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Resolution 2 (SY21-22)

## District 20 Community Education Council Resolution on Remote Learning

**Sponsor: Vito LaBella**

**WHEREAS** in-person learning is superior to remote learning and should be the default learning environment;

**WHEREAS**, a more contagious variant of COVID-19 which demonstrates higher rates of infection and transmission among children is now the dominant variant in New York City. Furthermore, children under 12 years of age are not yet eligible to be vaccinated and many have older siblings or permanently reside with family members or caretakers who may have a medical condition which gives those individuals increased vulnerability to COVID;

**WHEREAS**, many New York City school buildings are overcrowded and may not have the space to provide consistent social distancing, which poses a particular risk at lunch when students will not be masked, especially in light of more transmissible variants;

**WHEREAS**, the DOE has reduced the amount of COVID-19 testing to 10% of unvaccinated students who have opted-in on a weekly basis;

**WHEREAS** there are 2 circumstances in which students will likely learn remotely during the 2021-22 school year.

First, the Department of Education (DOE) is currently offering a list of 20 medical exemptions<sup>1</sup> which qualify a student for “home instruction”. This falls under the DOE’s existing “home instruction” program which is an interim program generally offering less comprehensive educational services for students with unique needs.<sup>2</sup>

Second, students will learn remotely when they test positive for COVID or are deemed to be at sufficient risk based on the City’s health care protocols which were most recently updated on September 27th. This could result in some classrooms being considered “partial closure” classrooms.

**WHEREAS** the Memorandum of Understanding (MOU) entered into on August 30, 2021 between the DOE and the United Federation of Teachers (UFT) prohibits synchronous instruction for quarantined students in “partial closure” classrooms. The MOU allows for Office Hours to replace the lost synchronous learning. Office Hours are to be conducted at times to be determined and not necessarily as frequent or extensive as traditional in-person hours.<sup>3</sup>

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<sup>1</sup> <https://www.schools.nyc.gov/docs/default-source/default-document-library/doe-homecoming-health-and-safety-guide>

<sup>2</sup> [http://media.wix.com/ugd/f197e6\\_8fbca1ada625488ba3993dcee6b4e25a.pdf](http://media.wix.com/ugd/f197e6_8fbca1ada625488ba3993dcee6b4e25a.pdf)

<sup>3</sup> <https://www.uft.org/sites/default/files/attachments/remote-instruction-agreement.pdf>

**WHEREAS**, as of September 12, 2021 the Chancellor of Education reported that the vaccination rate for 12-17 year old students was 65%.<sup>4</sup>

**WHEREAS**, it is expected, though not certain, that one or more COVID vaccines will be approved for children under the age of 12 before the end of 2021;

**WHEREAS** many large urban school districts have contracted with reputable providers of online K-12 education to provide full time remote learning services to selected eligible students. This includes the City of Angels<sup>5</sup> for the Los Angeles County Unified School District and the Nevada Learning Academy<sup>6</sup> for Clark County School District.

THEREFORE BE IT RESOLVED, that:

1. The DOE expand the criteria for medical exemption to include those students who permanently reside with a family member or caretaker who has one of the listed medical conditions which grant a student a medical exemption.
2. For all medically exempt students, the DOE shall contract with a private provider of online K-12 instruction for the semester starting September 2021 and ending December 2021. If the DOE cannot secure a contract with a private provider, the DOE shall use every effort to create an online learning platform with dedicated teachers and high-quality programming equivalent to in-person learning. All students receiving a medical exemption shall remain in this online option through the first semester.
3. The DOE request from the UFT that all students with an excused absence or quarantining in “partial closure” classrooms shall receive live, synchronous instruction alongside their peers remaining in-person.
4. The DOE allow students with demonstrated mental health impairments to choose the remote learning option
5. The DOE include remote learning as an option for those pre-K / 3-k families not currently served by a physical location

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<sup>4</sup> <https://pix11.com/news/reopening-schools/nyc-schools-have-ability-to-shift-to-remote-if-we-need-to-doe-head-says/>

<sup>5</sup> <https://www.cityofangelsschool.org>

<sup>6</sup> <http://nvlearningacademy.net>