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Interim Guidance on COVID-19 Test-Out for Public and Non-Public Schools Located in Areas Designated as “Red or Orange Micro-Cluster Zones” Under the New York State Micro-Cluster Action Initiative

November 3, 2020

Background

After more than 7 months of strict adherence to data-driven, evidence-based protocols, including required social distancing and mandatory face coverings, and strategic, phased-in reopening after the pause of our economy, New Yorkers have successfully reduced the spread of COVID-19 to one of the lowest rates in the nation. While New York has continued this positive trajectory, other states have taken a less cautious approach and are now experiencing rapidly increasing rates of transmission of this deadly virus.

As certain areas of the State continue to see an increase in COVID-19 cases and test positivity, Governor Andrew M. Cuomo implemented a [cluster action initiative](#) to address COVID-19 hot spots as they occur. This science-based approach focuses on addressing these clusters and aims to prevent further community-wide transmission of the virus, and includes new rules and restrictions directly targeted to areas with the highest concentration of COVID-19 cases and surrounding communities. The initiative divides clusters and the areas around them into three categories – the cluster itself (red zone), a warning zone (orange zone), and a precautionary zone (yellow zone). Areas can also become an orange or yellow zone based upon metrics established by New York State Department of Health (DOH).

Under the authority of [Executive Order 202.68](#), schools in red and orange zones must close in-person instruction for at least two weeks. On October 30, 2020, Governor Cuomo [announced](#) strict health guidelines, as detailed herein, for schools to reopen in red and orange cluster zones during this time in order to help keep schools in focus areas safely open to in-person instruction. The guidelines require mass testing in schools before they reopen followed by intensive symptom and exposure screening conducted daily, as well as surveillance testing of 25% of the in-person student and faculty/staff weekly. New York State will provide rapid test kits upon request for schools wishing to participate.

For a School Seeking to Re-Open In-Person Classes in a Geographic Area Designated as a Red or Orange Zone

The school must remain closed for at least 4 calendar days after the zone designation is announced. The school may re-open as early as the fifth day after the zone is designated in accordance with the protocols contained in this guidance.

Importantly, the affected school must ensure that no staff, faculty, or student is permitted to attend in-person instruction on campus without first receiving a negative COVID-19 test result taken after the closure of the school.

The school should ensure that it provides tests through a testing event, or accepts tests results from providers. Following such testing, schools must ensure:

- Members of the school community who test positive for COVID-19 are isolated in accordance with established guidance; and
- Contact tracing is performed, in consultation and coordination with the local health department, to ensure that contacts of newly identified positive individuals are quarantined in accordance with established guidance.
- Testing must be completed in accordance with lab requirements.

In order to reopen, schools in red and orange zones must also complete an attestation on the school survey, in addition to required dashboard reporting, that the in-person school population has been tested for COVID-19 and only individuals with a negative result are being permitted to return to campus. A [line list](#), that must include names, addresses, date of birth, result of lab test, lab performing test, ordering physician, and test date of all students, faculty, and staff returning to campus for in-person learning must be submitted with the attestation via the school survey.

If, after these above steps, and students and faculty/staff who have tested positive for COVID-19 or close contacts of positive cases are appropriately excluded from school grounds, or those who have not been tested, the school may reopen for in-person instruction.

At all times while in a geographic area designated as a red or orange zone schools must provide students not yet authorized to return to school with remote instruction options.

After Reopening In-Person Classes in a School in Geographic Area Still Designated as a Red or Orange Zone

All students, faculty, and staff must have a negative COVID-19 test result at attend schools in-person. Test results must be no more than 7 days after the date of specimen collection on the day in-person learning reopens; and the date of specimen collection must be after the date the zone was established.

Once the school reopens, intensive symptom and exposure screening must be conducted daily and 25% of the in-person learning school community (inclusive of both students and faculty/staff) must be tested for COVID-19 weekly, starting 7 calendar days after reopening.

Once each week, any school in the red and orange zone that have reopened must attest that they have tested 25% of the in-person school population and provide a [line list](#). Such list must include names, addresses, date of birth, result of test, lab performing test, ordering physician, test date of all students, faculty and staff returning to campus for in-person learning must be submitted with the attestation via the school survey.

- Each week the 25% of the school population tested must be composed of unique individuals who have not previously been tested for the surveillance screening, as part of the weekly 25% testing.
- If the school continues to be inside a red or orange zone for more than 5 weeks, upon the fifth week of weekly testing the individuals who composed the 25% the first week of testing should be tested again.
- If the 25% random sampling generates 9 or more positive cases, or if for a sample size of more than 300 weekly tests, achieves a positivity rate of 2% or higher (6 cases or more depending on size) in New York City, or 3% (9) outside of the city, of one such discrete sample, then the school will be required to close.

All reopened schools are also required to continue to adhere to all existing requirements including completion of the daily school survey.

- Mask wearing, in accordance with either [Department of Health Interim Guidance for In-Person Instruction at Pre-K to Grade 12 Schools](#), or any local department of health order regarding face coverings, must be adhered to.
- The school should ensure that it provides the opportunity to be tested on school grounds, or otherwise supports testing and/or accepts test results from healthcare providers.
 - If the school does not hold a testing event or provide on grounds testing, test results provided to the school as part of the 25% testing of the population must be received within 7 days from the date of specimen collection and specimen collection must be after the date that the school reopened.
- If at any point the zone in which the school is located is becomes a yellow zone, then the yellow zone weekly testing requirement of 20% of the in person population applies immediately, and such school shall only be required to do 20% for that week.

Members of the school community who test positive for COVID-19 must isolate, according to established guidance. Contact tracing must be performed to ensure that contacts to newly identified positive individuals are quarantined, according to established guidance.

The testing requirement will apply to pre-k classes taking place on a school site.

If there is an OCFS-licensed/registered group child care program operating at such site it may continue to operate while the school is closed, and upon reopening of the school it is not subject to testing solely due to its location, however, school-aged children in the program may otherwise subject such program to testing. In accordance with Executive Order 202.68 and OCFS guidance, legally exempt group programs operating in a school must remain closed until the school has reopened pursuant to this guidance.

Students who are participating in hybrid learning or in all virtual learning, and who are attending an OCFS-licensed/registered or enrolled legally exempt group child program during school hours, are subject to the testing requirements and must be included in the school's random testing protocols.

Testing

To ensure that students, faculty and staff have been tested for COVID-19, schools have the following options:

- Schools can accept written test results from healthcare providers;
- Schools can have students, faculty, and/or staff go to a test site run by New York State to have specimens collected for testing;
- Schools can establish partnerships with other entities who are authorized to perform testing to have their students, faculty, and staff tested;
- Schools that currently have a limited service laboratory (LSL) registration can add COVID-19 rapid test to their existing LSL registration, request to receive rapid tests from the state and perform testing on their students, faculty, and staff; or
- Schools can become approved to perform testing by obtaining an LSL registration and once approval is granted, request to receive rapid tests from the state and perform testing on their students, faculty, and staff.

Questions on amending or obtaining an LSL and requests for test kits should be sent to Covid19rapidtest@health.ny.gov.

Data and Reporting

New York State will provide rapid test kits upon request. The schools must provide trained personnel (with necessary laboratory permits) to conduct the tests, and all results must be entered into the Electronic Clinical Lab Reporting System (ECLRS) and reported on the school survey to the NYS COVID-19 Report Card.

Consistent with existing requirements, any testing conducted through schools, in partnership with other health care entities, must also be reported separately through the school dashboard survey and to ECLRS, including all rapid point-of-care testing.

Failure to Meet these Requirements by Schools in Geographic Area Designated as a Red or Orange Zone

Schools that do not meet the reopening requirements set forth in this guidance must remain in remote/distanced learning for the duration of the zone designation.

Reopened schools that fail to comply with these requirements may be subject to Section 16 orders, or other fines and penalties. New York State and DOH reserve the right to keep any school closed if extenuating circumstances exist.

Questions about this guidance should be sent to Covid19rapidtest@health.ny.gov.

Resources

- [New York State Department of Health COVID-19 Website](#)
- [Centers for Disease Control and Prevention COVID-19 Website](#)