

State of New York.

2. I am a parent of two children who attend New York City public schools. My child, M.V.-W., is entering twelfth (12th) grade at Thomas Edison CTE High School, and my child N.V.-W. is entering ninth (9th) grade at Townsend Harris High School in the fall of 2024.

3. I am concerned that Respondents are not complying with the Commissioner's Regulations that were recently approved by the Board of Regents in April 2024. Specifically, the NYCDOE's guidance entitled, "Virtual and Blended Courses Guidance" does not comply with the regulations.

4. For example, these State regulations require parental consent ("opt-in") for a student to be placed in virtual classes. However, the DOE's guidance instead allows for parental opt out, which is a much weaker and more unreliable means of obtaining parental consent. An email can be overlooked, printed forms in backpack mail can be thrown out, and there are many ways in which parents will never see a notification that their children are being assigned to a virtual class. Thus, they will be denied their right not to give their consent.

5. In the fall of 2022, one of my children was placed in a 7 AM virtual Advanced Placement Spanish class without my prior knowledge or consent. My 14-year-old had to leave home in the dark at 6:05 in the morning to arrive at his class in a room full of students, each of whom was online in the same virtual class, with their teacher *who was not in the room*. I did not learn about this class until my child came home on the first day of school, very upset about this early morning and virtual class in his schedule.

6. What about students who Respondents would assign to a virtual class from their home rather than the school? How can parents prepare to properly oversee their children's online classes without knowing about them in advance?

7. I am also a New York City public high school teacher who teaches immigrant English Language Learners (ELL). My students need in-person daily instruction to properly learn and practice speaking English. Students must be able to see their teacher's full-body, their gestures, and expressions, just as teachers must be able to see their students. Adolescent-aged students must have multiple opportunities to interact in English with different people, including student teachers and other classmates. They need a lot of supervision to complete writing assignments and group activities by hand, without technology assistance.

8. Even if they were to have a virtual class from home, another problem is that to the best of my knowledge, none of my students have sufficient access to the internet or a computer at home. Although I am not aware of any plans for the school where I teach to institute virtual learning next year, there are many other New York City schools that enroll ELL students that may do so. Without parent consent, how can a school be sure that the students assigned to a virtual class can actually access the internet and/or a computer, and know how to use the computer, to receive the virtual instruction?

9. Although the guidance says, "Schools that offer virtual and/or blended instruction must ensure that students enrolled in such instruction have access to the digital, internet-connected technology and internet access necessary to receive and participate in instruction," it doesn't say how that knowledge will be substantiated.

10. Many parents like me work during the day or the evening, making it impossible for them to properly supervise their children and to see that they are logging into the class when required. Many immigrant families have no experience with computers and are ill-equipped to help their children with the technology.

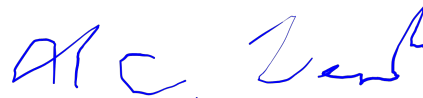
11. I am also concerned about the plan to rapidly expand virtual and blended learning in New York City schools in general. Test scores in reading and math revealed

severe setbacks for most students as a result of virtual learning, which was necessitated by the pandemic. In a data-driven education environment, it does not make any sense that New York City public schools should be plowing ahead to expand this sub-par form of education we know to be a failure for many students. The unchecked expansion of virtual learning will widen the achievement and opportunity gaps, which are the opposite of what should be happening in our public schools.

12. Moreover, I am also aware of the emotional and mental toll that virtual learning took on my students and my children. I read that there was a substantial increase in students seeking mental health counseling in New York City public schools as a result. Instead of forging ahead with these virtual learning classes, the DOE should be required to revise its guidance to ensure that there is written, verifiable parental consent (opt-in, following State guidelines), before any student is assigned to a virtual class; and if that class is to be held remotely, there must also be written verification to indicate that the student has access to reliable internet service and a computer at home.

13. There also needs to be a process by which parents can revoke their consent if their children are struggling or failing in their virtual class.

14. If New York City public schools insist on pushing forward with a big expansion of K-12 virtual education, then they should continue to monitor the results using reliable data; and they should be prepared to revoke virtual learning if it continues to show poor academic and social outcomes after a reasonable trial period.



AMANDA VENDER

Notarized online using audio-video communication

Lee Presser
Online Notary Public
State of New York
Westchester County
Commission #: 01PR0000217
Commission Expires: 02/02/2027

Sworn to before me this 12
day of June, 2024.



Notary Public