

January 25, 2022

Dear Parents and Guardians:

You may have learned of a state county supreme court decision yesterday regarding masking. Regardless of where you stand on this issue, I ask that you continue to be patient, respectful, and understanding as we navigate another challenge in this global pandemic.

Yesterday, the Supreme Court of Nassau County ruled that the mask mandate imposed by the New York State Department of Health (NYSDOH) is unconstitutional. This is the opposite of a recent ruling in the Albany County Supreme court which upheld the mask mandate.

Governor Hochul has stated that NYSDOH will appeal the decision immediately, and the appeal has been filed. During the appeal, a "stay" will be placed on the mask mandate according to the governor, which means the mandate to mask in schools will remain in place until a higher court makes a ruling on the appeal.

Last evening, New York State school districts received the following guidance from the New York State Education Department (NYSED), the governing organization for public schools:

“The State Education Department understands that Nassau County Supreme Court has ruled that the Department of Health exceeded its authority in enacting the mask regulation, 10 NYCRR 2.60, in Demetriou et al. v. New York State Dep’t of Health et al. This regulation is the subject of conflicting decisions, insofar as Albany County Supreme Court recently upheld the regulation in Massapequa UFSD et al. v. Hochul, et al.

*It is SED’s understanding that the Department of Health will appeal the Nassau County Supreme Court decision, which will result in an automatic stay that will unambiguously restore the mask rule until such time as an appellate court issues a further ruling. Therefore, **schools must continue to follow the mask rule.**”*

NYSED oversees school districts, and we must follow their directive on this topic until we are directed otherwise.

Again, I ask for patience. We appreciate your cooperation and understanding as we work through the ever-changing guidance from the state and courts.

Sincerely,



Dr. Thomas J. Douglas
Superintendent of Schools