

Citywide Council for District 75

SPECIAL MEETING MINUTES

Date: October 13, 2020 **Time:** 6:30 PM – 9:00PM

Location: Virtual Meeting: Zoom

MEETING CALLED BY	Shamel Lawrence, Co- President
FACILITATORS	Craig E. Spencer and Shamel Lawrence, Co-President
ROLL CALL & NOTE TAKER	Patricia Jewett, Recording Secretary
TIMEKEEPER	Shamel Lawrence, Co-President
ATTENDANCE:	Amy Ming Tsai, Parliamentarian - Present, Craig E. Spencer, Co- President- Present, Shamel Lawrence, Sr., Co-President-Present, Grisel Cardona, Vice President- Present, Debra Altman, Treasurer- Present, Patricia Jewett, Recording Secretary and Public Advocate Appointee-Present, Andrea Daniels, Council Member- Present, Tiesha Groover, Council Member-Present, Constance Asiedu, Public Advocate Appointee-Present,
MEETING START AND ADJOURN	Start: 6:36PM Adjourn: 9pm

Note: Roll Call Attendance was called three times during the meeting to ensure the council met quorum.
First Roll Call: S. Lawrence, Present, C. E. Spencer, Present, G. Cardona, No Response, D. Altman, Present, C. Asiedu, No Response, P. Jewett, Present, A.M.Tsai, No Response, A. Daniels, No Response, T. Groover, Present

● **Review Proposed Resolution re: Testing District 75 Students:**

S. Lawrence informed the attendees during the Special Meeting the purpose of the meeting tonight is to discuss the resolution that has been on the floor. Wanda Yvette will be providing Spanish interpretation during this special meeting.

T. Groover posted Resolution #1: District 75 Students to be exempt from random Covid-19 testing to remain eligible for in-person schooling including IEP Services and Supports and read the contents within the resolution followed by Wanda Yvette who read the Spanish translated version of the resolution (the resolutions are posted on the council’s website at [cecd75](http://cecd75.com)).

D. Altman, council member and presenter of the resolution informed the attendees she knew a lot of the parents had concerns about the medical testing of the random COVID testing within NYC schools. Ms. Altman presented the following: There has been a lot of confusion and a lot of changes almost daily regarding the information that is being given out, so we wanted to make it easy. We wanted to represent parents who wanted to show all the concerns and the possible solutions where everyone can be happy and safe in our schools. As outlined in the resolution the fact that led up to it, we wanted to represent the district, the parents' concerns are met and that all children feel comfortable in their schools. The reason I am proposing the resolution is because I feel no child should be required to have medical procedures without their parents or pediatrician present or participating in the testing. Special needs children struggle with procedures; to administer any procedure as well as have strangers touch them behind closed, disrupt their daily routine to conduct medical procedures on them. This typically without a parent or supportive person present to assist them can cause more harm than good. They are unique individuals with unique needs. The resolution offers several options; ways to ensure the safety of our schools, our children while ensuring the medical procedures are done in a safe manner and for every individual child's needs who receive an individual education plan. We should have consideration of accommodation for them under medical procedures including a medical exception. As with other things some of the facts that we question the CDC specifically advises against random COVID testing. The Center of Disease Control

which the DOE has followed all protocols and guidelines on has strayed on this one issue. Taking students out of classrooms to prevent possible unnecessary potential exposure in which they are not allowed to travel are being removed from the class in groups to be placed in the same room, possibly the same chair touched by the same people testing them with the possibility of using the same gloves. This will cause potential exposure we are seeking to prevent. The DOE follows everything else but for some reason the COVID testing is still on the table. The parents are told they cannot be present during the test; the provider cannot provide negative test results outside the school stating it must be done at the same time by the same provider in the school. I do not feel that is the only way to prevent COVID exposure. The consent form states sometimes false negatives happen, but they have agreed to question the possibility of false positives. The consent form states sometimes false negatives happen but negates the question the possibility of false positive. Without keeping the child out of remote learning, placing the entire family, possibly in quarantining. So, I would like to know and would like the parents to know exactly which COVID test is being used by these agencies and what is the advocacy reliability when it comes to test results. Also random is never random. We have learned through stop and frisk procedures in our past that it has the potential for systematic bias of selection. There is nothing on how the random selection will be conducted or how children will be chosen; it stated that the same child might be selected more than once, monthly, and possibly now weekly. So, we would like to know the consent forms state along with your child's race and ethnicity it may be provided to the testing facilities. So why, when once again it's about the individual child safety against COVID that no other information should be necessary to test them and unfortunately, I did not put this as a possible solution because I didn't know if there was an option for the DOE. However, an easy solution to both parents' concerns, the DOE ensures that they remain safe and a free COVID test is provided to parents to have at home lab testing they could be given to the child at home. The DOE could provide the parents as an option to provide the test, either with a pediatrician or provide it back to the school.

This will allow parents not to submit this consent form which consent to a lot more than just the COVID testing. And prevents them from having to conduct random testing in the school system. So finally, without the presence of a pediatrician or parents knowledge as a child was tested what the results were it will end up being the parent of the doctor that will be caring for these children not the DOE. We should both be included in the medical concerns and procedures as it has always been in the past, regarding our children and their patients in the school system. Thank you.

- **Public Comments:**

Parents were provided an opportunity to ask questions and/or add their input to the resolution. The meetings transcript is available for review upon request.

- **DOE Comments: Christina Foti, Deputy Chief Academic Officer, Jose Rios Lua, Director of Family Empowerment and Communications and Rebecca Daverin**

Ms. Foti was invited to the Special Meeting to address the members of the council as well as the parents of District 75. She began by saying on the testing front she wanted to say a few things. First, she wanted to give the Council and Ms. Altman a compliment on the development of a thoughtful and comprehensive approach. To alternate solutions that would be helpful to the students and families in District 75. She wanted to say, secondly, that the Council's advocacy on this topic is of critical importance to our families in the district and throughout the city. Ms. Foti wanted to really extend her compliment to each of the members on such a coordinated and thought out plan and solutions posed in the plan.

Side Note: Ms. Foti addressed Mr. Smith, parent (see transcript) who had a question during the parent segment of the meeting. She thinks these are all questions that need to be answered and require a coordinated approach. As you know, Mr. Smith, and unto all, as the resolution clearly outlines. There has been a lot of miscommunication and misinformation about how this is going to roll out in District 75. What we do know right now testing will begin with the staff in District 75 and we will have more information very soon on what that is going to look like for the students. I can tell you that from the

highest levels everyone has heard your feedback well beyond me. And, again, I think the solutions-oriented approach that you all are taking here. Everything from suggestions at home to submission of pediatricians results to, you know, all that you have suggested. She thinks these are all incredibly good ideas and we are going to have more information as to where all of those ideas land very, very soon. And so again, compliments to you all for that organized approach.

So your resolution, as I said, will be critical to outlining the next steps and we too are advocating for a number of the suggestions that you laid out in your proposal and, ultimately, this conversation is multifaceted. It is well beyond the DOE and includes our state health officials or local health officials and those decisions will be made by them. But I can say that we all have all heard your feedback on this front, appreciate the feedback, appreciate the advocacy and are working alongside you to push many of these ideas forward. The piece that Ms. Altman and Ms. Groover had laid out consent that is critical to this and we want to make sure we too agree. We want to make sure no child is prevented from coming to school because of their inability to take a COVID test, the impact a COVID test would have or, quite frankly, parents' desire for that not to happen. We do not want to see exclusion and so from a Special Education Office perspective and more to come on that front. Soon the conversation obviously includes an incredible number of stakeholders who will be in the Special Education Office. So right now, I am speaking solely on behalf of my reaction to the resolution, but I can tell you with certainty that this conversation is happening and that there is going to be more information soon. Until you have that information this testing of students in district 75 is not going to be happening at the school sites. I wanted to make sure that was all clear. So that's a very long-winded answer to your question, sir.

All to say that these are all good questions that need to be answered. My understanding of the test itself is the nasal swab, and results are on hand pretty quick. But again, all of this needs to be outlined so that you know if you choose to consent. If that is how this works out, you know what you are consenting to and there is more clarity around how tests are administered. What will be accepted, will pediatricians' results be accepted? All that information is something that you know, the parent. The community really needs to have and that you all did a really good job of laying out here. I know you have a lot of important work to cover today and I do not want to take up too much of your time. Mr. Lawrence, Mr. Spencer, and council. I appreciate the opportunity to say it this evening, because I think it is important that you all know where the thinking is right now and how important your influences are on all of this.

Ms. Foti departed, and Jose Rios Lua, Director of Family Empowerment and Communications for Deputy Chief Academic Officer Foti's Office and Rebecca Daverin remained to answer the attendees and council members' questions. Mr. Lua informed the attendees they can submit their questions on Special Education issues and/or concerns to the NYC DOE Special Education email address at: SpecialEducation@schools.nyc.gov

● **CCD75 Members Comments:**

S. Lawrence: Informed the attendees before the council moves forward, he informed the attendees inclusion is not being left out of the conversation. There are five members on the council who have children in inclusion, and they will follow up with that conversation. The resolution was original written for District 75 however this council would like for the resolution to represent all districts 1 to 32 as well as District 79. We are doing this for every child and family. We promise you this will not be the last time you hear from us. The council's meeting are where you will have the opportunity to present your concerns and provide your feed. We are hear for you and your families.

P. Jewett: Mentioned she was so glad that so many parents attended tonight. Ms. Jewett was also so glad that parents are echoing the members concerns and I agree with the resolution. She stated the reason why this resolution was given birth was because it affects everybody. Like Ms. Altman, said this is District 75 council. So, the resolution basically had to speak to District 75, but the resolution is applicable to every student that enters the building. The scary part is there is no expiration date on those forms. So, your

child may be in full remote today, but since there is no expiration date on this whole mandatory random testing, we do not know what next year holds. So, all the concerns that we are hearing tonight because she remembers when her Asha was five years old in kindergarten she had to do the TB test and it took the four people to hold her. The TB test she messed with it and it was a false positive. Ms. Jewett is on the same page as every parent in attendance, who are heard loud and clear. She also mentioned the most frustrating thing is that we have not gotten any real answers to our questions. She believes and is her personal opinion we need to stay focused on the resolution and that it should spread like wildfire so that we are all standing together. We are all about our kids being COVID negative. We have no problem with testing. We want to be in control of how and where our kids are tested. We want them safe at all costs.

G. Cardona: Ms. Cardona disagreed with the resolution as she explained to Debra earlier. There was a section in the resolution regarding exemption and everything else in the resolution talks about how the testing should be done. Ms. Cardona stated when listening to the webinar presented by the doctors (day after the council's meeting) helped clarified the different ways to test students. During the slide show there are alternative sites parents can take their child for COVID testing if did not feel comfortable with testing at the school. Exempting students from getting tested she feel is dangerous. She stated some of the students have medical conditions, if anything, we should allow more testing, even including our own families so you will know if we are COVID free or not. Ms. Cardona mentioned she had COVID and it's not okay. It takes all your energy, her fevers were crazy, you cannot even move or get out of bed. She also had trouble breathing so COVID is something not to play around with. This is why she disagreed but and mentioned again the webinar did help her understand a lot more about the testing, which she is thankful they provided during the session and that is the only reason why she cannot agree with the resolution.

C. Spencer: Asked if D. Altman, presenter of the resolution can have the opportunity to clarify G. Cardona concerns regarding specific parts of the resolution.

D. Altman: Stated the results Ms. Cardona was stuck on was exemptions. It's Ms. Altman's understanding, even with something like vaccines medical exemption still are available, even with medicine, medical exemptions are still available. For those children who cannot conduct or handle those certain things. So even something that maybe the majority of children can handle, it will always be that small minority of special education students, particularly in the most vulnerable school/program our city who will not be able to conduct a test for COVID. Our children are unique the medical conditions, whether it be genetic, neurological, physical, or mental are unique some children are extreme and can be extremely violent and they may need the exemption. Parents still have options to have blended learning that parent is still not excluded for their child receive free and appropriate education within a NYC DOE school.

G. Cardona: Questioned if the teachers fall under the same policy, they should not get test as well. For teachers to enter the building they must be tested it goes both ways. If you are expecting for a teacher to get tested, they are also expecting the same for the student. There is a shortage of D75 teachers and need more teachers.

C.E. Spencer: Informed Ms. Cardona her points are noted for the record.

T. Groover: Wanted to stress the main part of the resolution make sure that children are with those they know and trust when get in any type of medical procedures. Ms. Groover is in favor of the resolution primarily D75 students should be in a safe environment with those they trust. Parents should be present during COVID testing and believes exemptions are needed as well. Therefore, she is in favor of the resolution. Ms. Groover mentioned the teachers unions are fighting on behalf of their membership in regard to testing and other teachers concerns due to COVID. Council members represents parents/families of District 75 and speaking on their behalf.

Andrea Daniels: Her child is in blended learning and is slated to be tested for COVID. Ms. Daniels informed the attendees she did not like that she received the letter before the DOE did a training regarding COVID testing. She learned a little more but preferred to have received the letter prior to the previous council's meeting. However, parents were being threatened if you didn't sign the consent form/letter your child would automatically go into remote learning. Unfortunately, Ms. Daniels even though she didn't agree signed the consent form/letter and believing her parent/students' rights wasn't taken into account and taken away from her. A lot of parents signed the consent form/letter before the informational meeting was conducted (the day after the council's meeting). The parents are for the resolution and so is Ms. Daniels for the exception of total exemption of our students. She believes all students and teachers should be tested especially if they are in a school building. She believes it's about the safety of the students and understands that some of the students may not be able to partake in the testing. Ms. Daniels believes there should be some exemption for a criteria of kids but doesn't believe it should be for all. Understanding some students are medically fragile. However, she did not like how the initial roll out of the shared information was executed and then you hear differently.

A.M.Tsai: Informed the council she has five children attending a high through kindergarten Gen Ed/Sp. Ed school (three with disabilities/medical issues). She is very undecided on what's best for her children who will be tested for COVID. The questions for Ms. Tsai is it safe and will her children be safe from COVID. Ms. Tsai stated its her responsibility to ensure her child has the opportunity to attend school in person. Her concerns for her son is his is depression and regression and he outcome from it. This is scary for her as well as the pandemic and there has been loss of love ones due to COVID. She know this is a serious conversation and believes that any child in New York City should be exempt that includes students attending a District 75 and Districts 1 to 32. She doesn't want her son to be stigmatize if someone gets sick. As mentioned by previously in tonight's meeting there's got to be a better way to administer the test. The parent should be present and suggested the DOE provide a mobile van or a heated tent located outside. Schedule afternoon or evening testing as well as Saturdays at different school locations where the parents and students are tested. She also suggested a physician's office that's open for students within the community to attend to take the test. Ms. Tsai believes there should be a compromise when it comes to testing for the safety of the children. Ms. Tsai complimented Debra on the great job in writing the resolution.

P. Jewett: Called for a point of information. Ms. Jewett stated the council is not against testing. Everyone on the District 75 council is not against testing and believes students should be tested in an environment chosen by the parent thus providing their children with a safe environment of their choosing.

S. Lawrence: Reiterated what Ms. Jewett said

D. Altman: Wanted to clarify the resolution is not against COVID testing but "random COVID testing procedure".

C. Asiedu: Was glad that Debra clarify the process of the random testing of the DOE. Ms. Asiedu stated the resolution is not against testing for individual students, D75 or even Gen Ed students. The basic premise of the resolution is the process of the testing environment for the children of District 75 and the parent not having access to the testing environment or process. Ms. Asiedu stated she is not comfortable with children being examined without parents being present and believes it is risky for all involved. She believes parents should have a say so in how the child is tested and parents should consent to the process willingly not forcibly. The other day she was on the telephone line during the DOE/Health and Hospital Forum the doctors presenting during the forum said, They have off-site with TBA and she questions why does the child have to be tested in a school. This is the reason for the resolution. It is the environment in which the testing and procedure is done.

Ms. Asiedu reminded the members they also need to do a roll call of attendance members recently joined the meeting and needs to be recognized before the vote.

C.E. Spencer: informed the council and attendees he sent his feedback a week ago after the council's meeting so he will forfeit his tome to allow parents to speak.

The Co-Presidents introduced Superintendent, Kettler Louissaint of District 75 for comment during the Special Meeting.

Superintendent K. Louissiant: Pointed out he and others do not hold any expertise in health however will help guide the council and attendees with the decision you will have to make. He also believes the Deputy Chief Academic Officer, Ms. Foti clarified and defined the DOE's position and iterate what she presented. They would never exclude any of children from our schools. Our plan remains to work, partner, to hear you and engage in conversation with you to make sure your concerns are heard and valued. As your superintendent he supports the council and will make sure as Ms. Foti indicated we will make sure that all of your concerns are part of the DOE's decisions. There is no final policies that has been developed yet and were in a good place because you are part of the conversation.

C.E. Spencer: Informed the attendees due to time constraints if there are any questions please email the council at D75council@schools.nyc.gov and put in the subject line resolution.

Note: Ms. Asiedu stated the council needs another roll call (attendance) for the members who joined midway through the meeting followed by the roll call vote for the resolution.

P. Jewett proceeded with the roll call: S. Lawrence, Present, C.E. Spencer, Present, G. Cardona, present, D. Altman, present, C. Asiedu, present, A.M.Tsai, present, A. Daniels, present, T. Groover, present, P. Jewett, present

Mr. Spencer proceeded to called for a motion to pass the resolution that was presented earlier this evening as a final draft so we can present it at our calendar next week. Can he get a motion for that? Ms. Cardona asked Mr. Spencer to repeat the motion. Mr. Spencer replied, he's asking for someone to present the motion to pass the resolution that was presented this evening as a final draft first as to ratify at the calendar meeting next week (see vote below).

♦ **ACTIONS:**

VOTES	Motion made	Voice –Vote Tally
<p>C.E. Spencer called for a motion to pass the resolution that was presented this evening as a final draft first as to ratify at the calendar meeting next week</p>	<p>T. Groover made the motion and D. Altman second</p>	<p>S. Lawrence-Yes C.E. Spencer-Yes G. Cardona-Yes D. Altman-Yes C. Asiedu-Yes A.M. Tsai- Abstain A. Daniels- Abstain T. Groover-Yes P. Jewett-Yes Motion Passed: Yes No-1 Abstain- 2</p>
<p>C.S. Spencer called for a motion to move the Calendar Meeting from the 21st (Wednesday) to the 22nd (Thursday) of October, 2020 due to the PEP</p> <p>Note: The members who did not reply during the roll call was called upon again. They wasn't present during the meeting (possible technical difficulties). C.E. Spencer texted the two members to return to the meeting.</p>	<p>P. Jewett made the motion and T. Groover second</p>	<p>S. Lawrence-Yes C.E. Spencer-Yes G. Cardona-N/A D. Altman-Yes C. Asiedu-Abstain A.M. Tsai- Abstain A. Daniels-N/A T. Groover-Yes</p>

		<p>P. Jewett-Yes Motion did not passed: Yes-5 Abstain-2 N/A-2</p>
<p>To move the Calendar meeting on the 21st of October 6:30pm October 22 at 6:30pm Note: the question was asked any discussion and there was none.</p>	<p>T. Groover made the motion and P. Jewett second</p>	<p>S. Lawrence-Yes C.E. Spencer-Yes G. Cardona-Abstain D. Altman-Yes C. Asiedu-Yes A.M. Tsai- N/A A. Daniels- Absent T. Groover-Yes P. Jewett-Yes Motion Passed: Yes-6 Absent-1 Abstain- 1 Non-response- 1</p>
<p>Motion to Adjourn</p>		<p>All agreed</p>

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