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Dr. Mary T. Bassett
Commissioner
New York State Department of Health
Corning Tower, Empire State Plaza
Albany, NY 12237

Dear Dr. Bassett,

On December 1, we circulated a draft of a letter similar in nature to this among our leadership. At that time, the Omicron variant had just emerged and due to the uncertainties around infectiousness and virulence, we decided to delay sending it until more was known about the future of Covid and that variant. You have already acted on other issues we originally planned to write about such as Test-to-Stay, contact tracing, and quarantine rules, the same issues we have discussed with your team at the Department since before the school year began. We thank you for this progress.

Students in New York and across the country have experienced a roller coaster 23-months as they have gone from remote education, to hybrid, to almost universal in-person learning that is interrupted by periodic quarantines of students and staff. We believe we have now reached the time where the state needs to transition schools out from a pandemic learning environment.

School district leaders serving these students have advocated time and time again for key changes to guidance and regulations that control how schools handle the pandemic and there has been recent progress. We appreciate the timely and straightforward communications we have experienced with Department of Health staff since Governor Hochul took office. We recognize that concrete actions have been taken to help keep students in school and safe in recent weeks.

One major outstanding concern is ongoing mandatory universal masking. We have deferred to public health experts when it comes to universal masking and rules for indoor settings, and we do not seek to engage in a debate on its merits. The critical issue with mandatory masking in schools at this moment is the urgent need for school leaders and parents to know the plan moving forward with concrete assurances from the state.

School leaders, students, teachers, and caregivers have been put through a whirlwind of uncertainty when it comes to masking. This came to a head, once again, after the Nassau County Supreme Court found the masking mandate unconstitutional, only to have that decision stayed 24 hours later through at least early March.

School leaders recognize that nothing about this pandemic has been predictable. We understand the scientific and public health experts have needed to make changes to protocols as we have learned more about the virus and as new variants have emerged.

Yet, despite continued uncertainty regarding Covid-19, the State should provide clear guidance on universal school mask requirements and when and how those will evolve. The best way to do this is to provide reasonable, understandable, and achievable metrics based on recommendations from medical professionals for when masking rules will eventually be changed. Absent this clarity, families might assume that current rules and regulations will continue in perpetuity.

We recognize that the circumstances arising from the pandemic continually change and so does our understanding of how to effectively combat it. This complicates development of strategies and policies. But we believe thoughtful changes now could help to sustain acceptance of masking and other rules while they remain necessary. It is crucial to recognize that rules which defy common sense or are inconsistently applied threaten to undermine public acceptance of all rules, including those that remain essential.

Thank you for your hard work since taking the helm and we look forward to collaboration in the months ahead.

Phyllis S. Harrington
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