

Illinois Judge Halts Mask and COVID Mandates for Schools as Gov. Pritzker Vows to Fight Back



School districts across the state of Illinois are celebrating after a Sangamon County judge ruled that beginning Monday, schools would [no longer be forced](#) to mandate masks, COVID vaccines or testing requirements.

The ruling was handed down Friday by Circuit Court Judge Raylene Grischow, who ruled against Governor JB Pritzker's mask mandate inside school buildings after a lawsuit was brought by 700 parents and teachers from more than 150 school districts.

The [restraining order](#) voided emergency rules from the Illinois Board of Education requiring regular testing or proof of vaccination from school staff. It also voids rules from the [Illinois Department of Public Health](#) outlining a school's obligation to "exclude" students from school who have

confirmed cases of COVID or are a “close contact” to someone with COVID.

The judge’s order also blocks the nearly 170 school districts named in Greenville attorney Thomas DeVore’s lawsuits from enforcing mask requirements and exclusion rules for students and staff as well as vaccination and testing requirements for school staff without “due process.”

“If the Legislature was of the opinion that the public health laws as written were not satisfactory to protect public health from COVID, it has had adequate opportunity to change the law since March 2020,” wrote Grischow in her [29-page ruling](#).

Gov. Pritzker enlisted the Illinois Attorney General’s office to file an expedited appeal from the Fourth District Illinois Appellate Court.

Pritzker said removing mandates will cause COVID numbers to rise, and said the requirements were put in place “out of an abundance of caution for students and staff” despite the fact the Centers for Disease Control and Prevention (CDC) and scientific community has acknowledged [face masks do not work](#).

Pritzker [said in a statement](#):

“The grave consequence of this misguided decision is that schools in these districts no longer have sufficient tools to keep students and staff safe while COVID-19 continues to threaten our communities – and this may force schools to go remote. This shows yet again that the mask mandate and school exclusion protocols are essential tools to keep schools open and everyone safe. As we have from the beginning of the pandemic, the administration will keep working to ensure every Illinoisan has the tools needed to keep themselves and their loved one’s safe.”

The governor, [DeVore said](#), was creating “workarounds around

the law and trying to take people's rights away. The judge acknowledged that."

The [Illinois Federation of Teachers](#) is insisting school districts statewide abide by existing agreements on health and safety threatening to implement remote learning if schools do not do what they say.

In August, [Pritzker said](#) all schools would be required to mask all students and staff. This reversed his decision from July, when he said it would be up to the district. In September, he stated all school personnel would need to be vaccinated, or submit to weekly testing.

Illinois bureaucrats are displeased with the decision, accusing the judge of making a "legally faulty" ruling that threatens public health. Chicago public schools are refusing to drop their mask mandates for the 350,000 children in their district, while schools in rural areas and almost everywhere else are making masks optional and celebrating the removal of a policy that was harming students and interfering with their ability to breathe, communicate and learn.

Kimberly Smoot, a family and consumer science teacher at [Springfield High School](#), said she was encouraged by the judge's ruling.

"It means I can make my own decision about whether to wear a mask on Monday or not," Smoot said. "All along, it was always about my rights and my freedoms being taken away, much more so than anything."

"I'm just thrilled the judge agreed with us and issued the TR0," Smoot added. "I guess it just says that the judge understands where we're coming from when we say we just want our due process and not a blanket 'you have to do this no matter what.'"

The 700 parents who initiated the lawsuit represent a large

fraction of other parents and children who oppose mask mandates, and they say they are not backing down.

The [original 11-count complaint](#) filed on behalf of parents sought injunctions to stop school districts around the state from requiring masks or excluding students from school based on COVID exposure.

The lawsuit was brought against 140 school districts as well as the governor and heads of the state department of health and board of education. A separate [class-action lawsuit](#) was brought forward by DeVore on behalf of teachers but was not allowed to proceed due to technicalities involving the certification of the class.

Read Gov. Pritzker's full statement [here](#).