



ARCHDIOCESE *of* NEW YORK

OFFICE OF COMMUNICATIONS

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CATHOLIC SCHOOLS TO BE REIMBURSED BY CITY OF NEW YORK FOR COVID HEALTH CARE COSTS

AGREEMENT FOLLOWS TWO COURT VICTORIES FOR THE SCHOOLS

(New York, NY) Catholic schools in the Archdiocese of New York will be reimbursed by the City of New York for the cost of Covid-19 testing services under an agreement reached on April 15, 2021. This agreement, which will also cover future costs associated with testing, comes after the Catholic schools won two court rulings after suing the City to compel them to comply with New York State Education Law.

Under the agreement, the City will fund mandated COVID-19 testing services for Catholic school students, teachers, and staff in the same manner as they do for public schools, and will reimburse the Catholic schools for what the schools already spent prior to this agreement.

On November 18, 2020, in an effort to avoid another round of catastrophic school closures and to keep New York City school children and staff safe while attending New York City Catholic schools for in-person instruction during the ongoing public health crisis, the Archdiocese sued New York City under Section 912 of New York's Education Law to ensure that our children and staff are receiving equivalent COVID-19 health and welfare services and facilities to those being provided by the City to New York City public school children and staff.

The Catholic schools prevailed in court, obtaining preliminary and permanent injunctions against the City, 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. The court 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 assertions offered by the City 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 City initially appealed that decision to a New York State appellate court, but has since abandoned the appeal and agreed to reimburse the Archdiocese for all COVID-19 testing services previously provided in our schools that the City was providing to New York City public school children and staff. The City also agreed that it would continue to cover future expenses associated with COVID-19 testing undertaken by our schools to keep our doors open for in-person instruction and our children and staff safe during the ongoing public health crisis.

Michael Deegan, Superintendent of Schools for the archdiocese, praised the agreement, saying, “The health and well-being of our children should not depend on what school they attend, and it is good that the City recognizes their obligation to provide these health services to students in all schools. The Archdiocese of New York is committed to fighting for the safety and welfare of its students, and we hope that in the future the city will more quickly recognize its obligations to treat the students in Catholic schools with equity and fairness. It is not only the right thing to do legally, it is also the right thing to do morally.”

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