

NY finally releases school rules for masks, testing

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New York health regulators are recommending K-12 schools maintain at least three feet of distance between students as they return to the classroom amid concern over the spread of the delta variant of COVID-19.

The state Department of Health issued school safety guidelines late Thursday, a day after some New York school districts welcomed students for the first time this academic year.

The 12-page guidance came after the Health Department had previously canceled plans to release something similar in early August, amid then-Gov. Andrew Cuomo's troubled final days as governor.

But Gov. Kathy Hochul's administration revived the document, saying school officials and others sought clarity on health and safety matters.

Included in the guidance is a vaccine- or-test mandate for teachers and other school workers, with school employees in New York now required to show proof they've received a COVID-19 vaccine or undergo weekly testing.

The mandate follows up on a promise made by Hochul shortly after she was sworn in on Aug. 24.

Earlier Thursday, the state Public Health and Health Planning Council passed an emergency regulation that allows the state Health Department to

require testing of unvaccinated school employees and employees in other fields.

“Regular COVID-19 testing enables the immediate identification of COVID-19-positive individuals, even if they are not symptomatic, so that they can isolate and prevent further transmission,” the regulation said. “Additionally, the reporting of positive COVID-19 test results to public health authorities facilitates the rapid initiation of contact tracing to ensure close contacts are quarantined, tested, and isolated as needed.”

School employees will have to show their employers proof of their vaccination to avoid weekly testing. The state-issued “Excelsior Pass” will be accepted, along with other documents.

The state did not specify whether unvaccinated school employees will have to arrange their own testing.

NYSUT, the statewide teachers union, has supported Hochul's call to require regular COVID testing for unvaccinated staff, but wants the details to be worked out at the local level through collective bargaining.

follow the recommendations for schools of the federal Center of Disease Control and Prevention.

They include Hochul's expected mask mandate for all people inside schools.

Items in the guidance also include:

- At least three feet of distance is recommended between students and six feet between students and staff or between unvaccinated staff. The guidance notes that distancing “should not exclude students from in-person learning.”
- When people remove masks for eating, singing or playing a wind instrument, they must be at least six feet apart.
- All on buses must wear masks.
- For indoor physical education and recess, if masks cannot be worn, six feet between students must be maintained.

Many local unions have already started talking to their district leadership about how to implement a testing requirement.

The emergency regulation said that the cost of tested should covered by federal stimulus dollars. The state is distributing \$335 million in stimulus funds to counties outside of New York City for school testing programs.

Many school districts have said in their 2021-22 reopening plans that they are working with county health departments to plan the regular testing of staff and students. But it's not yet clear whether these testing programs will include the now-required weekly testing of unvaccinated school staff.

The emergency regulation also requires all schools to report COVID data, including positive test results, to the state on a daily basis, continuing a practice from the last school year.

Otherwise, new rules for schools from the state Health Department, officially known as a guidance, closely

• On sports and extracurricular activities, schools should follow CDC recommendations and consider canceling activities “in counties with high transmission.”

• Schools should consider requiring COVID testing for participants in sports and other extracurricular activities who are not vaccinated.

• Following CDC guidelines on quarantines, vaccinated people who have had close contact with someone who has or may have COVID do not need to quarantine unless they have symptoms.

• Following the CDC, a student within 3-6 feet of an infected student no longer has to quarantine if both students were wearing masks.

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