



## Legislation Text

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### Res. No. 342

Resolution calling upon the Mayor and the New York City Department of Education to establish rigorous scientific criteria, including an emphasis on mental health repercussions, that must be met before masking is mandated upon schoolchildren.

By Council Members Paladino, Holden, Ariola, Carr, Borelli and Vernikov

Whereas, The first cases of COVID-19, the disease caused by the severe acute respiratory syndrome coronavirus2, were reported in December 2019, according to the World Health Organization (WHO), which declared the COVID-19 outbreak a global pandemic on March 11, 2020; and

Whereas, In response to the global COVID-19 pandemic, schools across the United States (U.S.) and many other countries were closed in an effort to limit the spread of the virus; and

Whereas, In New York City (NYC), public schools were closed effective Monday, March 16, 2020, with the closure subsequently extended through the end of the school year; and

Whereas, As a result, the NYC Department of Education (DOE) transitioned to remote learning for all students, providing online instruction to students at home for the remainder of the school year; and

Whereas, For the 2020-21 school year, in order to minimize potential exposure to COVID-19, the DOE offered students either a hybrid model, consisting of a combination of in-school instruction and remote learning for students, or a fully remote option; and

Whereas, Starting in September 2020, DOE implemented a number of COVID prevention protocols, including requiring the use of face masks by students who chose to return to in-person learning several days a week, as well as by all staff and visitors; and

Whereas, In May 2021, then-Mayor de Blasio announced a full return to in-person learning for all

students in September 2021, with no remote option; and

Whereas, COVID protocols for the September 2021 school reopening continued to require universal masking inside school buildings for all staff, visitors and students regardless of vaccination status unless students had a medical exemption.; and

Whereas, From the time that schools first reopened in September 2020, DOE based its mask mandate on requirements issued by the New York State (NYS) Education Department and Department of Health in July 2020, which were based on guidance from the Centers for Disease Control and Prevention (CDC); and

Whereas, Early CDC guidance on school masking recommended “universal indoor masking by all students (age 2 and older), staff, teachers, and visitors to K-12 schools, regardless of vaccination status”; and

Whereas, The CDC relaxed mask recommendations in February 2022, recommending universal indoor masking in communities with high rates of COVID-19 transmission, with mask-wearing optional in low or medium transmission areas; and

Whereas, Subsequently, NYS Governor Kathy Hochul ended the state mask requirement in schools effective March 2, 2022; and

Whereas, NYC Mayor Eric Adams lifted the mask mandate for students in kindergarten through 12th grade beginning March 7, but did not end the mandate for children under 5 in preschool and daycare programs until June 13, 2022; and

Whereas, Neither the CDC, NYS or NYC ever issued specific scientific criteria to determine when masking was required or recommended; and

Whereas, The lack of rigorous scientific criteria, as well as the fact that the World Health Organization (WHO) did not recommend mask mandates for school children and few other countries imposed such mandates, have fueled controversy and concerns over mask mandates for children; and

Whereas, Not only has there been very little systemic research on the effectiveness of mask mandates for school children in reducing COVID transmission, the short-term and long-term consequences of this

practice are also not well understood; and

Whereas, According to a January 26, 2022 article in *The Atlantic*, recent studies have found evidence that masking is a barrier to speech recognition, hearing, and communication, and may also hinder language and speech development, which is especially concerning for young children and those who do not speak English; and

Whereas, Masks impede children's ability to decode facial expressions and may impede emotion recognition, even in adults, but particularly in children, according to *The Atlantic* article; and

Whereas, Further, a significant percentage of parents whose children wore masks in school during the pandemic believe it harmed their education, social interactions and mental health, according to a *POLITICO* -Harvard survey, as reported on March 25, 2022; and

Whereas, The survey found that 46% of parents said mask-wearing hurt their child's social learning and interactions, and 39% told pollsters it affected their child's mental and emotional health; and

Whereas, Parents voiced concerns that wearing masks in school every day increased anxiety and depression in students, especially for those who also suffered trauma from the loss of family members to COVID; and

Whereas, For those reasons, masks should not be mandated for children in schools in the future unless there are clear and compelling science-based criteria that also take into account potential mental health consequences to justify such action; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the Mayor and the New York City Department of Education to establish rigorous scientific criteria, including an emphasis on mental health repercussions, that must be met before masking is mandated upon schoolchildren.

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JA  
9/15/22