



SUPPLEMENTAL GUIDANCE FOR COVID-19 CONTAINMENT AT HIGHER EDUCATION INSTITUTIONS DURING THE PUBLIC HEALTH EMERGENCY

Issued August 28, 2020. Updated February 9, 2021. Updated February 19, 2021. Updated February 20, 2021

Purpose

This guidance for COVID-19 containment at higher education institutions during the public health emergency is issued to supplement the New York State Department of Health's (DOH) "[Interim Guidance for Higher Education during the COVID-19 Public Health Emergency](#)," issued pursuant to Governor Andrew M. Cuomo's [Executive Order 202.45](#). All higher education institutions in New York are subject to the State's reopening guidance and are required to comply with this supplemental guidance in order to operate during the ongoing COVID-19 public health emergency. The provisions of this guidance shall apply to confirmed cases of COVID-19 identified on and after August 28, 2020.

Background

Under Governor Cuomo's leadership, New York State has successfully slowed the transmission of COVID-19 to one of the lowest rates of any state in the country. While New Yorkers have maintained this positive trajectory throughout the State's economic reopening, other states in the nation have recently experienced a rapid increase in spread of the deadly novel coronavirus.

Given the ongoing public health emergency and the risk posed by a resurgence in community transmission of COVID-19, higher education institutions in New York must maintain the public health and safety measures and safeguards set forth by DOH to prevent, mitigate, and address any outbreaks or clusters of this virus on college campuses to continue in-person education.

To date, colleges and universities returning to in-person learning have experienced cases where spread of the virus among students was the result of failing to adhere to the State-issued guidelines, including maintaining appropriate social distance, wearing acceptable face coverings, and limiting the size of social gatherings. These actions threaten the safety of students, faculty, staff, and community members, as well as risk undoing New York's hard-fought progress to contain viral transmission.

Guidance

While colleges and universities have already taken disciplinary action to reprimand, quarantine, or remove students who have violated these rules and jeopardized the health and well-being of New Yorkers. More must be done to protect public health and prevent significant community spread.

Specifically, this guidance establishes infection rate thresholds for the temporary suspension of in-person learning on college and university campuses in New York State. This guidance provides procedures for higher education institutions to evaluate when, and for how long, to close, as well as a reliable process for determining whether in-person learning may continue. The thresholds established herein shall serve as a minimum standard that colleges and universities are free to exceed. Further, local health departments retain the ability to restrict in-person learning before these thresholds are met or, as the situation may warrant, impose additional restrictions to prevent or mitigate a public health hazard.

COVID-19 Infection Rate Thresholds for the Suspension of In-Person Learning

Commencing February 19, 2021, whenever the lesser of 100 individuals or 5% of the total on-campus population – inclusive of students, faculty, and staff – of a higher education institution location¹ test positive for COVID-19 within a rolling 14-day period, the location must immediately (1) transition all in-person learning to remote format(s) and (2) limit on-campus activities for a period of 14 days. Provided, however, that a higher education institution location which tests an average of at least 25% of its total on-campus population for COVID-19 each week as part of an ongoing policy of surveillance testing shall not be required to transition to remote learning or to limit on-campus activities unless the *greater of* 100 individuals or 5% of the total on-campus population test positive using a 14-day rolling average.

During such limitation period, in-person athletic events, extracurricular programs, and other non-essential student activities must be suspended, and dining hall(s) and other on-campus food services must be converted into take-out or delivery models, as appropriate. Essential on-campus functions are authorized to continue as described in the “Limitations of On-Campus Activity” section below.

After the 14-day limitation period, the local health department(s) where the higher education institution is located shall evaluate the institution’s efforts to contain COVID-19 transmission at such location. If the local health department(s), in consultation with DOH, determines that the institution has demonstrated that community spread of COVID-19 has been effectively contained, the location shall be authorized to reopen for in-person learning and on-campus activities.

However, if after the 14-day limitation period, the institution has not demonstrated that community spread of COVID-19 has been contained at such location, the local health department(s), in consultation with DOH, may require a continued suspension of in-person learning (i.e., an extended period of remote learning) and limitation of on-campus activities and/or further mitigation measures by the institution.

If at any time a cluster or clusters of positive COVID-19 cases develop at an area of a higher education institution location (e.g., a dormitory or residence hall) and such cluster(s) exceed the institution’s ability to contact trace, quarantine, or isolate, the local health department, in consultation with DOH, may require the institution to transition all in-person learning to remote format(s) and limit on-campus activities, even if the location may have fewer than 100 individuals or less than 5% of the total on-campus population who have tested positive for COVID-19 over a rolling 14-day period.

Nothing in this guidance shall prevent or prohibit the local health department(s), in consultation with DOH, from imposing requirements or conditions on a higher education institution relative to its on-campus activities upon finding that the institution is unable to contain any outbreak or cluster of the novel coronavirus, even if the higher education location may have fewer than 100 individuals or less than 5% of the total on-campus population who have tested positive for COVID-19 over a 14-day period.

¹ A higher education institution location shall refer to a self-contained location or campus of a given institution. For instance, a campus may have graduate schools, specialty schools, or research facilities removed from a main campus. To the extent that those locations, while under the same college or university, have no significant interaction with each other, they may be treated separately for purposes of this threshold.

COVID-19 Testing and Positive Cases

“Total on-campus population” includes all students, faculty, and staff who are on the campus location, including those students living on campus and those attending class on campus, as well as all staff and faculty working on campus.

Those students, faculty, and staff members testing positive for COVID-19 prior to arrival on campus or through testing required upon initial return to campus and those testing positive while quarantined due to out-of-state travel restrictions prior to participation in on-campus activities shall not be used by the higher education institution or local health department(s) when calculating the percentage or total number of positive cases, unless it is determined that the student, faculty, or staff member participated in an on-campus activity in, for instance, violation of the quarantine restrictions.

Early detection is critical. Higher education institutions are encouraged to utilize community surveillance testing to identify likely positive COVID cases. Increased testing does not lead to increased positive cases. If cases are present in the community, they will spread more quickly without appropriate testing, contact tracing, and containment through isolation and quarantine. Batch testing or pooled testing is a highly recommended method to increase testing capacity of an institution.

Limitations of On-Campus Activity

“Limited on-campus activity” means:

- All campus dining and food services options must be converted to takeout/delivery only.
- All classes must be delivered remotely. However, an institution – in consultation with the local health department(s) – may conduct certain in-person activity such as clinical, laboratory, or other in-person activity required to obtain or maintain professional licensure or research activity which must be conducted in-person, only if public health and safety can be maintained.
- In-person athletics, extracurricular programs, and non-essential student activities must be suspended. However, in-person essential student services (e.g., medical care, mental health, counseling) should not be suspended, but may consider call-ahead or appointment only operations.
- Residential facilities must remain open. Only those students who have been identified as contacts of a positive case will be required to quarantine and only positive cases will be ordered into isolation.
 - If and when a decision is made to close the higher education institution location for the duration of the semester/academic year to in-person learning, then the residence hall(s) will be closed. In such instances, institutions may provide for limited on-campus housing for students who may otherwise lack access to secure housing, if approved by the local health department(s). In such cases where residential facilities remain open, strict social distancing requirements will be imposed.

Nothing contained within this guidance is intended to supersede a more restrictive campus rule or metric, or to prevent any institution from voluntarily ceasing in-person learning. Institutions are encouraged to continue monitoring on-campus and community infection rates and take all appropriate actions to protect the public health of their communities, including disciplinary action and actions to prevent the spread of the novel coronavirus.

Resources

- [DOH COVID-19 Website](#)
- [NYS Local Health Department Directory](#)
- [Centers for Disease Control and Prevention \(CDC\) COVID-19 Website](#)