



State of Utah

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Utah Department of Health
Executive Director's Office

Nate Checketts, M.P.A.
Executive Director

Heather R. Borski, M.P.H., M.C.H.E.S.
Deputy Director

Michelle G. Hofmann M.D., M.P.H., M.H.C.D.S., F.A.A.P.
Deputy Director

October 15, 2021

Utah Local Health Department and Local Education Agency,

The Utah Department of Health would like to thank Utah schools and communities for all the work they have done to protect our children during the COVID-19 pandemic. We appreciate all the time and effort it has taken to modify routines and settings so students can learn in a safe environment.

Utah's Test to Stay program is a vital piece of keeping children safe and in school. We understand there have been questions raised by families as this program is implemented. The Test to Stay program is required by Utah law - Utah Code subsection 53G-9-210(1):

(h) *"Test to stay program" means a program through which an [Local Education Agency] provides testing for COVID-19 for students during an outbreak of COVID-19 at a school in order to:*

- (i) *identify cases of COVID-19; and*
- (ii) *allow individuals who test negative for COVID-19 to attend school in person.*

Students who test positive must isolate at home during their isolation period. Students who test negative may attend school in person.

After conferring with the Department's legal counsel regarding the requirements in section 53G-9-210, the Department has determined that students who do not get tested and therefore do not provide a negative test result must transition to remote learning. They may return to in-person learning after 10 days or as soon as they get a negative test result.

Parents have the option to decide whether their child participates in the Test to Stay program; however, by choosing not to have their child tested they are opting to keep their child out of school for 10 days. Any result arising out of prior lawsuits addressing Utah Code section 53G-9-210 is applicable only to the named parties in the cases unless it is a published state court opinion.

Students participate in the Test to Stay program by submitting to a test at their school. Alternatively, families may have their child tested at a certified test site outside of the school. If they elect this option, in order for the student to return to in-person learning, they will need to provide documentation of the negative test to the school or health authorities managing the Test to Stay program.

As always, we encourage everyone who is feeling sick to stay home and get tested for COVID-19. All people, including students and staff, should isolate at home, away from vulnerable loved ones, for at least 10 days after testing positive for COVID-19. Full information about school specific COVID-19 policies can be found on the Utah Department of Health's school [website](#).

We appreciate all that you have done and we thank you for all that you continue to do. We can keep more kids participating in in-person learning by reducing the number of COVID-19 infections occurring in our schools. By working together, we can keep our communities safe and healthy.

Sincerely,



Nate Checketts
Executive Director
Utah Department of Health