



January 25, 2022

**VIA EMAIL AND FIRST CLASS MAIL**

Dr. Scott Ziegler, Superintendent  
Board Members Ian Serotkin, Jeff Morse, and Denise Corbo  
Loudoun County School District  
21000 Education Court  
Ashburn, VA 20148  
E-mail addresses: [scott.ziegler@lcsps.org](mailto:scott.ziegler@lcsps.org)

Re: Loudoun County School District's Defiance of Executive Order Number Two (2022)

Dear Superintendent Ziegler and Members of the Loudoun County School Board:

I write on behalf of the American Constitutional Rights Union (ACRU), a national organization aimed at protecting the constitutional rights of all Americans. ACRU has been contacted by parents and students within your school district regarding your defiance of Governor Youngkin's Executive Order that reiterates the fundamental right of parents – and parents alone – to direct the education, care and upbringing of their children. Specifically, your school district continues to require all students to wear masks despite the clear language of the Governor's Order, which reads (in relevant part):

2. The parents of any child enrolled in an elementary or secondary school or a school-based early childcare and educational program may elect for their children not to be subject to any mask mandate in effect at the child's school or educational program.
3. No parent electing that a mask mandate should not apply to his or her child shall be required to provide a reason or make any certification concerning their child's health or education.
4. A child whose parent has elected that he or she is not subject to a mask mandate should not be required to wear a mask under any policy implemented by a teacher, school, school district, the Department of Education, or any other state authority.

By way of example, Willard Middle School student Isabella Koons arrived at school yesterday without a mask per her parents' wishes and directives. Her teacher directed her to put on a mask. She politely declined, explaining to the teacher that her parents told her she is no longer required to wear a mask pursuant to state law and that wearing a mask conflicts with her family's beliefs concerning health and their Christian faith. The eighth-grader was then promptly ejected from class and sent to the Dean's Office. The Dean, who is the school administrator tasked with student discipline, sternly and authoritatively directed 13-year-old Isabella to put on a mask. Isabella reiterated her position, and again declined to put on a mask. Dean DeStefano then placed a call to Isabella's father. Mr. Koons affirmed his daughter's refusal to wear a mask,

citing the Governor's Executive Order that clearly places such a decision in the hands of parents, *not* school administrators. Dean DeStefano told Mr. Koons that Isabella would not be allowed to return to class unless and until she puts on a mask, and directed Mr. Koons to pick Isabella up from school. Mr. Koons refused, insisting that the school could not punish Isabella nor deprive her of an education for her parents exercising their lawful right to decide whether or not to mask their child. The school proceeded to place Isabella in solitary confinement for the remainder of the school day. That is, other than the lunch period, during which time all children are allowed to socialize and eat in close proximity with one another without wearing face masks. The irony of that policy would be laughable were it not so incredibly sad that those charged with educating our children are promulgating it.

Your district's decision to persist with a mask mandate in spite of the facts accurately cited in the Governor's Order that "[the CDC's] research has found no statistically significant link between mandatory masking for students and reduced transmission of COVID-19 [a]nd...that certain masks may be ineffective due to the material from which they are made or how they are worn" is irrational. What's worse, though, is the district's practice of punishing those students whose parents exercise their lawful authority pursuant to the Governor's Executive Order and long-standing state and federal law. Virginia state law clearly requires school districts to provide all students within its district access to in-person learning. The Loudoun County School District is presently violating state law by barring Isabella Koons and many other similarly situated students from class. To be clear, isolating the child in an enclosed office with nothing but a laptop is not the equivalent of providing an in-person education. Ms. Koons has no access to teachers, books, lessons, assignments, instructional materials, classroom dialogue, or anything that resembles a meaningful education. In effect, Ms. Koons and other students in the district who are following their parents' directives not to wear face coverings are being held in in-school suspension. This not only violates the state law guarantee of an education and parental rights, but also violates fundamental principles federal constitutional and civil rights law.

The American Constitutional Rights Union will not hesitate to utilize all resources at our disposal to fight for the students and families whose rights are being trampled upon if the district persists with the unlawful policies and practices described herein. In addition to taking action against the Loudoun County School District, we intend to hold each individual faculty and staff member that participates in this deprivation of civil rights personally responsible for their respective roles. This conduct is unacceptable, serves no legitimate purpose, and must cease immediately if the district wishes to avoid legal action. We trust that the Board will revisit its policy at this afternoon's Board meeting. We will continue to monitor the situation closely.

Sincerely,



Lori Roman  
President

cc: Jeff Rounsley, Willard Middle School Principal  
Gus Martinez, District Director of Middle School Education  
Kristina S. Heuser, Esq.