



**CATHOLIC SCHOOLS** *in the*  
**ARCHDIOCESE of NEW YORK**  
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**From:** The Archdiocese of New York, Office of the Superintendent of Schools

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*For Immediate Release*

## **CITY AGAIN DENIES TESTING SERVICES FOR SCHOOL CHILDREN DESPITE STATE LAW AND COURT ORDER**

*(January 18, 2021 – New York, NY)* – Mayor Bill de Blasio and Schools Chancellor Richard Carranza continue to deny students in non-public schools the same Covid testing services that are being provided to public school students, despite being required to do so by New York State Education Law and two consecutive court decisions, said Michael Deegan, Superintendent of Schools for the Archdiocese of New York.

“Catholic schools in the Archdiocese of New York opened on time for in-person instruction in September, and have safely operated since then, complying with all city and state health and safety requirements,” Deegan said.

“The Archdiocese won another important victory in its fight to keep Catholic schools open for in-person instruction and New York City Catholic school children safe, as the New York State Supreme Court on Staten Island issued a judgment on January 11, 2021 ordering the New York City Department of Education to immediately comply with New York State law and provide COVID-19 testing services and facilities to New York City children attending Catholic schools in designated ‘Yellow Zones’ in the same manner and same extent that the City is providing such testing to New York City children in the City’s public schools,” Deegan continued.

He added, “The decision is significant because Executive Order 202.68, enacted into law by Governor Cuomo on October 9, 2020, requires that schools in designated ‘Yellow Zones’ test 20 percent of their students, faculty, and staff every two weeks in order to remain open for in-person instruction. Faced with the prospect of another round of catastrophic school closures, the Archdiocese sued the City under Section 912 of New York’s Education Law, which requires school districts to provide all health and welfare services to students in non-public schools in the same manner and to the same extent that the school district provides such services to public school students.”

Deegan summarized the court decision as a clear and unambiguous victory for Catholic and other non-public schools. He said, “In his ruling in favor of the Archdiocese, the Honorable Justice Wayne Ozzi concluded that the City’s efforts to deny COVID-19 testing services to New York City Catholic school students in the midst of a public health emergency that the City was

providing to public school children residing in the same community ‘belie[d] logic’ and constituted a clear violation of New York State law. The court further rejected the City’s ‘self-serving’ and ‘spurious’ assertions used to justify its decision to evade compliance with New York State law and protect *all* New York City children equally during this public health crisis. The fight continues, however, as the City has already appealed the decision of the Supreme Court, automatically staying the effect of Monday’s order.”

One Catholic school parent, Mrs. Jasmine Rodriquez, whose two children have attended Catholic school in the Bronx, including a current 8<sup>th</sup> grade student, reacted strongly to the news of the City’s attempt to deny testing to non-public school students. She said, “My children have been reminded every day the difference between right and wrong, that they should do the right thing. They are also taught that we are all equal in God’s eyes, nobody is better than anybody else. Mayor de Blasio and the chancellor need to do the right thing, follow the law and treat our children the way they treat public school students. Maybe our students can teach a class in right and wrong for city hall.”

Superintendent Deegan concluded, “We will continue our efforts to ensure that all students, regardless of which school they attend, are treated fairly and equitably by the City of New York during this health crisis, as the law and basic decency demand.”

***About the Catholic Schools in the Archdiocese of New York:***

Catholic Schools in the Archdiocese of New York serve nearly 60,000 students from Pre-K through 12<sup>th</sup> grade across 172 schools in ten counties and boroughs throughout New York, including Manhattan, the Bronx, Staten Island, Westchester, Putnam, Rockland, Ulster, Sullivan, Orange and Dutchess. Catholic schools offer a unique combination of academic and spiritual development that empowers children of all backgrounds to gain the confidence to realize their fullest potential. To learn more about the Archdiocese of New York’s Catholic schools, visit [www.catholicschoolsnyc.org](http://www.catholicschoolsnyc.org) or [www.facebook.com/CatholicSchoolsArchdioceseNewYork](https://www.facebook.com/CatholicSchoolsArchdioceseNewYork).

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