



Written by [Raven Clabough](#) on October 8, 2021

Florida Sanctions Eight School Districts for Requiring Masks Without Parental Opt-outs

The Florida Board of Education sanctioned eight school districts on Thursday for implementing mask mandates that do not include provisions allowing parents the choice to opt their children out of the requirement.

The sanctioned school districts — Alachua, Brevard, Broward, Duval, Leon, Miami-Dade, Orange, and Palm Beach — violated the Florida Health Department’s emergency rule issued on September 22, which instructs the Florida Department of Health and the Florida Department of Education to ensure safety protocols are in place for controlling the spread of COVID-19 while ensuring that constitutional freedoms and parental rights remain protected, the Daily Wire [reported](#).

The [emergency rule](#) states,

This emergency rule conforms to Executive Order Number 21-175, which ordered the Florida Department of Health and the Florida Department of Education to ensure safety protocols for controlling the spread COVID-19 in schools that (1) do not violate Floridians’ constitutional freedoms; (2) do not violate parents’ rights under Florida law to make health care decisions for their minor children; and (3) protect children with disabilities or health conditions who would be harmed by certain protocols, such as face masking requirements. The order directs that any COVID-19 mitigation actions taken by school districts comply with the Parents’ Bill of Rights, and “protect parents’ right to make decisions regarding masking of their children in relation to COVID-19.”

The rule, which outlines protocols for routine classroom cleanings and handwashing and details how to handle sick and COVID-positive students, permits schools to adopt requirements for students to wear masks or facial coverings as a mitigation measure, but requires the schools to allow parents or legal guardians the ability to opt their children out of wearing the masks.

In spite of permitting the schools to impose mask rules as a mitigation measure, the emergency rule notes the state’s Department of Health “observed no meaningful difference in the number of COVID-19 cases in school-aged children in counties where school districts have imposed mask mandates.”

However, the emergency rule also emphasizes the importance of minimizing the amount of time students are removed from in-person learning, and it is likely that the concession on mask requirements is intended to prevent quarantining healthy students.

Initially, a dozen school districts defied the state’s instructions on masks, but several backed down,



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leaving just the eight sanctioned school districts out of compliance.

Florida Governor Ron DeSantis touted the rule as a “symptom-based approach” to the state’s public-health policies in order to ensure in-school learning is not needlessly interrupted. Under the rule, students who are symptomatic and/or have received a positive COVID test are not permitted to attend school until 10 days after the symptoms began or the positive test was received. However, parents of students who are exposed to COVID-19 are permitted to use their discretion in determining whether their child should be quarantined or continue in school learning, so long as the student remains asymptomatic. If the parents or guardians decide to quarantine the student, they may only do so for a period of seven days from the date of the last direct contact with the COVID-19 positive individual.

According to Education Commissioner Richard Corcoran, the data shows that 98 percent of the children who were forced to be quarantined after exposure to COVID-positive individuals in the last year “never became symptomatic.” As such, the previous health policies had virtually no effect on stopping the spread of the virus, but instead created a “chronic absenteeism pandemic,” Corcoran asserted.

“Parents have the right to have their healthy kids in school. In-person education is important for a students’ wellbeing, their educational advancement, and their social development,” Governor DeSantis said in a September 22 [news release](#) when the rule was announced. “The idea that schools are somehow a big problem when it comes to spread of the virus has been refuted yet again. Not only is the forced quarantining of healthy children disruptive to a student’s education, but many folks in Florida are not able to work from home. With this rule, we are following a symptom-based approach to quarantining students in Florida.”

State Surgeon General Joseph Ladapo supports the rule, declaring, “We must make sure that we are doing what is right for parents and for students. There’s not a single high-quality study that shows that any child has ever benefited from forced quarantining policies, but we have seen demonstrable and considerable harm to children. It’s important to respect the rights of parents.”

Before Thursday’s vote, the State Board took public comments via phone, with most calling to complain about the masking requirements in schools, *Tampa Bay Times* reported. Many of the callers said they attended school-board meetings to protest the requirements, but were thrown out of the meetings.

The sanctioned school districts are now at risk of losing funds “in an amount equal to 1/12 of all school board members’ salaries,” per the Florida Board of Education Commissioner Richard Corcoran, CNN reported. The Board of Education will also withhold any amount equal to federal grant funds [awarded](#) to those districts by the Biden administration intended as an incentive to impose mask mandates.

The eight counties have 48 hours to come into compliance before the monthly penalties are imposed, *Tampa Bay Times* reported.



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