WHEREAS, the World Health Organization officially declared a pandemic due to COVID-19
on March 11, 2020; and

WHEREAS, the Governor of the State of Arizona, in response to the COVID-19 pandemic
issued a Declaration of Emergency on March 11, 2020, authorizing the Director of the
Arizona Department of Health Services ("Director") to coordinate all matters pertaining to
the public health emergency response of the State in accordance with Arizona Revised
Statutes ("A.R.S.") Title 36, Chapter 6, Article 9; and

WHEREAS, as of November 18, 2020, there have been 283,102 diagnosed cases of
COVID-19 in Arizona including 6,365 deaths, and the State continues to see increased
numbers; and

WHEREAS, mitigation measures need to be sustained to ensure continued containment,
protect public health and safety and mitigate the strain on Arizona’s healthcare systems;
and

WHEREAS, on July 23, 2020, the Governor of the State of Arizona issued Executive Order
2020-51, pursuant to which "[a]ll school districts and charter schools shall develop and
implement a policy to require face coverings, such as face masks or face shields, for all
staff and students over the age of five until the Arizona Department of Health Services
determines that face coverings are no longer necessary or recommended to contain the
spread of the virus"; and

WHEREAS, pursuant to Executive Order 2020-51(5):

a. A school district or charter school’s policy to require face coverings "shall include
exceptions for instances when students can socially distance or are outside in
playground settings with distancing, and shall allow breaks for students to take their
face covering off in a safe environment.

b. Schools shall incorporate other restrictions and exceptions consistent with guidance
from the Centers for Disease Control and Prevention.

c. Cloth face coverings should not be worn by children under the age of 2 or anyone
who has trouble breathing, is unconscious, incapacitated, or otherwise unable to
remove the mask without assistance."; and

WHEREAS, while wearing a mask or face covering can prevent the wearer from spreading
infection to others, the Centers for Disease Control and Prevention recently released
important updates to their mask data and guidance, including new studies showing that
wearing a mask can also protect the wearer from the infectious droplets from other people. This data further supports community masking to reduce the spread of COVID-19, especially when it comes to those who have COVID-19 but don’t exhibit symptoms; and

WHEREAS, asymptomatic people are estimated to account for more than half of COVID-19 transmissions; and

WHEREAS, although current mask mandates, limitations on group gatherings, and closure of certain businesses resulted in improvements slowing the growth in numbers of cases during the summer, Arizona is seeing another increase in COVID-19 cases and as we approach the holidays, these measures not only need to continue, but need to be increased due to the increasing rates of hospitalizations and high numbers of cases; and

WHEREAS, the Director, pursuant to the Declaration of Emergency and as authorized by A.R.S. §§ 26-307(A) and 36-787(A), may make, amend, and rescind orders, rules, and regulations necessary for emergency functions and shall coordinate all matters pertaining to the public health emergency response of the State; and

WHEREAS, pursuant to A.R.S. § 36-787(A)(1) and (2), the Arizona Department of Health Services ("ADHS") has primary jurisdiction, responsibility, and authority for planning and executing the public health emergency mitigation response for the State and coordinating the public health emergency response among State, local and tribal authorities; and

WHEREAS, the Director, pursuant to A.R.S. § 36-136(H), may define and prescribe emergency measures for detecting, reporting, preventing or controlling communicable or infectious diseases or conditions if the Director has reasonable cause to believe that a serious threat to public health and welfare exists. Emergency measures are effective for no longer than eighteen months; and

WHEREAS, to attempt to both prevent and control the continued spread of COVID-19, which still poses a serious threat to public health and welfare, it is necessary to prescribe emergency measures to mandate face coverings at all schools and charter schools in the State.

NOW, THEREFORE, I, Cara Christ, M.D., M.S., by virtue of the authority vested in me as the Director of ADHS, in order to address the State of Emergency and the serious threat to public health and welfare posed by the continued spread COVID-19 hereby prescribe the following Emergency Measure:

1. Each school district and charter school shall immediately mandate that masks are worn on school campus, on school buses, during school-associated activities, and

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while participating in or observing any school-associated athletic activities, by all
students, faculty, staff, contractors and visitors.

   a. Exceptions shall be made for instances when students can socially distance
      or are outside in playground settings with distancing, and students shall be
      allowed to take their masks off during breaks and while in a safe environment.

   b. Students who are engaged in high intensity activities, like running, shall not
      be required to wear a mask if it causes difficulty breathing.

   c. Masks should not be worn by children under the age of 2 or anyone who has
      trouble breathing, is unconscious, incapacitated, or otherwise unable to
      remove the mask without assistance.

   d. School districts and charter schools shall abide by other restrictions and
      exceptions consistent with guidance from the Centers for Disease Control
      and Prevention, including recommendations for those who have sensory,
      cognitive, or behavioral issues.

2. Notwithstanding any other law or Executive Order, for purposes of executing this
   Emergency Measure and in order to ensure coordination between the State and
   local authorities related to this Emergency Measure, law enforcement, any regulatory
   agency, pursuant to their regulatory authority, ADHS and local health departments
   may take immediate action for operation in violation if this Emergency Measure.

3. Notwithstanding any other law, if ADHS becomes aware of continued actions taken
   by the entities covered by this Emergency Measure that jeopardize the health, safety
   and welfare of the public, ADHS will take additional action as necessary to protect
   the health, safety and welfare of the public.

4. If any provision of this Emergency Measure or its application to any person, entity or
   circumstance is held invalid by a court of competent jurisdiction, this invalidity does
   not affect any other provision or application of this Emergency Measure, which can
   be given effect without the invalid provision or application. To achieve this purpose,
   the provisions of this Emergency Measure are declared to be severable.

5. This Emergency Measure shall remain in effect for no longer than eighteen months.

Having authority to do so under Arizona law, I have executed this Emergency Measure on
this 19th day of November, 2020.

Cara Christ, M.D., M.S., Director, Arizona Department of Health Services
ON this 19th day of November, 2020,

Cara Christ, M.D., M.S., Director of the Arizona Department of
Health Services, signed and acknowledged this document
in my presence.

K. Crawford
Notary Public