January 25, 2022

Dear Newcomb Central School District School Community,

Last evening, we became aware of the court case from Nassau County, NY, in which the County Supreme Court Thomas Rademaker issued a ruling that the state Department of Health exceeded its authority in enacting the mask regulation, 10 NYCRR 2.60. The case is called Demetriou et al. v. New York State Dep’t of Health et al.

Subsequently, schools received the following message from the State Education Department

"A state judge on Long Island has ruled that the state’s mask mandate is unconstitutional and a violation of state law, but more litigation is expected. As a result, nothing changes for schools, according to a statement from the State Education Department (SED).

"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," according to SED’s statement, which was sent to superintendents. "Therefore, schools must continue to follow the mask rule."

Newcomb Central School District will abide by the State Education Department’s directive as we learn more about the ruling, consult with our school attorney and the aforementioned appeal and any potential stay.

As of this moment, we don’t have any additional information to share, but please know, as always, as soon as we have additional information we will pass it along to your attention.

As always, thank you for all of your efforts to partner with us to keep our schools open this year.

Sincerely,

Christian M. Fisher
Superintendent of Schools