

# Judge Ends Federal Vaccine and Mask Mandates for Head Start School Programs

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Head Start agencies are local or governmental providers that receive federal funding to provide Head Start preschool services for low income families with children two through five years old. The Office of Head Start under the Department of Health and Human Services (HHS) published an “interim final rule” on Nov. 30, 2021 requiring about 280,000 teachers, staff and volunteers in Head Start programs be “fully vaccinated” by Jan. 31, 2022, or face losing their jobs. It also placed a universal mask mandate on all adults and children over two years old. Federal Judge Terry Doughty struck down the Biden administration’s vaccine and mask mandate for the early education program. He wrote, “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.”

Why should low-income children be the only ones still forced to wear masks?

On Wednesday, a federal judge struck down the Biden administration’s vaccine and mask mandate for the early education program, Head Start.

“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," wrote Judge Terry Doughty of the U.S. District Court for the Western District of Louisiana.

Head Start is a federal program that pays for preschool for low-income families. Last year, the Biden administration issued a requirement that all teachers and staff involved in the program get a COVID-19 vaccine. The government also established a mask mandate for all children involved in the program who are older than two; the mandate covers all indoor situations and outdoor situations in which social distancing cannot be maintained.

Such a policy is out of step with Centers for Disease Control and Prevention (CDC) recommendations, which no longer proscribe general mask-wearing. Most U.S. schools are now mask-free, aside from a few urban outliers. (Some Washington D.C.-area colleges have remained stubbornly masked, for instance.) By requiring masks for Head Start participants, the federal government has effectively created a two-tiered early education system in which economically disadvantaged children would be the only ones still wearing masks.

The Biden administration has signaled that it would not enforce its mandates, leaving individual schools to decide whether to flout them. That puts the schools in the unfair position of knowing they *shouldn't* enforce the mandates but could *theoretically* get themselves in trouble if they don't.

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