



Written by [Veronika Kyrylenko](#) on August 31, 2021

Florida Department of Education Withholds Funds From School Districts Mandating Masks for Students

Florida Governor Ron DeSantis is keeping his word to withhold funds from local school boards that mandate masks in schools.

In [a statement](#) Monday, Education Commissioner Richard Corcoran announced that the department has withheld the salaries of the school board members for Alachua and Broward Counties, two districts that imposed a mask mandate for its students.

The statement reads:

Each district has implemented a mandatory face mask policy that violates parental rights by not allowing a parent or legal guardian to opt-out their child, as required by [Florida Department of Health Emergency Rule 64DER21-12](#). The withholding of funds will continue monthly until each school board complies with state law and rule.



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Corcoran added that since parents know what is best for their children, the department will continue “to fight to protect parent’s rights to make healthcare decisions for their children.”

The statement also notes that each county where the non-compliant school districts are located is also prohibited from reducing any expenditures “other than those related to compensation for school board members, and clearly states each district may not permit the reduction of funds to impact student services or teacher pay.”

The commissioner further signaled that additional sanctions may be applied should the districts continue violating the state’s law and rule on prohibition of the mask mandates. According to [Bloomberg](#),

If the State Board of Education determines a district is unwilling or unable to comply with the order, the board can “withhold the transfer of state funds, discretionary grant funds, discretionary lottery funds, or any other funds” until the district complies with the law.

The superintendents of both counties [reportedly](#) said Tuesday that they plan to continue to mandate masks without a parental opt-out. The school districts have been insisting that masks are necessary protective measures since many students are too young to receive vaccination against COVID, and the



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lack of a mask mandate not only “puts students at risk, but staff and their families to whom they could bring the disease home to.”

Despite the mounting evidence that masks are not just ineffective in preventing COVID, but actually hurt children’s health (see [here](#), [here](#), [here](#) and [here](#)), Alachua County Public Schools Superintendent Carlee Simon sees her mask enforcement as an act of courage. “Our School Board members made a courageous decision to protect the health and lives of students, staff and the people of this community, and a court has already ruled they had the legal right to do so. They deserve praise, not penalties,” Simon [said](#) on Tuesday.

Her colleague, Vicky Cartwright from Broward County, has also implied the board knows what’s best for each and every staff member, teacher, and child in the district, whose “health and safety” is the board’s “top priority.” As such, the county schools “will continue to mandate masks, knowing the data shows they help minimize the spread of COVID-19 in our schools,” Cartwright said.

Jared Ochs, the director of communications for the state’s Department of Education, [told](#) NBC News Tuesday that the school funds have been withheld since last Thursday, and that the department plans to adhere to the rule of law. Should the court strike down the governor’s order prohibiting mask mandates in schools, the appeal would be filed “immediately,” Ochs vowed.

Last week, Judge John C. Cooper of Florida’s 2nd Circuit Court sided with parents from six Florida counties who challenged DeSantis and state education officials, arguing the state cannot require districts to offer voluntary mandates over “the preservation of general welfare.” However, Cooper [said](#) he could not strike down a state Department of Health rule that was based on DeSantis’ order in question. The rule provides for, in particular, that any local school mask mandates must allow parents to opt out. In addition to that, the health department was not named as a defendant in the lawsuit.

On Monday, the U.S. Education Department [announced](#) that it had opened civil-rights investigations into the policies of five states with mask mandate bans. The inquiry will include potentially “discriminatory” mask policies in Iowa, South Carolina, Utah, Oklahoma, and Tennessee. The department later [added](#) it is also investigating other states with similar bans — including Texas, Florida, Arkansas, and Arizona — because those bans are not currently being enforced, either due to court orders or other actions.

When announcing the move to prevent school boards from mandating masks, DeSantis stressed the decision for children to wear or not to wear a mask solely depended on parents. “Parents can choose how they want to equip their kids for going to school,” the governor [said](#) at the time, “We believe parents have that right. I think the White House tried to say I prohibited parents from making that decision — it’s just the opposite, we’re empowering them.”

The Florida policy contradicts the recent Centers for Disease Control and Prevention (CDC) [recommendation](#) that all K-12 public schools students, staff, teachers and visitors (age two and older) wear masks in most indoor public settings regardless of COVID vaccination status.

Many school districts in Florida were scheduled to begin classes on August 10, and almost all public schools would open before the end of the month, [Bloomberg reported](#). Tom Kozlik, head of municipal research & analytics at Hilltop Securities, told the outlet state monies make up nearly 40 percent of Florida school funding, which means withholding them could have a “severe negative credit impact.”



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