

Note Regarding Phase Three Reopening and Recreational Sports Activities

The Governor of Virginia has issued Phase Three Requirements for all business sectors and specifically for recreational sports activities (both indoor and outdoor). The provisions on signage and screening have not changed from the Phase Two Requirements, discussed and analyzed below, nor has the ten foot physical distancing requirement. The principal changes in Phase Three are (1) the elimination of any distinction between indoor and outdoor activities, (2) the elimination of the requirement to avoid "competition that involves close contact with other athletes," and (3) the increase in total attendee limits to 250. In Phase Three, regardless of practice or competition, ten foot physical distancing "should" be maintained where "practicable." The total attendee limit is increased from 50 to 250.

Committee Discussion Regarding Phase Two Reopening and Recreational Sports Activities

Return to Play Committee
Fairfax County Athletic Council
June 18, 2020

The Governor of Virginia has issued Phase Two Requirements for all business sectors and specifically for recreational sports activities (both indoor and outdoor). The information below, including Frequently Asked Questions (FAQs), represent the discussions of the Return to Play Committee regarding the application of these Requirements to the specific circumstances facing our user groups. The answers are not official government policy or interpretation. Rather, they represent the range of opinions of the members of the Return to Play Committee regarding possible interpretation of the Governor's Requirements and application to common scenarios. This discussion and the FAQs are intended to identify "user group understanding" of the Governor's Phase Two Requirements. Individual user groups are responsible for compliance with the Governor's Requirements

We begin with a summary of the discussion regarding the Basic Rules and the Basic Responsibilities of User Groups. Then we follow with specific FAQs.

These answers are not the official position of or endorsed by Fairfax County, the Athletic Council, or any Athletic Council committee. They only reflect the informed conclusions the committee's participants came to when asked how they thought the questions should be answered.

Discussion of the Basic Rules of Phase Two

Here are the basic requirements applicable during Phase Two for indoor and outdoor recreational activities, together with commentary presented during the meeting:

- Signage requirements are the responsibility of the County as the owner of the facility. The Park Authority shared copies of signage they are posting (see attachment). It should be noted that

the signage includes the Governor's Requirements and some Park Authority recommendations (e.g., masks are recommended by FCPA, not required by the Governor). The Governor's Requirements must be followed; Park Authority recommendation should be followed but are not mandatory.

- Physical distancing - Ten feet of physical distance must *"be maintained by all instructors, participants, and spectators, with the exception of incidental contact or contact between members of the same household."* Within baseball, it was noted that prolonged and intentional contact is the opposite of *"incidental contact."* Catcher/batter contact and fielder/baserunner contact are not prolonged, and thus is incidental and permitted. Umpire/catcher contact is both intentional and prolonged, leading baseball organizations to move the umpire behind the pitcher.
- *"Competition that involves close contact with other athletes must be avoided."* Competitive activities that inherently involve close contact should not occur during Phase Two. Baseball and softball games were discussed as examples of competitive activities that did not inherently involve *"close contact."* It was generally agreed that, other than baseball, softball, and cricket, most other sports inherently involve close contact in any competition. That conclusion suggested that competition in those sports *"must be avoided"* in Phase Two. A question was asked whether 2 on 2 volleyball could occur if the players were generally 10 feet apart. It was generally agreed that contact in a 2 on 2 volleyball competition would be incidental and that such games could occur under the Requirements.
- Capacity constraints -
 - Attendees" - *"Total number of attendees (including both participants and spectators)."* It was generally agreed that outdoor fields have no posted occupancy limit or a certificate of occupancy. This appeared to have been a carryover provision for indoor facilities and restaurants. It was generally agreed that the only the numerical limit of 50 attendees would be applicable to most outdoor facilities.
 - Outdoors (Fields) -
 - Adult - *"lesser of 50% of the occupancy load on the certificate of occupancy, if applicable, or 50 persons. For sports played on a field, attendees are limited to 50 persons per field."* Physical distancing is required.
 - Youth - *"Participants in outdoor youth recreational sports are not limited to 50% of the occupancy load of the venue or the 50 persons limit."* There is no numerical limit. Physical distancing is required. It was generally agreed that, for youth sports, if the field is subdivided into smaller fields by the user group, such as micro-soccer, it would be a good idea to apply the 50 person limit per field to the smaller fields. Unlimited attendance was not considered a best practice. This understanding is consistent with an FAQ on Recreational Sports posted on the Governor's web site:
<https://www.virginia.gov/coronavirus/forwardvirginia/faq/>
 - Indoors - *"total number of attendees for indoor recreational sports cannot exceed the lesser of 30% of the lowest occupancy load on the certificate of occupancy or 50 persons."* There is no distinction between adult and youth. In large indoor facilities

that are physically segmented into multiple courts, the 50 person limit would apply to each court. This understanding is consistent with an FAQ on Recreational Sports posted on the Governor's web site:

<https://www.virginia.gov/coronavirus/forwardvirginia/faq/>

- Spectators
 - Outdoors (Fields) -
 - Adults - total "*attendees*" are limited to 50 persons per field, but there is no specific reference to "*spectators*" for adult sports. Attendees includes participants and spectators. Physical distancing is required. There was a difference of opinion regarding spectators for adult sports. Some viewed the permission of limited spectators for youth sports (see below) as implying a ban on any spectators for adult sports. Others viewed the limitation in youth sports as applicable only to youth sports. All agreed that, if spectators were permitted for adult sports they would count towards the 50 person limit for attendees.
 - Youth - "*Spectators may not be present with the following exceptions: parents, guardians, and caretakers who are supervising children playing in the sports event, and other children in the parent's, guardian's or caretaker's care.*" There is no numerical limit. Physical distancing is required. No spectators are permitted who are not household members.
 - Indoors - "*Spectators limited to parents, guardians, or caretakers who are supervising children.*" This was not limited to youth sports. Thus, spectators are not permitted for adult sports, just youth sports. No other siblings permitted, as are specifically allowed for outdoor sports. As with fields, there is no numerical limit on spectators. There was a general understanding that the 50 person limit on total attendees would thereby limit the number of spectators.

Basic Responsibilities of User Groups

- "*Conduct daily screening of coaches, officials, staff, and players for COVID-19 symptoms prior to admission to the venue/facility.*"
 - "*Children should be screened per the CDC guidance for screening children.*" The CDC guidance for screening children with symptoms is referenced in an FAQ on Recreational Sports posted on the Governor's web site:
<https://www.virginia.gov/coronavirus/forwardvirginia/faq/>
However, this reference is somewhat confusing as the link is to Examples of Screening Methods for Child Care facilities. The FAQ suggests daily temperature checks by the parent/guardian and confirmation that they are not exhibiting the symptoms that adults are asked about below. It appears that the requirements for youth screening are basically the same as for adults, but adults must verify that their children have been screened appropriately.

- *"Adults should be asked if they are currently experiencing fever (100.4 degrees or higher) or a sense of having a fever, a new cough that cannot be attributed to another health condition, new shortness of breath that cannot be attributed to another health condition, new chills that cannot be attributed to another health condition, a new sore throat that cannot be attributed to another health condition, or new muscle aches that cannot be attributed to another health condition or specific activity (such as physical exercise)."*
- Several user groups reported on methods they had developed to insure screenings take place. Most suggested a login/attendance lists would provide a good business record showing compliance, as gathering individual paper forms from every participant on a daily basis would be unduly burdensome and difficult to maintain. Temperature checks on site were also viewed as unduly burdensome. A more practical but sufficient practice would be to ask the all questions, including fever, that are in the Governor's Requirements and keep a daily record of the answers. This would also facilitate contact tracing should that prove necessary later..
- Temperature checks for spectators was viewed as unnecessary as the Governor's Requirements referred only to *"coaches, officials, staff, and players."*
- *"Anyone experiencing symptoms should not be permitted in the venue/establishment."* No question about this. Don't let them in.
- *"Screenings should be conducted in accordance with applicable privacy and confidentiality laws and regulations."* Keeping a log, rather than detailed forms for each person avoids privacy issues.
- *"All shared items must be disinfected between each use to the extent practicable."* An example of this was having teams using their own baseballs and disinfecting them between innings. The addition of the clause *"to the extent practicable"* provides reasonable flexibility in approach.
- The Governor's Requirements do not specifically address wearing of masks or reporting of infections.
- Insurance/legal liability - user groups are responsible for implementation of the required protocols and for obtaining liability insurance. A number of comments were provided.
 - User groups should check with their insurance provider to determine questions regarding coverage. Insurance coverage, however, does not protect user groups from being sued.
 - Waivers of liability informing members of the risk of COVID-19 are a best practice employed by many user groups but waivers generally do not cover negligence of the user group.
 - Waivers should be coupled with reasonable protocols to minimize risk. Reasonable protocols would include general standards by state or national sports group, as well as standards established by NVSL. All protocols and procedures should be well documented to minimize risk. In particular, user groups suggested they should review FCPS practices and adapt them as a good risk mitigation strategy.
 - Legal liability – In addition to minimizing risk of negligence, user groups should be aware of the difficulty of any claimant proving they contracted the virus due to negligent user

group activity. This is a very difficult standard for a potential claimant to meet (proof by a preponderance of evidence that they contracted the virus at a user group event and not elsewhere).

Frequently Asked Questions for Phase Two

Outdoor

Q1 - My biggest concern is limiting the total people to 50. Is that on the field or around the entire complex?

A - 50 people ("*attendees*") per field including spectators, except for youth sports. For youth sports, while there does not appear to be a numerical limit on "*participants*," physical distancing protocols must be met and FAQs on the Governor's website suggest that the 50 person limit per field applies to a subdivided field. Thus, if you divide a rectangular field into four smaller fields, the 50 person limit applies to each of the 4 fields for a total of 200. For youth sports, spectators are prohibited except for "*parents, guardians, and caretakers who are supervising children playing in the sports event, and other children in the parent's, guardian's or caretaker's care.*"

Q2 - VYSA was saying there would be no parents on the field -- they would need to wait in cars. We don't think this is safe for most of the ages -- even the older ones. Maybe there could be a restraining side line to keep parents, etc., off the field, and be 6 feet apart

A - For outdoor youth sports, "*spectators may not be present with the following exceptions: parents, guardians, and caretakers who are supervising children playing in the sports event, and other children in the parent's, guardian's or caretaker's care.*" There is no numerical limit to this family exception, but physical distancing protocols must be met.

Q3 - It's difficult to put multiple games of the younger age groups on small fields within a big field if we're limited to 10 or 50 persons on the field.

A - "*Participants in outdoor youth recreational sports are not limited to 50% of the occupancy load of the venue or the 50 persons limit.*" For youth sports, while there does not appear to be a numerical limit on "*participants*," physical distancing protocols must be met and FAQs on the Governor's website suggest that the 50 person limit per field applies to the subdivided field. Thus, if you divide a rectangular field into four smaller fields, the 50 person limit applies to each of the 4 fields for a total of 200.

Q4 - WSLC occupies a multi-field complex at Byron Park. We ask that the county be cognizant of this when determining when to return to play. A 50-person limit at the Park would significantly limit our ability to play, but a 50-person per field limit would allow us to do a lot more (if deemed safe). At a minimum, we hope to be able to run at least 2 fields at a time.

A - The capacity limit of 50 applies to each field, not the entire complex. There is no numerical capacity limit on youth sports "*participants*" per field, just physical distancing requirements. If you subdivided a field into smaller fields, the 50 person limit applies to each smaller field.

Q5 - Knowing what is permitted by the State and County guidelines of what we can and cannot do on the fields in the re-opening Phases would help too. Knowing if we are limited to 10 persons, 50 persons, or 50+ and when we can have full practices and or games is important.

A - Capacity of fields is lesser of 50 people or 50% occupancy, except for youth sports. Spectators for outdoor youth sports is limited to family members (no numerical restriction).

Indoor

Q1 - For indoor sports, to alleviate any possible concerns, we can require that only one parent per kid max can attend a game, and require that the parents wear a mask and engage in social distance sitting, if these are still concerns. As the highest amount of kids that would be on the court at any given time is 10.

A - Spectators for indoor sports are limited to "*parents, guardians, or caretakers who are supervising children,*" but there is no numerical limit, other than the 50 person limit on total attendees. Physical distancing rules still apply. Other restrictions are for the user groups to decide, such as masks.

Q2 - Will there be a limit to the number of people allowed in the gym at the same time? if so, who will be responsible for counting people entering/exiting and enforcing the limits at each gym? Gym doors cannot be blocked for fire safety reasons, so how will gyms with multiple entrances/exits be controlled and people counts communicated so the limit is not exceeded?

A - Participants in indoor activities are limited to 30% occupancy or 50 people. Spectators for indoor sports are limited to "*parents, guardians, or caretakers who are supervising children,*" but there is no numerical limit as they would be part of the same household as the participants. It was generally agreed, however, that the total attendees limit of 50 must be met. Physical distancing rules still apply.

Q3 - Will at least one parent/spectator per player be allowed into the gym? would the spectators and players have to sit apart?

A - Spectators for indoor sports are limited to "*parents, guardians, or caretakers who are supervising children,*" but there is no numerical limit as they would be part of the same household as the participants. It was generally agreed, however, that the total attendees limit of 50 must be met. Physical distancing rules still apply, except within a household. That means all spectators and all players must be 10 feet apart from one another unless they are part of the same household. Thus, players on the bench need to be 10 feet apart.

Q4 - How many people can be in a gym at one time, is the head count for player only or all persons in the locations (ie players, coaches, referees, spectators?). Are there social distance requirements?

A - "*The lesser of 50 people or 30% occupancy.*" Spectators for indoor sports are limited to "*parents, guardians, or caretakers who are supervising children,*" but there is no numerical limit as they would be part of the same household as the participants. It was generally agreed, however, that the total attendees limit of 50 must be met. Physical distancing rules still apply, except within a household.

Q5 - Will there be a maximum number of people permitted in the gyms at the same time?

A - Yes, 50 people or 30% but spectators are limited to "*parents, guardians, or caretakers who are supervising children.*"

Q6 - Will practices be permitted to be held in gyms?

A - Yes "*if ten feet of physical distance can be maintained by all instructors, participants, and spectators, with the exception of incidental contact or contact between members of the same household.*"

Q7 - Will games be permitted to be held in gyms?

A - "*Competition that involves close contact with other athletes must be avoided.*" For sports that require "*close contact*" as part of competition (e.g., defense), competition must be avoided. This likely covers most indoors sports including basketball and volleyball, but not badminton.

Q8 - Will weekday and weekends be available for gym use?

A - Yes

Q9 - If FCPS gyms/schools are not permitted for use, would FCPS outdoor courts be permitted for use?

A - Not applicable, as gyms are permitted for use.

Q10 - Will FCPS or NCS require paid Building/Facility supervisors as part of the permit cost? Usually they are provide by the user group.

A - There is no change to FCPS or NCS policy regarding building supervisors. User groups may continue to provide volunteer supervisors.

General

Q1 - How we can provide distance between families, etc.?

A - 10 foot distance required between individuals with exception of "*members of the same household.*" User groups are responsible for compliance.

Q2 - I would like to see outdoor basketball courts open up with notices for social distancing and a prohibition on games. Additionally, it would be great to allow basketball courts in schools to open for practices only with a requirement for masks and social distancing.

A - Outdoor basketball would be subject to the 50 person or 50% occupancy restrictions. Indoor basketball would be subject to the 50 person or 30% occupancy restriction. Basketball would need to address the requirement that "*competition that involves close contact with other athletes must be avoided.*"

Q3 - If COVID-19 insurance is required but not available under existing insurance policy a league has, will FCYBL or NCS offer insurance coverage for a fee?

A - Insurance is user group issue. Most groups report that their general liability coverage does not cover COVID-19 risks.

Q4 - Who will be screening/checking health of game officials prior to a game?

A - That is a user group responsibility.

Q5 - Who would be responsible for cleaning balls and scorekeeping table/chairs/equipment before each game? cleaning supplies are hard to find - will FCYBL or NCS be able to provide them?

A - That is a user group responsibility.

Q6 - Will all players be required to wear masks and gloves to play? coaches? game officials? spectators?

A - Masks are not required in the Governor's Requirements. That is a user group issue. The Park Authority recommend masks for spectators when physical distancing requirement cannot be met.

Q7 - West Springfield Little League ("WSLL") is not capable of determining whether community conditions allow for safe gatherings. For instance, we are not able to monitor whether our participants have been tested. Additionally, regular temperature checks may be difficult, and requiring individual families to certify they and their children are symptom-free probably has limited effectiveness.

A - User groups are responsible for daily screening of coaches, officials, staff, and players for COVID-19 symptoms prior to admission to the venue/facility. "*Children should be screened per the CDC guidance for screening children.*" The CDC guidance for screening children with symptoms: <https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/guidance-for-childcare.html#ScreenChildren>

However, this reference is somewhat confusing as the link is to Examples of Screening Methods for Child Care facilities. The FAQ suggests daily temperature checks by the parent/guardian and confirmation that they are not exhibiting the symptoms that adults are asked about below. It appears that the requirements for youth screening are basically the same as for adults, but adults must verify that their children have been screened appropriately.

"Adults should be asked if they are currently experiencing fever (100.4 degrees or higher) or a sense of having a fever, a new cough that cannot be attributed to another health condition, new shortness of breath that cannot be attributed to another health condition, new chills that cannot be attributed to another health condition, a new sore throat that cannot be attributed to another health condition, or new muscle aches that cannot be attributed to another health condition or specific activity (such as physical exercise). Anyone experiencing symptoms should not be permitted in the venue/establishment. Screenings should be conducted in accordance with applicable privacy and confidentiality laws and regulations."

Q8 - We request that the county provide clear guidance on when it is safe for organizations such as ours to return to play. Such guidance should include the number of people that may be included in gatherings and the minimum safety precautions that should be taken (i.e. whether masks are required for non-participants, what social distancing measures are necessary, what amenities may be provided such as concession).

A - The Governor's Requirements limit attendance for indoor and outdoor activities. Masks are not required by the Governor's Requirements. That is a user group decision. Concessions would be covered like any other business activity involving concessions. There are no special rules for sports concessions.

Q9 - As you make these decisions, please take into consideration the unique differences of various sports leagues. For instance, WSL (baseball) is comprised of approximately 50 teams of 12 children. Each team has 3 or more adult volunteer coaches. All players have individual gloves. Some share bats and helmets, but we are probably capable of individually assigning those items to players who don't already have their own. Players share catchers' gear, but we can limit the number of catchers and disinfect gear between uses. Baseball involves little player-to-player contact, and we can alter our rules to further minimize such contact (e.g., limiting base-stealing).

A - The Governor's Requirements on physical distancing apply to all activities but impact sports differently depending on how the activity is run. "*Competition that involves close contact with other athletes must be avoided.*" This suggests that many sports may not have competition during Phase Two due to the nature of play, especially defensive play. Hygiene rules are up to the user group.

Q10 - Finally, we request recommendations and assistance regarding safety measures that should be taken. WSL has formed a committee to develop our own safety measures. Our current draft guidance is attached (this is not a final product). We appreciate your assistance in building and augmenting this guidance. To best implement such safety measures, we would appreciate your help with providing things such as hand-washing stations, masks, and sanitation products, among other things.

A - User group practices and protocols should be shared. Hygiene among participants is a user group responsibility.

Q11 - Will masks be required for all participants and attendees?

A - Masks are a user group issue.

Q12 - Will hand-sanitizer be required of all participants and attendees?

A - Hygiene is a user group issue.

Q13 - What guidance can the County provide youth sport programs for managing legal liability issues?

A - Insurance and legal liability are user group issues.

Q14 - Can County provide guidance on social distancing guidelines for younger children?

A - The Governor's Requirements specify 10 foot physical distancing regardless of age. The only exception is members of the same household.

Q15 - Is any consideration being given regarding cost concerns with CDC recommendations for sanitizing stations, wearing masks, gloves, testing, temperature taking, etc - can NCS / County provide some relief to youth sport programs?

A - Hygiene and screening are user group responsibilities

Q16 - Will there be carve-outs for specific sports...ie will some be defined as contact and therefore not allowed, even when things reopen?

A - No, but "*competition that involves close contact with other athletes must be avoided.*" It was generally agreed that baseball, softball, cricket and some forms of volleyball (4 on 4) do not "*involve close contact*" while others, such as football, lacrosse, basketball, and soccer, do "*involve close contact*" as defenders must be within 10 feet of opposing players to cover them in normal game situations.

Q17 - What requirements are there regarding:

- a. Hand sanitizer
- b. Equipment wipe down
- c. Bathroom usage
- d. Water fountain usage

A - Hygiene is user group responsibility. The County is responsible for bathrooms and water fountains and signage related to each.

Q 18 - Are there guidelines to follow if a member contracts the virus. Player, coach, parent, official. (Will the player, team, or group be required to quarantine?)

A - This is a user group responsibility. See CDC guidelines or County Health Department for reporting requirements, if any.

Q19 - Regarding equipment issues, will goals, balls, and other equipment, will it need to be cleaned after each use?

A - Sanitation of equipment is a user group issue.

Q20 - These guidelines need to be standardized across all user groups. It's very difficult to explain to kids and parents why one club or group is playing full-field 11v11 with no safety precautions when the protocol for phase 1 is individualized training, social distancing, and masks. Some sort of enforcement mechanism will need to be implemented like revoking permits if the guidelines aren't being adhered to.

A - The Governor's Requirements, such as capacity limits and physical distancing, apply to all activities equally, with standard exceptions for indoor and outdoor youth sports. Issues left to user groups may vary, such as hygiene and mask requirements. Violation of the Governor's Requirements could lead to revocation of permits. Violations of user group rules is an issue left to the user group.

Q21 - Facility owners are required to ask participants health question in a medically confidential manner at each practice, event, game. Is FCPS, NCS or FCPA providing any uniform SOP on how this is going to be done? Will it be part of the permit requirements and transferred to the Athletic Organizations?

A - The Governor' Requirements provide the specific questions to be asked: "*Children should be screened per the CDC guidance for screening children. Adults should be asked if they are currently experiencing fever (100.4o or higher) or a sense of having a fever, a new cough that cannot be attributed to another health condition, new shortness of breath that cannot be attributed to another health condition, new*

chills that cannot be attributed to another health condition, a new sore throat that cannot be attributed to another health condition, or new muscle aches that cannot be attributed to another health condition or specific activity (such as physical exercise)."

Q22 - For the contact tracing and reporting, are there participant answers that will trigger notification to NCS or health authorities by the permit holder?

A - The Governor's Requirements do not address contact tracing or reporting

Q23 - Are there going to be procedures and notification for cancelling a permit where social distancing is observed to be non compliant?

A - Procedure for notification and cancelling permits is the same as with other violations of County rules.

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