

**ARIZONA DEPARTMENT OF HEALTH SERVICES**  
**EMERGENCY MEASURE 2021-02**  
***(Rescinding Emergency Measure 2020-04)***

**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**, 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**, 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**, on November 19, 2020, the Director, to attempt to both prevent and control the continued spread of COVID-19, mandated face coverings at all schools and charter schools in the State through Emergency Measure 2020-04; and

**WHEREAS**, on March 19, 2021, the Center for Disease Control and Prevention (the “CDC”) issued updated [Operational Strategy for K-12 Schools](#) and [Indicators for Dynamic School Decision Making](#) (collectively the “Recommendations”); and

**WHEREAS**, the Recommendations identify “universal and correct use of masks” as one of the five key prevention strategies in the Essential Elements; and

**WHEREAS**, the Arizona Department of Education has issued a Roadmap for Reopening Schools (the “Roadmap”); and

**WHEREAS**, on March 29, 2021, ADHS adopted the CDC’s Recommendations in its [K-12 School Guidance for Covid-19](#) (the “Guidance”); and

**WHEREAS**, Arizona’s mass distribution of the vaccine has resulted in the administration of 4,495,519 doses of COVID-19 vaccine to 2,736,235 individuals in Arizona, including 1,926,181 who have been fully vaccinated; and

**WHEREAS**, the availability of vaccines has grown, allowing for additional vaccine appointments to be opened to more age groups, including those 16 and older; and

**WHEREAS**, as more and more of Arizona’s population becomes vaccinated, the risk previously posed by COVID-19 that our healthcare institutions will exceed capacity is decreasing as Arizona has seen the number of cases, hospitalizations, and deaths continue to decrease over the last seven weeks.

**NOW, THEREFORE**, I, Cara Christ, M.D., M.S., based on the foregoing and by virtue of the authority vested in me as the Director of the Arizona Department of Health Services, hereby prescribe:

1. Emergency Measure 2020-04, *Slowing the Spread of COVID-19 in Schools* is rescinded.
2. K-12 school districts and charter schools in the State are encouraged to continue to take actions consistent with the CDC Recommendations, the Roadmap and the Guidance to prepare for, respond to, and mitigate community spread of COVID-19.
3. K-12 school districts and charter schools still maintain the right to institute and enforce policies to mitigate against COVID-19 spread including the use of masks.

Having authority to do so under Arizona law, I have executed this Emergency Measure on this 19<sup>th</sup> day of April, 2021.



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**Cara Christ, M.D., M.S., Director, Arizona Department of Health Services**

ON this 19<sup>th</sup> day of April, 2021,

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

*Vanessa Renee Gonzales*

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**Notary Public**

