

Judge Strikes Down Federal COVID Vaccine and Mask Mandate for Head Start Program



In a devastating blow to yet another one of the Biden administration's COVID-19 vaccine mandates, a federal judge in Louisiana on Wednesday ruled the government [cannot require](#) Head Start program teachers, staff and volunteers be vaccinated against COVID-19, nor can they require that adults and children wear face masks.

The [jab-or-job mandate](#) affected nearly 280,000 Head Start Program teachers, staff and volunteers and more than [one million children](#).

U.S. District Court Judge Terry A. Doughty wrote:

“The public interest is served by maintaining the constitutional structure and maintaining the liberty of individuals who do not want to take the COVID-19 vaccine.

This interest outweighs Agency Defendants' interests. The public has a liberty interest in not being required to take a vaccine or be fired from their jobs. The public interest must be taken into account before allowing Agency Defendants to mandate vaccines. Although vaccines arguably serve the public interest, the liberty interests of individuals mandated to take the COVID-19 vaccine outweigh any interest generated by the mandatory administration of vaccines."

The lawsuit was [originally filed](#) in Dec. 2021 by teacher Sandy Brick in an effort to stop the mandate. The Liberty Justice Center, a national law firm, and the Louisiana-based Pelican Institute for Public Policy took the case.

"Although President Biden recently declared that the 'pandemic is over,' the fight to restore Americans' individual liberties is not," said Daniel Suhr, managing attorney at the Liberty Justice Center in a statement.

"We will continue to fight for teachers like Sandy and the low-income students they serve until every illegal and unjustified mandate is wiped from the books," he added. "Today's decision is a significant step toward undoing the injustice perpetrated against everyday Americans throughout the COVID-19 crisis."

"Louisiana teacher Sandy Brick has been serving her students through adversity and uncertainty the last two years. Today, this decision vindicates her right to teach without sacrificing her freedom," said Sarah Harbison, general counsel at the Pelican Institute for Public Policy.

According to the [Liberty Justice Center](#), Head Start programs help children up to age 5 from families at or below the federal poverty level prepare for school. Head Start agencies are local, primarily nonprofit or governmental providers that receive federal funding to provide services for these children.

Brick's [lawsuit was filed](#) in response to the Office of Head Start under the Department of Health and Human Services publishing an "interim final rule" on Nov. 30, 2021, that required teachers, staff and volunteers in Head Start programs to be "fully vaccinated" by Jan. 31, 2022, or face losing their jobs.

A universal mask mandate was also forced on all adults and children over two years old, despite no science supporting the practice.

The federal government must now decide whether to appeal the ruling of the Western District to the Fifth Circuit Court of Appeals – the same court that blocked the government's vaccine mandate for private businesses.

The Head Start mandate was one of five federal mandates included in President Biden's COVID-19 action plan announced on September 9, 2021. The Liberty Justice Center and Pelican Institute also challenged the Biden administration's vaccine-or-test mandate for private employers that affected more than 80 million Americans.

The [lawsuit](#) was filed on behalf of Louisiana business owner Brandon Trosclair and six Texas CaptiveAire employees in the Fifth Circuit Court of Appeals and was blocked on Jan. 13, 2022, by the U.S. Supreme Court.