in the UFT 50-item checklist and implement a medically recommended mandatory randomized COVID-19 testing program for adults and students in all school buildings as agreed upon by the administration and the labor organizations representing school personnel including UFT, CSA, and DC37.

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9/2/20; 6:03 p.m.