



THE STATE EDUCATION DEPARTMENT

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September 1, 2020

TO: District Superintendents  
Superintendents of Schools  
Public School Administrators  
Nonpublic School Administrators  
Charter School Administrators

From: Marybeth Casey, Assistant Commissioner  
Office of Curriculum Instruction and Early Learning

Re: Eligibility for Interscholastic Athletics, Inclusive Athletics and Extracurricular Activities

Per the [school reopening guidance](#) that the New York State Education Department (NYSED) issued earlier this month, districts have been afforded flexible scheduling options as they plan district activities. In some cases, the student, districts must make any planned school sponsored activities available to all students who are enrolled in the district and otherwise qualified to participate. Districts may not exclude students from participating in any school sponsored activity solely on the basis of their instructional program. For purposes of this memo, "enrolled in the district" means those students who are reported in SIRS with a district of resident contact and those included in the Average Daily Membership calculation in SAMS for state aid purposes.

If districts are conducting extracurricular activities, including sports, clubs, arts or other activities, students enrolled in the district must be given fair and equal access to such activities for which they are otherwise qualified to participate, regardless of the choice of schedule whether made by the student or by the school district. Schools and districts have the option whether or not to participate in interscholastic sports or provide extracurricular activities they deem appropriate. However, students may not be restricted or excluded from participating in any activities.

