



MEMO

TO: NYSPHSAA Section Executive Directors
FR: Dr. Robert J. Zayas, NYSPHSAA Executive Director
RE: NYSDOH Determination (Officials)
DATE: September 22, 2021

Re 3-

On September 2, 2021, the New York State Department of Health (NYSDOH) released the Commissioner's Determination on COVID-19 Testing Pursuant to 10 NYCRR 2.62. The full directive is linked below:

<https://coronavirus.health.ny.gov/system/files/documents/2021/09/2.62-determination.pdf>

New York State officials have provided clarification that the above referenced determination does apply to interscholastic sports officials, judges, umpires, etc. who work as independent contractors in P-12 school districts.

The September 2nd NYSDOH determination included the following:

*"Teachers and Staff. This determination applies to all P-12 (public or non-public) school district faculty or staff, including all teachers, substitute teachers, student teachers, school administrators, paraprofessional staff, and support staff, including bus drivers. This determination also applies to **contractors** working in a P-12 school (public or non-public) or school district setting, including contracted bus drivers." ...*

"Testing Requirement for teachers and staff: P-12 schools are required to ensure teachers and staff, as outlined above, have testing performed for COVID-19 at least once per week when a school is in a geographic area identified by the CDC as having low, moderate, substantial, or high transmission rates. Teachers and staff may be permitted to opt-out of mandatory weekly screening testing if they provide documentation of being fully vaccinated against COVID-19, as set forth in 10 NYCRR 2.62. Teachers and staff who work at multiple schools do not need to receive multiple tests; they may use one weekly test result to demonstrate to any number of schools where they work that they have fulfilled this requirement."

I continue to encourage school districts to work in collaboration with local health officials to address risk minimization efforts associated with interscholastic athletic participation during this public health crisis.