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March 12, 2021

The Honorable Andrew M. Cuomo
Governor of New York
New York State Capital Building
Albany, New York 12224

Dear Governor Cuomo,

Nothing is more important to school superintendents than the safety of our students and staff, and you can count on the fact that we will continue to spare no effort or expense to make sure our schools remain safe for learning and work. We also want to emphasize how critical the professionalism and expertise of every teacher, school leader, custodian and paraprofessional has been to ensuring that our children have the best possible educational experience, despite very difficult circumstances. This whole-of-community effort was buttressed by our families, who, as their child's first teachers, have often been called upon to reprise that role during the past year.

The primary purpose of our letter is to encourage the relevant state agencies to complete the process of updating and clarifying its current guidance to school districts as indicated by Dr. Howard Zucker in comments he recently made to members of the New York State Assembly. As a number of counties around the state have amended NYSDOH guidance to schools to include their own local provisions, we feel that re-issuance of state-level guidance for all school districts is preferable to a patchwork of county guidelines designed to be followed by certain school districts.

In his comments on February 25, 2021 Dr. Zucker said, "I know there is some discussion of three feet . . . we are working on that." Given that this appears to be a central element of the NYSDOH portion of the review, we want to share a summary of information that weighs on our hearts and minds as we think about the role that social distancing plays in our current learning models. Because we are not healthcare experts, we asked a small group of local physicians representing a wide array of specialties, from Infectious Disease to Pediatric Psychiatry, to review this letter and endorse the accuracy of any of the medically related information we've offered for your review.

We agree with Dr. Zucker in that it might be time for the state to consider updated guidance at this time because:

- Schools are safe for students and for staff. There have been very few cases of COVID-19 spread in schools in Western New York, and across the state, since September.
- Efforts to vaccinate school staff in Western New York over the course of the next several weeks appear to be on track.

- There is reason to believe that the danger to the physical, mental and emotional health of school aged children associated with further delaying the return to fully in-person learning is greater than that which is presented by the virus itself.

We ask that NYSDOH consider the following in its review:

- Districts will need the opportunity to work with stakeholders on updated guidance that would have the effect of returning all students to fully in-person learning. If new guidance is issued soon, an effective date no earlier than Monday, April 26 would give school districts enough time to plan with stakeholders for a return, and would give school staff who are not yet vaccinated time to do so.
- Dr. Zucker alluded to the fact that there a conversation about physical distancing in schools based on recent data that suggests that students and staff would be safe if students were spaced three feet apart. The AAP, WHO, CDC MMWR (1/29/2021), Lancet, and the Harvard School for Public Health indicate that three feet of distance between students is sufficient. On March 10, 2021, the authors of a study published by Infectious Diseases Society of America made a policy recommendation based on a comprehensive study in Massachusetts that said, “lower (less than six feet) physical distancing policies can be adopted in school settings with masking mandates without negatively impacting student or staff safety.”
- The common application of a contact tracing and quarantining method that recognizes the “three feet standard” (were that to be the new requirement) would reduce confusion.
- Revising physical distancing requirements on district transportation so that they are consistent with any new in-building physical distancing requirements would be necessary.
- We recommend the development of a process through which school districts can access vaccine/vaccination appointments in concert with state and local health officials, private health care providers, regional vaccination hubs established by the Governor’s Office, or a combination of those, to effectuate the vaccination of all school employees who have not yet been vaccinated.
- The fully remote learning programs for those students who are currently learning in that model would continue through the end of the 2020-2021 school year.

Background

In the summer of 2020, Erie and Niagara County School Districts implemented a variety of instructional models designed to reduce the population density in its schools according to the guidance of the New York State Department of Health and the New York State Education Department. In general, schools have housed between 0% and 50% of students on a daily basis according to the hybrid or fully remote learning model that was implemented by each school district. Those models have shifted since September according to state directives, local health circumstances, and some district plans to incrementally change from fully remote to 50% in-person/hybrid learning. School districts have also offered fully remote learning experiences for those children whose families felt that in-person learning was unsafe for their child(ren).

In recent weeks, several counties have amended NYSDOH and NYSED reopening guidance to reflect their own prescriptions for schools. It is our view that a patchwork of different guidelines for

schools around the state only adds to the confusion and anxiety about the conditions under which we ensure the safety of students and staff in schools.

As we enter Spring of 2021, four key factors must be considered as we assess the efficacy of continuing in our current limited density learning models:

1. There is no longer any doubt that schools are safe places for students and for staff. Importantly, the evidence from around the world suggests that school reopening has not contributed to increases in the rate of community spread of COVID-19.
2. The broader health circumstances, and especially the rates of vaccination among school staff, are much improved since March 1, 2021 and the rate of that overall improvement is expected to accelerate from this point forward.
3. Multiple studies show that three feet of social distance is sufficiently safe for students and staff, and there is no data to suggest a significant marginal health related benefit associated with using six feet of social distance rather than three feet.
4. We know that the continuation of intermittent in-person school attendance represents a greater danger to the wellbeing of school aged children than does COVID-19.

Schools are safe for students and staff

COVID-19 spread in schools has been extremely rare, with nearly all schools in Erie County reporting between 0 - 2 cases of in-school spread since September. Importantly, nearly all cases that school districts have been required to report to our communities, and on the NYSDOH Dashboard, are cases that were actually contracted outside of school buildings, or school activities.

The comprehensive case study that our local experience represents is amplified by the January 29, 2021 Center for Disease Control (CDC) Morbidity and Mortality Weekly Report (MMWR). In this study, which included 17 schools in Wisconsin, the community infection rates ranged between 7% and 40% during the study period, but most often were in excess of 20%. Importantly, only 7 (.52%) out of 191 cases contracted by students who attended the schools could be linked to the school setting. There were no adult cases.

- According to the study's author, elementary students were routinely one foot, or less, from each other for significant periods of time, and the average maximum distance between students was three to four feet during the study period.
- Adherence to masking requirements by students was reported by teachers to be 92%.
- Barriers were not used as a mitigation strategy between students in any of the schools.
- Community transmission levels that surrounded the schools during the study period were much higher than the current infection rate in Erie County, usually hovering around 20% positivity rate.

The broader community is safer today from COVID-19

The efforts of our local health officials, and of the broader community, to mitigate the effects of COVID-19 continue to result in lower infection rates generally. Also, we are experiencing much lower infection rates among the segments of our population that are most vulnerable to the effects of the disease. As of the first week of March:

- The number of people hospitalized with COVID-19 in Erie County remains below 220 and continues a general trend downward.
- The 7-day rolling average of individuals in Intensive Care Units is approximately 35.
- The 7-day rolling average of death is less than 7.
- Vaccination rates continue to increase.
- According to the New York State Department of Health Dashboard, the 7-day rolling average of positive tests was near 2.2% for Erie County and near 2.4% for Niagara County.

Recent data suggests that three feet of distance in school settings is safe

The data suggests that three feet of physical distancing among students is sufficiently protective against the spread of COVID-19 in a school setting.

- The conclusion of a recent study (Oxford University Press for the Infectious Diseases Society of America, March 10, 2021) of 251 school districts, in which 537,336 students and 99,390 staff attended in-person instruction in Massachusetts, was that “there is no significant difference in K-12 student and staff SARS-CoV-2 case rates in Massachusetts public school districts that implemented ≥ 3 feet versus ≥ 6 feet of physical distancing between students, provided other mitigation measures, such as universal masking, are implemented.” Mask use and air flow were the primary mitigation strategies used during the study period.
- No adults contracted COVID-19 at school during the study period in the CDC-MMWR from 1/29/21, nor have they since, according to the author of the study.
- According to the American Academy of Pediatrics, “there is no evidence to support requiring six feet of distancing between masked individuals.”
- Dr. Joseph Allen, Director of the Healthy Buildings Program and an Associate Professor at Harvard’s T. H. Chan School of Public Health stated on the topic of physical distancing in schools that “the rule should be three feet for child-to-child interaction.”
- Dr. Allen states that “hybrid models, in which students rotate days at school, may actually increase the risk of coronavirus spread because kids may be spending time with a wider network of contacts on their non-school days.”

The danger to the mental and emotional health of school aged children associated with delaying the return to fully in-person learning is very concerning.

We know from the experts, and directly from the children who attend our classrooms and live in our homes, that intermittent or fully interrupted in-person school attendance has a negative impact on their social development, emotional growth, and mental and emotional wellbeing.

According to the American Academy of Pediatrics, “Schools and school-supported programs are fundamental to child and adolescent development and wellbeing.” In addition, “supporting the educational development of children and adolescents, schools play a critical role in addressing racial and social inequity.” All of these benefits are more powerfully conferred on children when they are in our presence each day.

- In a recent CDC MMWR, it stated that in the study period which ended October, 2020, the proportion of emergency department visits among school aged children (<18) increased by 66% over a similar pre-COVID period.
- School-based adults, who are most likely to report child abuse and neglect, are best able to do so when we actually have the students in our physical care. According to the Western New York Child Advocacy Center, reports to Child Protective Services are down by approximately 50%, due to the fact that students are physically in school less often leaving hundreds of abused and neglected children without the intervention they desperately need.

Dr. Allen and Dr. Bleich, summed up their view by saying, “The risks from COVID-19 in schools are manageable” and that “the risks to kids being out of school, however, are escalating rapidly. For the sake of our children, it’s time for more scientifically justified distancing guidelines in the classroom.”

We look forward to collaborating with your agencies, and with our local health officials, on any updated guidance that would change social distancing requirements for school districts.

Sincerely,

Michael R. Cornell



E-NSSA President

Dr. Brian Graham



First Vice-President

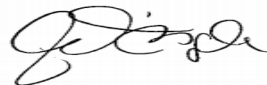
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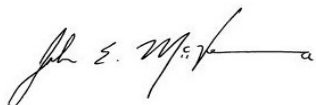
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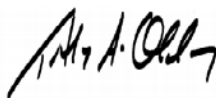
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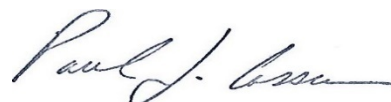
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