

November 13, 2020

(Read this letter online: <https://cemerick.com//acceptable-losses>)

Governor Charlie Baker's Office of Constituent Services
Massachusetts State House
24 Beacon St.
Office of the Governor, Room 280
Boston, MA 02133

Governor Baker,

I write today as a father of three girls, in response to recent statements and guidance issued by Governor Baker and the Department of Elementary and Secondary Education (DESE) regarding the Commonwealth of Massachusetts' response to COVID-19.

In the Governor's November 6th COVID update¹, he asserts that K-12 schools can open safely, citing recent Brown University analyses as well as in-state data showing that there have been 252 confirmed COVID cases among Massachusetts students and staff (as of November 6th, presumably). The implication is that that rate of infection represents an acceptable risk given the number of students and staff participating in in-school activities.

The Governor and Commissioner Riley further asserted that the administration has always used a "science-first" and "evidence-based" approach to reopening plans, but that "much has changed" since DESE's midsummer guidance issued to schools. These changes have led to the belief that "too many kids [are] learning in remote-only models", and that "losing a week, a month, a quarter, or more in the life of a kid's education has real consequences". These factors, he said, are why the Commonwealth's community COVID assessment criteria were being revised (to uniformly classify each town's infection rate as being less severe than it was under the prior assessment criteria), and why DESE has issued updated guidance² to school districts to reflect a renewed push to get more kids in classrooms.

I was shocked to read of and then listen to these comments, and see the updated guidance issued by DESE, all in the face of:

1. what the Governor himself admits is a second wave of COVID, with new-case rates effectively equal to that reported within the Commonwealth at the height of the epidemic last spring, which again is threatening our hospital and healthcare capacity³
2. a recent escalation of COVID-related economic restrictions — including a limited stay-at-home order — that still leave the greatest sources of COVID spread (restaurants, gyms, cafés, and hotels⁴) open for business

1 *Baker-Polito Administration Releases Updated Metrics, Guidance on Schools* (November 6, 2020; beginning @ 4:08) <https://youtu.be/2eIyC2NPW0A?t=248>

2 *Updates to Guidance on Interpreting DPH COVID-19 Health Metrics* (November 6, 2020) <https://www.doe.mass.edu/covid19/on-desktop/interpreting-dph-metrics.html>

3 *COVID-19 Update: Preparing Hospital Capacity* (November 10, 2020) <https://www.youtube.com/watch?v=6YsmzPZaU1c>

4 Chang, S., Pierson, E., Koh, P.W. et al. *Mobility network models of COVID-19 explain inequities and inform reopening*. *Nature* (November 10, 2020). <https://www.nature.com/articles/s41586-020-2923-3>, page 6

I find it impossible to reconcile this constellation of facts. While the Governor affirms that COVID is a deadly, sometimes life-altering disease⁵ that has again begun to spread out of control, he and his administration appear hellbent on promulgating policy that is little more than safety theatre.

Each of the speakers in the November 6th briefing asserted that the safety and well-being of children are the administration's top priority, but its actions and policies say otherwise:

Assertions of relying on science and evidence to determine policy are flatly false: DESE's summertime guidance strongly recommended in-person education, absent any data available at the time about in-school transmissibility. While it is good that data has since emerged that does show that younger students are less susceptible to the disease, re-emphasizing and strengthening the original in-person bias isn't "evidence-based", it's a case of being lucky once and now doubling down.

All of the findings that younger children are less susceptible to COVID universally stipulate the stringent use of mitigations (like physical distancing and proper mask usage), but limited to no mandates to that effect have been laid down. In conjunction with the efforts of COVID and mask "truthers" in our community, this has led to our schools developing a policy where mask usage is only *recommended* for those in grades K-2 (the range in which our daughters happen to land).

While much is made of Massachusetts' testing capacity, it is generally only possible to get tested if one is significantly symptomatic; asymptomatic testing is, as far as I can tell, actively recommended against by policymakers and doctors. Given childrens' tendency to develop mild COVID-like symptoms due to routine colds and other infections, I can only surmise that COVID infection among students is much more common than is documented, thus implying an attendant risk of bringing home an infection to vulnerable adults with existing conditions. This is the case for many teachers, staff, and families (including ours), and so it seems incredibly irresponsible to breezily proclaim that, without qualification, in-person schooling is safe.

The best way to ensure the safety and well-being of *everyone* would be to act aggressively to drive out the virus. For example, Victoria, the second-largest state in Australia (with the same population as Massachusetts), is just this week emerging from a serious months-long lockdown⁶, including complete closure of restaurants, bars, and gyms, triggered by cases there hitting just 700 in a single day. The result is likely to be similar to the status of the rest of Australia, where cases have been in the low double digits (yes, less than 100) per day for *months*, with life returning to normal for all (including restaurants, gyms, and nearly-full soccer stadiums⁷).

Meanwhile, the administration's main priority appears to be ensuring that the greatest sources of COVID spread remain open for business in a hobbled state, even as Massachusetts passes 2,600 new cases and dozens of deaths per day and hundreds of kids and educators have been infected since the start of school. These are clearly viewed to be acceptable harms and losses.

The Governor has said repeatedly, "this virus will be with us for some time". That is true: even the rosiest of timelines for e.g. the deployment of an effective vaccine is measured in many months, maybe years. But the experience of many territories elsewhere that have taken this virus' threat far more

5 *Long-Term Effects of COVID-19* (Updated November 10, 2020) <https://www.cdc.gov/coronavirus/2019-ncov/long-term-effects.html>

6 *Covid in Australia: Melbourne to exit 112-day lockdown* (October 26, 2020) <https://www.bbc.com/news/world-australia-54686812>

7 *A means to an end: AFL, NRL play title matches in Australia* (October 21, 2020) <https://wtop.com/australia/2020/10/a-means-to-an-end-afl-nrl-play-title-matches-in-australia/>

seriously than ours demonstrates clearly that the degree to which it affects us is absolutely a political and policy choice, **not** an inescapable reality.

I urge the Governor and the Commonwealth generally to take all possible action to actually contain COVID, rather than tolerate the toll it continues to take on all of us, and some more than others.

In the meantime, my job as a parent is to do everything I can to make sure my daughters come out of this era as happy and healthy as possible. I strongly agree that in-person schooling is extraordinarily valuable, and I would much rather my girls be shoulder-to-shoulder with teachers and friends. But as long as our leaders cling to a short-sighted policy of muddling through that rationalizes away growing infections, deaths, and little-known long-term consequences as acceptable costs to ensure that the riskiest behaviours and establishments can carry on in a hobbled state, I am likely to do everything I can to school my children at home. I dearly hope our school will remain able to help support them throughout this time.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles Emerick, III". The signature is fluid and cursive, with the first name "Charles" being the most prominent.

Charles L. Emerick, III
chas@cemerick.com

CC James Peyser, Secretary of Education
Jeffrey Riley, Department of Elementary and Secondary Education Commissioner
Elizabeth Warren, U.S. Senator (MA)
Edward J. Markey, U.S. Senator (MA)
James McGovern, U.S. Representative (MA)
Natalie M. Blais, MA State Representative
Joanne M. Comerford, MA State Senator