

Dear Governor Murphy,

Today we received “guidance” from the DOE on opening Extended School Year (ESY) programs for after July 6th. However, using the word, “guidance” is truly a stretch. You will notice that the health and safety measures described within were specifically **written for youth summer camps**. I should not need to say that a summer camp in no way equates to the complexities of an ESY program, which is exponentially compounded by Covid-19 for our medically fragile children that may be attending. Quite frankly, this communicates a lack of understanding and sensitivity to students with special needs and their families. What message does this send to the nearly 600 school districts, 150,000+ educators and families of the 1.4 million students? Even more frightening, is this what we are to expect for September?

Guidance for summer learning cannot substitute for the primary issue at hand - health and safety. Rather than developing health & safety metrics for working with our most medically vulnerable and educationally challenged populations, the DOE has instead chosen to compare running a summer day camp to that of running a safe ESY program. The lack of guidance on all matters these last three months has been eye-opening, yet we managed, as health and safety were taken out of the equation due to schools being closed. However, this recent move in comparing our ESY programs, when it comes to health and safety, to that of a summer camp is not only insulting, but puts the health and safety of our students and staff at risk.

While we are proud to serve some of the most awesome kids in our ESY programs, they are also some of our most needy students and may require any of the following:

- 1:1 direct support (contact required)
- Students with language needs that are unable to share when health related symptoms may arise
- Nursing support services
- Disabilities that could inhibit maintaining the summer camp guidance of 6', or able to wear masks for any period of time
- Toileting support
- Require speech, OT and PT, all services that require close contact

In other words, traditional health and safety guidance for a summer camp simply does not apply,

Stating that ESY programs can just open on July 6th before proper guidance has even been considered for the population of students that attend ESY, will cause a multitude of serious and legal problems.

- Parents will now expect ESY to be in person and when it is not, easily could become litigious.
- Staff responsible for working in 1:1 situations and in close contact with students may not accept these assignments without proper guidance and outlined safety measures. Therefore prompting a potential litigious situation.

- For guidance to first be coming on June 15th has placed districts in the crosshairs of families as they are now in a complete scramble, which could cause corners to be cut as districts try to avoid litigious outcomes. Can 580 school districts even acquire the health and safety supplies in time to open safely?
- Has anyone even assessed the issue with school buses and inspections? Many buses and possibly entire fleets are grounded due to the closure of the DMV and cancellations of all bus inspections. If we were to provide in-person ESY, there are two possible outcomes regarding transportation:
 - a. Excessive costs in trying to get a contractor to bid and accept routes with such little lead time (if they even have buses available)
 - b. Tell parents they have to transport their own child, even though the summer camp guidance provided speaks to transporting children. Again, a due process claim just waiting around the corner.

Pandora's box has been opened and each of the nearly 600 school district islands now has a choice, but not really. Face litigation, or put the health and safety of students and staff in jeopardy. We cannot afford either and compromising the safety of students and staff is not a standard to which we can aspire or comply.

There may not be any popular decision to be made regarding the reopening of schools, but any decision made that does not first and foremost take into account the health and safety of our most vulnerable students is flat out irresponsible.

I believe you said it best on Friday, June 12th in a Tweet, *"The evidence is overwhelming and the experts are clear: #COVID19 is more lethal inside than outside."*

How can you make that above statement directly after writing an order to open schools for inside learning for our most vulnerable students beginning July 6th!

Safety has to be our priority and I implore you to reflect on your recent order and the provided guidance as it pertains to the opening of ESY programs beginning July 6th.

With Regards,

Scott Feder
Superintendent of the South Brunswick Schools