



**MORAVIA**  
CENTRAL SCHOOL DISTRICT

**John P. Birmingham**  
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Dear Families,

The district has been made aware of a ruling by Nassau County Supreme Court Thomas Rademaker that the State Department of Health exceeded its authority in enacting the mask regulation, 10 NYCRR 2.60. We understand from the State Education Department that the State of New York shall seek an appeal of the decision and seek a stay regarding the enforcement of the same. As a result, the **State Education Department has stated that schools are required to continue to require the use of masks pending the final adjudication of the litigation.**

Please read the following statement from the State Education Department:

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.**

Accordingly, at this time, Moravia Central School District will continue to require all students and staff to wear masks for the health and safety of our community and in accordance with the recommendation of the state and county Departments of Health and Center for Disease Control and Prevention. We acknowledge the differing viewpoints on this topic, but as a public school district, we are obligated to follow the State Education Department and Departments of Health requirements and regulations.

Thank you for your support and understanding with the continued changes.

Sincerely,

*John P. Birmingham*  
John P. Birmingham