

School District Orders Georgia Mom to Wear Mask or Be Barred From Son's Football Game Despite Religious Objections and Social Distancing Mandate

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by [The Rutherford Institute](#)

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[The Rutherford Institute's letter to the Fulton County Schools Superintendent](#)

ATLANTA, Ga. – The Rutherford Institute has come to the aid of a Georgia mother who has been barred from attending her son's high school football games unless she compromises her religious beliefs and complies with the school district's mask requirement for spectators. In a letter to the superintendent of Fulton County (Ga.) Schools (FCS), Rutherford Institute attorneys point out that Tara Barnett's request to attend her son's football games without a face covering while social distancing from other spectators qualifies for a religious accommodation under Governor Kemp's executive orders, which requires masks to be worn when social distancing is not

possible. All spectators at FCS athletic events are required to social distance by sitting in designated areas six feet apart from other spectators unless sitting with family.

“No parent should be forced to choose between abiding by their religious beliefs or exercising their parental rights, especially not when the government has no compelling interest for doing so and when reasonable accommodations can be made,” said constitutional attorney John W. Whitehead, president of The Rutherford Institute and author of [*Battlefield America: The War on the American People*](#). “If the governor is willing to accommodate religious beliefs and provide mask exemptions to those who social distance, school officials must do no less.”

Since March 2020, Georgia’s Governor has issued a series of Executive Orders responding to the COVID-19 pandemic. In three Orders issued in August and September, Gov. Kemp authorized government entities to impose “Local Option Face Covering Requirement[s]” mandating that persons “wear face masks or face coverings when not able to maintain Social Distancing from non-cohabitating persons[.]” Each of the three Orders provides that a local mask requirement “shall not be applied to . . ., those who have a bona fide religious objection to wearing a face mask or face covering[.]” Tara Barnett, whose son is a member of the junior varsity football team at Milton High School, received an email from the school announcing that all spectators at FCS athletic events will be required to wear a face covering and that spectators will be required to social distance at the event venue, i.e., only sit in designated areas and sit six feet apart unless sitting with family.

Upon learning of the mask/face covering requirement, Mrs. Barnett contacted the school’s athletic director and requested an accommodation from the mask requirement because of her sincere religious beliefs in opposition to the use of masks or face coverings. The FCS athletic director denied Mrs. Barnett’s request to be exempt from the face covering mandate. In its letter to FCS on behalf of Mrs. Barnett, The Rutherford

Institute asserts that the denial of her request for an accommodation so she can attend her son's football games clearly contradicts Gov. Kemp's Orders requiring local face covering rules allow for exemptions based on religious beliefs. Any local requirement more strict than the Order is preempted and in violation of state law. In interceding on behalf of Mrs. Barnett's parental and First Amendment interests, Rutherford Institute attorneys warn that the face covering mandate for FCS football games exceeds the authority granted by Gov. Kemp's Executive Orders, is more restrictive than the Orders allow, and thereby violates State law and Mrs. Barnett's right to religious freedom under the First Amendment.

The Rutherford Institute, a nonprofit civil liberties organization, defends individuals whose constitutional rights have been violated and educates the public about threats to their freedoms.