



Mask Mandate for PK-12 Schools

1 message

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# Appendix J

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## Mask Mandate for PK-12 Schools

On August 4, 2021, Governor Pritzker announced a new mandate requiring universal masking in all pre-kindergarten through grade 12 public and nonpublic schools immediately. The written executive order, which can be found [here](#), requires the indoor use of face coverings by students, staff, and visitors who are over the age of two and able to medically tolerate a face covering, regardless of vaccination status, and consistent with CDC guidance. This masking mandate is in addition to implementing other layered prevention strategies, such as physical distancing, screening testing, ventilation, additional cleaning, and the like. The order notes that the Illinois Department of Public Health (IDPH) and Illinois State Board of Education (ISBE) will be issuing updated guidance and recommendations to allow schools serving pre-kindergarten through grade 12 students to conduct in-person teaching and learning.

The mandate extends to pre-kindergarten through grade 12 indoor recreational sports. However, outdoor activities, where transmission risks and rates are lower, will not require masking by athletes and coaches. The Governor encouraged districts to continue regular testing to catch outbreaks early and prevent further spread. He also confirmed that the State will supply masks to any school districts who need them and will continue to provide testing supplies. Pritzker advised he will watch for significant reduction in transmission, vaccination rates, and availability of the vaccine to those under age twelve in evaluating the continuation of the mask mandate, but emphasized that the goal is for every student to go to school and that the school environment is safe.

The new executive order eliminates the authority of school boards to adopt "mask optional" plans for the start of 2021-2022 school term. When asked about enforcement of the mask mandate, Pritzker cited both the potential liability exposure for disregarding the mandate and the authority of ISBE to change recognition status and, by extension, impact school district funding. The Governor also said he would take action to enforce the mandate as needed. School boards who have already adopted "mask optional" plans should revise the plans in accordance with the new mandate. We will provide further updates when the updated guidance from IDPH and ISBE are issued. Please contact a Robbins Schwartz attorney with questions.

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