Legislation Details (With Text)

File #:	Res 1805-2021	**Version:**	*	**Name:**	Require any public school located in a city with a population of one million or more to provide a remote learning option when community transmission of COVID-19 is at a substantial or high level. (S.7381/A.8283)
Type:	Resolution			**Status:**	Filed (End of Session)
				In control:	Committee on Education
On agenda:	11/23/2021				
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Title:	Resolution calling upon the New York State Legislature to pass and the Governor to sign S.7381/A.8283, to require any public school located in a city with a population of one million or more to provide a remote learning option when community transmission of COVID-19 is at a substantial or high level.				
Sponsors:	Mark Treyger, Carlina Rivera, Public Advocate Jumaane Williams				
Indexes:					
Attachments:	1. Res. No. 1805, 2. Committee Report 11/18/21, 3. Hearing Testimony 11/18/21, 4. Hearing Transcript 11/18/21, 5. November 23, 2021 - Stated Meeting Agenda with Links to Files, 6. Hearing Transcript - Stated Meeting 11-23-21, 7. Minutes of the Stated Meeting - November 23, 2021				

Date	Ver.	Action By	Action	Result
11/18/2021	*	Committee on Education	Hearing on P-C Item by Comm	
11/18/2021	*	Committee on Education	P-C Item Laid Over by Comm	
11/23/2021	*	City Council	Introduced by Council	
11/23/2021	*	City Council	Referred to Comm by Council	
12/31/2021	*	City Council	Filed (End of Session)	

Preconsidered Res. No. 1805

Resolution calling upon the New York State Legislature to pass and the Governor to sign S.7381/A.8283, to require any public school located in a city with a population of one million or more to provide a remote learning option when community transmission of COVID-19 is at a substantial or high level.

By Council Members Treyger, Rivera and the Public Advocate (Mr. Williams)

Whereas, A new coronavirus, SARS-CoV-2, first emerged in late 2019 and spread rapidly around the world, with the World Health Organization declaring COVID-19, the disease caused by SARS-CoV-2, a public health emergency of international concern on January 30, 2020; and

Whereas, The first case of COVID-19 in New York City was confirmed on March 1, 2020 and spread quickly across the City in the following weeks; and

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Whereas, In an effort to limit the spread of the virus, public schools across New York City and New York State were closed in mid-March and, on March 23, 2020, the New York City Department of Education (DOE) transitioned to remote learning for all students, providing online instruction to students at home for the remainder of the school year; and

Whereas, For the 2020-21 school year, in order to minimize potential exposure to COVID-19, the DOE offered students either a hybrid model, consisting of a combination of in-school instruction and remote learning for students, or a fully remote option; and

Whereas, When schools reopened in September 2020, only about one quarter of students attended in-person instruction due to concerns by many parents about the possible spread of COVID-19 in schools, according to an October 26, 2020 *Gothamist* article; and

Whereas, Subsequently, the DOE gave parents another chance to opt for in-person classes for the rest of the school year, but the number choosing to return to classes in person only increased to roughly a third of the City's public school students, according to a Nov 20, 2020, *Chalkbeat* article, leaving approximately two-thirds of students learning remotely all year; and

Whereas, Last May, when COVID-19 was on the wane in New York City and throughout the nation, Mayor de Blasio announced a full return to in-person learning for all students in September 2021, with no remote option; and

Whereas, However, starting in June and continuing throughout the summer months, the far more contagious Delta variant of COVID-19 was on the rise in the City, as well as nationally, prompting the Mayor to announce a mandate in late July that the entire city workforce, including DOE employees, would have to either get vaccinated by September 13th, the first day of school, or get tested for COVID-19 once a week; and

Whereas, As the threat from the Delta variant increased, on August 23rd the Mayor, Chancellor and Health Commissioner jointly announced a new mandate requiring all DOE employees, as well as DOE contractors who work in school-based settings, to provide proof of a first dose of vaccination by September 27th

, without an alternative option for weekly testing; and

Whereas, Despite the vaccine mandate for school staff and other safety measures, many parents remained unconvinced that it was safe for students to return to classrooms and planned to boycott schools and keep their children home until the DOE offered a remote learning option, according to a September 10, 2021, *Chalkbeat* article; and

Whereas, While the DOE has declined to provide actual numbers of students attending school until sometime after their October 31st census date, the department posts daily attendance percentages on its website, with citywide attendance rates hovering around 85 percent since the start of the school year; and

Whereas, According to DOE's website, there are 1,094,138 students in the NYC school system, of which 138,648 are in charter schools, so an 85 percent attendance rate would mean that more than 140,000 students are absent on any given day, excluding charter schools, and it is unknown how many of those students are long-term absentees or have not attended since the start of the school year; and

Whereas, Currently, the DOE does not offer a remote instruction option for students, except for what is known as "home instruction" for students with medical conditions, according to DOE's September 2021 Homecoming Health and Safety Guide; and

Whereas, This means that any students who have not attended in-person since the start of the school year, but do not have a medical condition that qualifies them for home instruction, may have had no access to any formal instruction to date, and their parents risk being charged with educational neglect; and

Whereas, The concerns of some parents about potential exposure to COVID-19 in schools, whether because their children are not yet eligible for vaccination or due to immunocompromised family members or other risk factors, are not unfounded since there have been 5,386 confirmed COVID-19 cases in NYC public schools, including 3,998 students and 1,388 staff, as of October 19, 2021 according to DOE's website; and

Whereas, A remote learning option would significantly decrease the risk and possible spread of COVID-19 in schools and in the community at large; and

Whereas, S.7381, sponsored by Senator Liu, and its companion bill A.8283, sponsored by Assemblymember Fernandez, would require any public school located in a city with a population of one million or more to provide a remote learning option when such public school is located in a county where community transmission of COVID-19 is at a substantial or high level, as determined by the federal centers for disease control and prevention; and

Whereas, The legislation further stipulates that such remote learning option shall remain available until the federal centers for disease control and prevention determines that community transmission in such county is at a low or moderate level; and

Whereas, Companion bills S.7381 and A.8283 would ensure that a remote learning option is available in New York City public schools to protect students and their vulnerable family members due to continued risks related to the COVID-19 pandemic; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass and the Governor to sign S.7381/A.8283, to require any public school located in a city with a population of one million or more to provide a remote learning option when community transmission of COVID-19 is at a substantial or high level.

LS# 18158, 18159, 18160
JA
11/8/21