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Council Members

Ghada Amin Maya Rozenblat- ELL Rep
Jona Isufi Joyce Xie
Li Ping Jiang Kevin Zhao- BBP Appointee

Resolution 2 (SY22-23)

Resolution Requesting NYC DOE COVID-19 Protocols Be Amended To Better Reflect State and Federal Guidance

Resolution approved 9/14/22 with 8 Yes; 1 No and 2 Excused

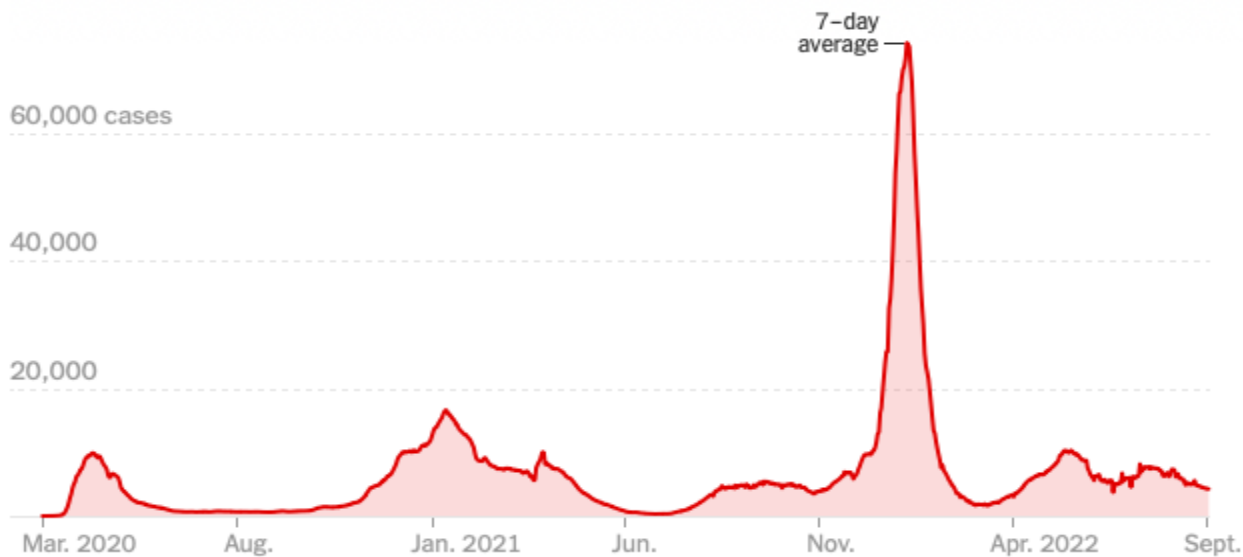
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|---------------------------|-------------------------|
| 1. Steve Stowe - Yes | 7. Jona Isufi - Excused |
| 2. Jennifer Hu - No | 8. Li Ping Jiang - Yes |
| 3. Elizabeth Chan - Yes | 9. Maya Rozenblat - Yes |
| 4. Vito LaBella - Excused | 10. Joyce Xie - Yes |
| 5. Marie Brugueras - Yes | 11. Kevin Zhao - Yes |
| 6. Ghada Amin - Yes | |

Co-Sponsors: Ghada Amin, Stephen Stowe, Vito LaBella

WHEREAS, Community Education Council (CEC) members are generally not medical professionals. Our opinions on public health matters are not represented as expertise.

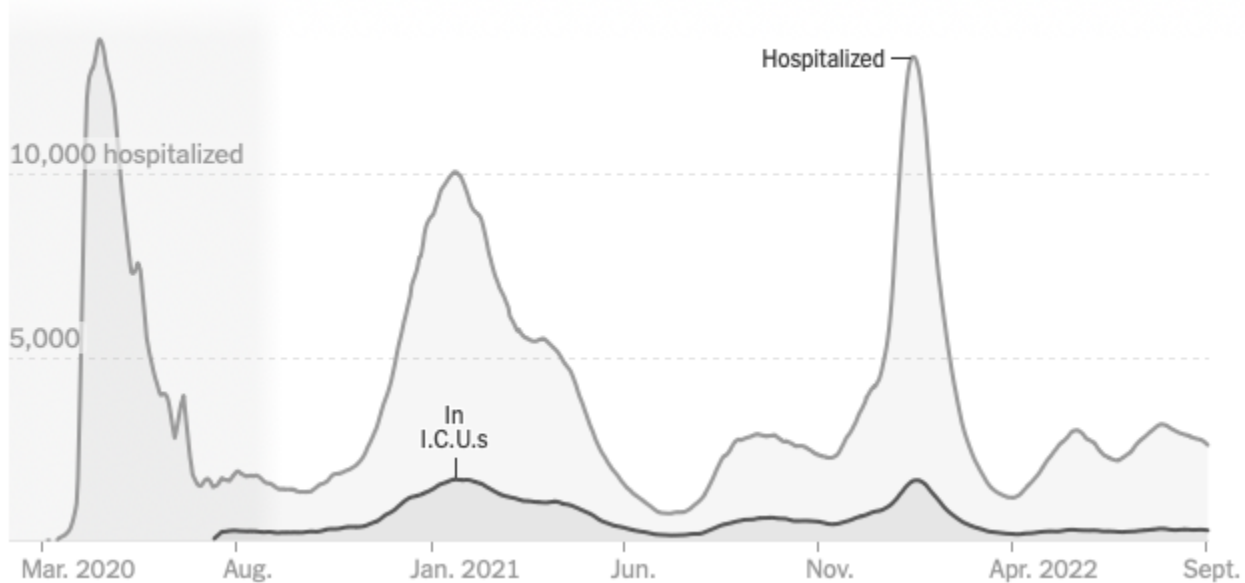
WHEREAS, as shown in the 3 following charts from the New York Times, COVID-19 cases, hospitalizations and deaths have dramatically fallen since the pandemic began in early 2020.

New reported cases by day

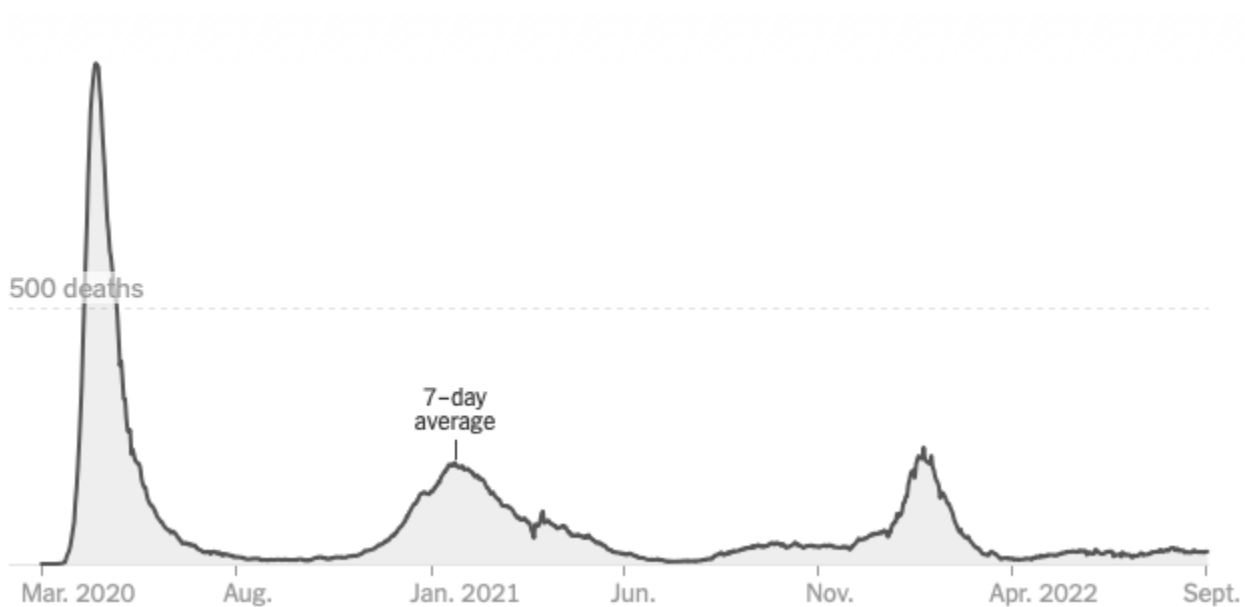


Covid patients in hospitals and I.C.U.s

Early data may be incomplete.



New reported deaths by day



WHEREAS, the Department of Education (DOE) ended some COVID-19 protocols for the upcoming school year including no longer requiring a daily health screening and no longer conducting in-school PCR testing.

WHEREAS, current Department of Education (DOE) COVID-19 **vaccine policy** includes a COVID-19 vaccine mandate for all visitors entering school buildings, all DOE employees and individuals working in DOE buildings, and students participating in “high-risk” extracurricular activities. Sports which fall under the definition of “high-risk” include basketball, football, lacrosse (boys), rugby, stunt, volleyball and wrestling. Other activities falling under the definition of “high-risk” include chorus, musical theater, dance/dance team,

band/orchestra (with concern for woodwinds), marching band, cheerleading/step teams/flag team. The requirement applies to students aged 5 and up¹.

WHEREAS, according to current DOE **testing policy**, individuals who show any symptoms of COVID-19 are required to stay home and get tested for COVID-19. If an individual tests positive for COVID-19 they are required to isolate for 5 days with return to school on day 6 if symptoms are gone or improving. The DOE suggests that students and staff exposed to COVID-19 “should” get tested with the schools providing in-home test kits for this purpose. In addition, schools provide 4 in-home test kits per month for students to use following potential exposure².

WHEREAS, current DOE **masking policy** mandates that any individual testing positive is required to wear a mask until Day 10 after symptom onset or positive test, whichever is earlier. Furthermore, anyone exhibiting symptoms of COVID-19 are required to wear a mask at school³.

WHEREAS, there are a number of additional **sanitary and monitoring policies** including maintaining the situation room, enhanced ventilation and school cleaning which will be continued⁴.

WHEREAS, currently only 49% of New York City children ages 5 - 12 are fully vaccinated and 82% of children ages 13 - 17 are fully vaccinated⁵. This implies roughly 51% of children ages 5-12 and 18% of children ages 13 - 17 will be unable to participate in extracurricular activities subject to the COVID-19 vaccine mandate.

WHEREAS, the DOE’s COVID-19 extracurricular vaccine mandate is inconsistent with permitted student activity during the school day. Specifically, COVID-19 vaccines are not required for students to attend school during regular school hours, including students participating in physical education classes and music classes which may include the same “high risk” activities which are subject to the COVID-19 vaccine mandate.

WHEREAS, the COVID-19 vaccines have been shown to lose efficacy over time, requiring additional boosters on a recurring basis which also have short term efficacy periods. This is in stark contrast to other vaccines such as those for polio, mumps, measles and rubella which provide lifetime immunity.

WHEREAS, individuals with COVID-19 may present with a wide variety of symptoms, many of which are also found in individuals suffering from a wide variety of common ailments including allergies, gastrointestinal disorders, colds and flu⁶. Therefore any policy mandate based on “individuals exhibiting COVID-19 symptoms” is likely to capture a large number of individuals who do not have COVID-19.

WHEREAS, it has been acknowledged by the Centers for Disease Control and Prevention (CDC) that COVID-19 is unlikely to be eliminated, that we have achieved a high level of population immunity and that prevention guidance should shift toward individual choice rather than mandate. Dr. Greta Massetti, branch chief of the CDC Field Epidemiology and Prevention Branch has stated that the US has achieved population immunity of approximately 95%. Dr. Massetti further states that “we know that COVID-19 is here to stay”, that the latest CDC COVID-19 guidance “helps us move to a point where COVID-19 no longer severely

¹ New York City Department of Education - School Life - Health and Wellness - COVID information - Health and Safety in our Schools <https://www.schools.nyc.gov/school-life/health-and-wellness/covid-information/health-and-safety-in-our-schools>. Hereafter abbreviated DOE - HSS.

² DOE - HSS

³ DOE - HSS

⁴ DOE - HSS

⁵ NYC Health - COVID 19: Data - Vaccinations by Demographic Group <https://www1.nyc.gov/site/doh/covid/covid-19-data-vaccines.page#people>

⁶ Symptoms of COVID-19, CDC, August 11, 2022; <https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html>

disrupts our daily lives” and that it no longer makes sense to differentiate between vaccinated and unvaccinated individuals⁷.

WHEREAS, the State of New York recommends that schools follow the CDC’s exposure guidance. The State has framed COVID-19 guidance as “Mitigation Strategies” not prevention strategies and include eliminating the test-to-stay requirement, eliminating vaccine requirements for high risk activities, eliminating quarantine requirements in most cases, and suggesting but not requiring the use of masks for 10 days following a positive COVID-19 test. Furthermore, the State no longer requires reporting of daily COVID-19 testing or case data⁸.

WHEREAS, prohibiting COVID-19 unvaccinated children from participating in extracurricular activities, preventing COVID-19 unvaccinated school employees from holding their jobs, and preventing COVID-19 unvaccinated parents from entering schools is a level of discrimination not supported by the current data or guidance from the CDC⁹.

WHEREAS, it is well-established that remote learning and absenteeism resulting from quarantining children has contributed significantly to the learning loss and mental health declines witnessed in our school system over the pandemic. Black and Hispanic students in particular have suffered disproportionately^{10, 11} a fact acknowledged by the CDC in its COVID-19 guidance¹².

THEREFORE, be it resolved that the Community Education Council of District 20 calls upon Mayor Eric Adams, Health Commissioner Dr. Ashwin Vasani and Chancellor of Education David Banks to take the following actions:

- **Vaccine Policy** - End the COVID-19 vaccine mandate for all students, staff and individuals. Within this resolution, this means ending all policies as shown in the resolution clause labeled “vaccine policy” above.
- **Testing Policy** - End the at-home quarantine mandate and test-to-stay requirement for individuals testing positive for COVID-19. In addition, conduct a cost-benefit analysis of providing in-home test kits for individuals who have been exposed to COVID-19. Consider eliminating this policy if the costs outweigh the benefits.
- **Masking Policy** - End masking mandates, including the mandate that anyone testing positive for COVID-19 is required to wear a mask for 10 days and the mandate that anyone exhibiting COVID-19 symptoms is required to wear a mask at school. Instead, DOE policy could recommend that anyone exhibiting COVID-19 symptoms wear a mask. Furthermore, nothing in these recommendations should be construed as prohibiting or discouraging any individual from wearing a mask or other protective equipment if they choose.

⁷ “With new guidance, CDC ends test-to-stay for schools and relaxes COVID rules”, National Public Radio, August 11, 2022; <https://www.npr.org/sections/health-shots/2022/08/11/1116991600/with-new-guidance-cdc-ends-test-to-stay-for-schools-and-relaxes-covid-rules>

⁸ Letter from Commissioner of Health Mary T Bassett, MD, PhD and Commissioner of Education Betty A Rosa, EdD; <http://www.nysed.gov/common/nysed/files/programs/back-school/2022-2023-school-year-covid-joint-doh-sed-letter-to-schools.pdf>

⁹ Operational Guidance for K-12 Schools and Early Care and Education Programs to Support Safe In-Person Learning, CDC, August 11, 2022. Hereafter abbreviated Operational Guidance - CDC; <https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/k-12-childcare-guidance.html>

¹⁰ “Plunging NAEP scores make clear the long and difficult road to recovery”, The Hechinger Report, September 2, 2022. <https://hechingerreport.org/plunging-naep-scores-make-clear-the-long-and-difficult-road-ahead-to-pandemic-recovery/>

¹¹ “Minorities bore disproportionate mental health impact of the pandemic”, Science Daily, August 10, 2022; <https://www.sciencedaily.com/releases/2022/08/220810161148.htm>

¹² Operational Guidance - CDC

- **Sanitary and monitoring policies.** Conduct a cost-benefit analysis and consider eliminating these policies if the costs outweigh the benefits.