

# Appeals court backs Florida's ban on school mask mandates

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(HealthDay)—The law on whether or not students in Florida schools will

be required to wear masks has changed again.

On Friday the First District Court of Appeal in Tallahassee reinstated that state's ban on [school](#) mask mandates, *CBS News* reported.

The issue has been in flux since July, when Governor Ron DeSantis signed an executive order barring school districts from requiring that students and staff wear face masks.

Some local [school districts](#) went ahead and imposed their own mask mandates, despite the order.

Then the Florida Board of Education cut funding for school board members in those districts.

The U.S. Department of Education then weighed in on the issue, announcing a new grant program last week that would restore some of the funding that was cut when school leadership imposed mask mandates.

Local schools and staff can apply for the extra funding. "Every student across the country deserves the opportunity to return to school in-person safely this fall, and every family should be confident that their school is implementing policies that keep their children safe," said U.S. Secretary of Education Miguel Cardona. "We should be thanking districts for using proven strategies that will keep schools open and safe, not punishing them."

In a decision earlier this month, Leon County Circuit Judge John Cooper allowed schools to mandate [masks](#) and called DeSantis' order unconstitutional, *CBS News* reported.

But Friday's appeals court ruling reverses that decision.

"When a public officer or agency seeks appellate review, which is the case here, there is a presumption under the rule in favor of a stay, and the stay should be vacated only for the most compelling of reasons," read the order from the First District Court of Appeal in Tallahassee. "Given the presumption against vacating the automatic stay, the stay should have been left in place pending appellate review."

DeSantis responded to the latest ruling on Twitter.

"No surprise here—the 1st DCA has restored the right of parents to make the best decisions for their children," DeSantis said. "I will continue to fight for parents' rights."

**More information:** The U.S. Centers for Disease Control and Prevention offers these [guidelines for schools](#).

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