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Resolution 9 on COVID-19 Testing in Schools

Resolution calling upon Governor Andrew Cuomo, Mayor Bill DeBlasio, Chancellor Richard Carranza, and community leaders to modify the current mandatory COVID-19 testing program in schools.

1. Whereas we all share great concern about the health and safety of our school staff and students, and we support testing efforts to reduce the spread of the COVID-19 virus within schools and our community, including random testing of asymptomatic students and staff.
2. Whereas the New York City Department of Education (NYCDOE) twice delayed opening schools this fall and finally opened schools on September 29 after adopting a policy to close all schools for in-person instruction if the city exceeds a 7-day rolling positivity rate threshold of 3%.
3. Whereas the U.S. Centers for Disease Control (CDC) recommends school-based testing be considered for “People in a school setting who show signs or symptoms consistent with COVID-19 while at school [and] Schools in a community where public health officials are recommending expanded testing on a voluntary basis including testing of a sample of asymptomatic individuals, especially in areas of moderate to high community transmission.” Moreover, the CDC recommends “If a school is implementing a testing strategy, testing should be offered on a voluntary basis. It is unethical and illegal to test someone who does not want to be tested, including students whose parents or guardians do not want them to be tested.” Finally, the CDC recommends that “Testing teachers and staff should be prioritized over students in any sampling strategy, and older students prioritized over younger students.” (<https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/k-12-testing.html>)
4. Whereas the New York State Department of Education Reopening Guidance states “It is strongly recommended that schools comply with CDC guidance and not conduct COVID-19 testing or require testing or antibody testing of students or staff members.” (<http://www.nysed.gov/common/nysed/files/programs/reopening-schools/nys-p12-school-reopening-guidance.pdf>)
5. Whereas the NYCDOE’s original re-opening plan submitted to the New York State Department of Education states “New York City strongly recommends all its residents, including children, to get tested for COVID-19. Testing is free and readily available at over 200 locations across the five boroughs. NYCDOE asks that all school-based staff get tested at least seven days before the start of in-person instruction and get tested on a regular basis, at least once a month. In order to support testing, New York City will prioritize for NYCDOE staff both access to testing and communication of test results at any of 34 city-run testing locations. Once in-person learning has begun, the NYCDOE and DOHMH will help establish a rolling pattern of testing for all school-based staff. This frequent testing may occur at any location, but it is encouraged that school-based staff use City-run sites where they will receive test results in 24 hours. (<https://cdn-blob-prd.azureedge.net/prd-pws/docs/default-source/default-document-library/2020-nycdoe-reopeningplan.pdf>)

6. Whereas the NYCDOE made an agreement with the United Federation of Teachers (UFT) whereby a condition of re-opening the schools was “A blind representative sample, comprised of 10% to 20% of all students and adults from every NYC DOE school, will be selected each month for COVID-19 testing... if parental/guardian consent has not been obtained for a student who has been selected randomly for testing, the student will be moved to the remote learning cohort.” (<https://www.uft.org/news/press-releases/uft-fact-sheet-on-school-opening-agreement>)
7. Whereas it not clear that testing 10-20% of students and staff per month is a cost-effective or adequate strategy for preventing outbreaks. According to researchers at the New York University Grossman School of Medicine, “Randomly testing 10 - 20% of attendees weekly or monthly does not meaningfully curtail transmission and may not detect outbreaks before they have spread beyond a handful of individuals.” (<https://doi.org/10.1101/2020.11.24.20237305>) The lead author of the analysis stated that “New York City’s ambitious plan to randomly test students for coronavirus in each of its 1,800 public schools will likely be insufficient to catch outbreaks before they spread beyond a handful of students.” (<https://www.nytimes.com/2020/10/02/nyregion/schools-virus-testing-outbreak.html>)
8. Whereas Governor Cuomo released guidelines for schools to reopen in red and orange micro-cluster zones, which allows for testing outside of the school. The guidance states that the school “should ensure that it provides the opportunity to be tested on school grounds, or otherwise supports testing and/or accepts test results from healthcare providers. If the school does not hold a testing event or provide on grounds testing, test results provided to the school as part of the 25% testing of the population must be received within 7 days from the date of specimen collection and specimen collection must be after the date that the school reopened.” The guidance specifically includes options to accept written test results from healthcare providers, have students, faculty, and/or staff go to a test site run by New York State to have specimens collected for testing, and establish partnerships with other entities who are authorized to perform testing to have their students, faculty, and staff tested. (https://coronavirus.health.ny.gov/system/files/documents/2020/11/guidance-for-school-test-out-in-red-and-orange-zones_0.pdf)
9. Whereas few schools districts in the United States are requiring students and staff to submit to COVID-19 testing within schools. Notably, the Los Angeles Unified School District (LAUSD) requires all students and staff to be tested, but allows them to use their own healthcare provider. The LAUSD website states “We encourage students to participate in Los Angeles Unified’s program, which is free and is currently being offered at more than 40 sites around the district. They can also be tested by their own healthcare provider and then submit the results to the district within 3 days of testing.” (<https://achieve.lausd.net/covidfaq>)
10. Whereas the NYCDOE is allowing a variety of people to conduct COVID-19 tests on students within schools. The NYCDOE website page titled District School Reopening Plan Submission to NYSED Health and Safety states “The NYCDOE Specimen collection will be conducted or supervised by appropriate personnel from City agencies, outside organizations, and/or outside contractor nurse support.” (<https://www.schools.nyc.gov/school-year-20-21/district-school-reopening-plan-submission-to-nysed/health-and-safety-plan>) A slide dated 10/2/20 and presented at a briefing for parent leaders states “Our testing partners will come to every school once a month and test a randomly selected group of staff and students.” (https://drive.google.com/file/d/1_4FI3QahE74fvS_ML_dzZt_Wp5fMHwz/view) A letter to District 75 families from the Chancellor dated 12/3/20 states “School nurses from your school, who already know your child, will receive special training in order to administer testing to students whose parents have consented. In some cases, there may be an additional on-site provider supporting schools with administering tests. (<https://www.schools.nyc.gov/docs/default-source/default-document-library/family-letters/d75-COVID-testing-family-letter-december-3-2020>)
11. Whereas some parents in District 20, especially those with children in grades 3K-5, have expressed that they are uncomfortable with medical procedures being conducted on their children outside of their presence. Moreover, to date many New York City parents have not demonstrated their willingness to sign consent forms. “Figures released to Gothamist/WNYC by the Department of Education show that 117,000 of the

roughly 280,000 students enrolled for in-person learning have handed in the permissions slips for the monthly tests, leaving administrators waiting on 163,000 students to submit their forms. Further, only 52,033 students have been tested so far.” Moreover, reports in the media suggest that testing to date has not been consistent across schools and there has been limited testing occurring in District 75 schools to date.

(<https://gothamist.com/news/de-blasio-puts-emphasis-student-COVID-19-testing-when-nyc-schools-reopen>)

12. Whereas the NYCDOE allows testing exemptions for students who need a medical exemption due to a health condition that would make it unsafe to undergo testing and for students with disabilities who cannot be safely tested in school due to the nature of their disability. The Chancellor’s letter to families on re-opening schools for the second time this year states that “exemptions will be limited in their approval.” (<https://www.schools.nyc.gov/about-us/news/chancellor-s-message-for-families>) The exemption form for students with disabilities notes that exempted students “will be expected to get tested outside of school (e.g., at the student’s doctor, at a NYC Health + Hospitals site, etc.) within seven days of notice. Exempted students will also be expected to bring test results into school upon completion.” (<https://www.schools.nyc.gov/docs/default-source/default-document-library/student-with-disabilities-exemption-form>)
13. Whereas the NYCDOE closed schools for in-person instruction on November 18 when the city hit the 7-day rolling positivity rate threshold of 3%.
14. Whereas Gov. Andrew Cuomo indicated on December 5 that the statewide COVID-19 positivity rate has fallen slightly, but infection rates were still rising in Brooklyn, Queens, the Bronx and Staten Island.
15. Whereas the NYCDOE abandoned its policy to close schools based on a 7-day rolling positivity rate and re-opened elementary and District 75 in-person programs on December 7 despite a reported citywide 7-day rolling average positivity rate of 4.01% on December 6. (<https://www.governor.ny.gov/news/governor-cuomo-updates-new-yorkers-states-progress-during-COVID-19-pandemic-78>)
16. Whereas the NYCDOE has changed its testing policy to require mandatory random weekly testing in all re-opened school buildings as of December 7, 2020 for staff and students in grades 1-12 and requires parents submit a consent form for in-school COVID-19 testing by the first day their child returns to their school building. According to the NYCDOE website “students without consent forms on file, who do not have a medical or disability-based exemption submitted, must be moved to fully remote instruction.” (<https://www.schools.nyc.gov/school-year-20-21/return-to-school-2020/health-and-safety/covid-19-testing>)

IT IS THEREFORE RESOLVED AND DECREED that the District 20 Community Education Council calls on Governor Cuomo, Mayor DeBlasio, Chancellor Carranza, and community leaders to:

1. Actively encourage all school staff, students and families to participate in COVID-19 testing as recommended by state and local health officials and provide free and accessible testing sites throughout the city.
2. Review and present the scientific basis for randomly testing 10-20% of students and staff weekly within New York City schools and determine whether this is a good use of resources to effectively address the spread of the COVID-19 virus, especially when compared to State and CDC guidance on COVID-19 testing.
3. Allow families of students who are randomly selected for testing to choose to take their child for a COVID-19 test outside of the school so long as it is conducted and results returned within a reasonable amount of time according to New York State and/or CDC guidance.
4. Ensure that school staff who are known to students and parents be present during all COVID-19 testing within a school building.
5. Provide opportunities for parents who wish it to be physically present during their child’s random COVID-19 test. If parents who wish to be present for testing cannot be permitted inside school buildings, provide opportunities for testing outside of the building, such as within an enclosed tent.

6. If testing at other locations will not be accommodated and/or if schools cannot establish a means for parent who wish to be physically present, provide the opportunity for parents who wish to participate via a direct video link, e.g., Zoom, Google Meets, Microsoft Teams, that allows two-way communication with and parent observation of their child during the testing procedure.
7. Prioritize testing of older students and adults over testing of students in grades 3K to 5.