

<b><i>Subject:</i></b>  <b><i>Regarding face coverings in public schools</i></b>	<b><i>Legal Reference—Ed 306.04</i></b>
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*This Technical Advisory continues the New Hampshire Department of Education’s communication regarding the use of face coverings in public schools.*

In February 2022, the Department issued a Technical Advisory based on the New Hampshire Division of Public Health’s updated recommendations for the use of face coverings. As of February 23, 2022, the New Hampshire Division of Public Health no longer recommended the use of universal face masks in school settings. Prior to the issuance of this February guidance, the Department had maintained that school districts had the authority to require students to wear masks under their own school health and safety policies. See Ed 306.04(a)(2) and (22). Pursuant to current recommendations of the New Hampshire Division of Public Health, mask requirements in school policies are inconsistent with the Ed 306 rules. A mask requirement may violate the district’s obligation to maintain policies that “Meet[] the instructional needs of each individual student,” Ed 306.04(a)(6), “[p]romot[e] a school environment that is conducive to learning,” Ed 306.04(11), and that “[m]eets the special physical health needs of students.” Ed 306.04(a)(22). Public school districts do not have the authority to issue policies and procedures that require all students to wear face coverings under their own school health and safety policies.

On Aug. 11, 2022, the New Hampshire Division of Public Health further updated its guidance relative to isolation and guidance, which is available here: [Isolation & Quarantine Information | NH COVID-19 Response](#).

**For questions related to this Technical Advisory, please contact:**

Elizabeth A. Brown  
Counsel for the New Hampshire Department of Education  
Phone: 603-271-6388  
[Elizabeth.A.Brown@doe.nh.gov](mailto:Elizabeth.A.Brown@doe.nh.gov)