



# Coronavirus/COVID-19: Mask Mandate FAQs for Oklahoma Public Schools

UPDATED SEPT. 2021

## Can a school district adopt a mask requirement despite the provisions of Senate Bill 658?

- Yes. On Sept. 1, 2021, the Honorable Natalie Mai, issued a [temporary injunction](#) blocking enforcement of certain sections of Senate Bill 658, namely those at [70 O.S. § 1210.189\(A\)\(3\)](#) prohibiting a mask mandate for unvaccinated K-12 students and [70 O.S. § 1210.190](#) prohibiting a board of education of a public school district from implementing a mask mandate. In the ruling, Judge Mai stated the temporary injunction would not go into effect until a written order was on file, to occur on or before Sept. 8, 2021.
- Following the ruling, the Oklahoma State Department of Education [announced](#) that, effective immediately, it would not enforce these provisions of Senate Bill 658 and further guidance would be made available concurrent with updates to the legal proceedings. On Sept. 8, the written temporary injunction order was filed in Oklahoma County District Court.
- As of the filing of the written order, and so long as it remains in effect, school districts may enact a mask mandate and need not follow the portion of the law that requires a board of education to consider the mask mandate at each regular board meeting.

## If a district adopts a mask mandate for students, staff and visitors, must it provide exemptions?

- Yes. The written order enjoining enforcement of Senate Bill 658 requires that any mask mandate must:
  1. Allow religious, medical and personal exemptions for students. This is analogous to the exemptions provided in the state's [immunization laws](#).
  2. Apply equally to vaccinated and unvaccinated students.

- In addition, federal law allows employee exemptions for religious reasons under Title VII and medical (disability) reasons under the Americans with Disabilities Act.
- In considering the adoption of a mask mandate, or any other mitigation efforts to prevent the spread of COVID-19, school districts are encouraged to consult with their retained legal counsel.
- emerge. Anticipating this, school leaders can help by making testing available to promptly identify cases and taking swift action when a positive case is identified.