

IN THE CIRCUIT COURT OF THE 7TH JUDICIAL CIRCUIT
 SANGAMON COUNTY, ILLINOIS

LISA MARA MOORE, MANDY WORKER
 JILL PEARSON LAYNE, KATE BENTON
 and CHRISTINE SIMMONS

Plaintiff,

v.

No. 2021 MR 295

JAY ROBERT "J. B." PRITZKER,
 GOVERNOR OF THE STATE OF ILLINOIS,
 the ILLINOIS DEPARTMENT OF PUBLIC
 HEALTH ("IDPH"), DR. NGOZI EZIKE
 MEDICAL DIRECTOR OF THE IDPH, the
 CHICAGO PUBLIC SCHOOLS ("CPS"), the
 ROCKFORD PUBLIC SCHOOLS ("RPS"), and
 the ILLINOIS HIGH SCHOOL ASSOCIATION)

Defendants.

SECOND AMENDED COMPLAINT FOR DECLARATORY
INJUNCTIVE AND OTHER RELIEF

NOW COMES, Plaintiffs, LISA MARA MOORE, MANDY WORKER, JILL PEARSON
 LAYNE, KATE BENTON and CHRISTINE SIMMONS by and through their attorney, Laura
 Grochocki, complaining of Defendants, JAY ROBERT "J.B." PRITZKER, GOVERNOR OF
 THE STATE OF ILLINOIS, the ILLINOIS DEPARTMENT OF PUBLIC HEALTH ("IDPH"),
 DR. NGOZI EZIKE MEDICAL DIRECTOR OF THE IDPH, CITY OF CHICAGO SCHOOL
 DISTRICT 299 A/K/A CHICAGO PUBLIC SCHOOLS ("CPS"), ROCKFORD PUBLIC
 SCHOOL DISTRICT 205 A/K/A ROCKFORD PUBLIC SCHOOLS ("RPS"), and the ILLINOIS
 HIGH SCHOOL ASSOCIATION as follows:

INTRODUCTION¹

1. As all citizens of the State of Illinois are aware, beginning in March 2020, the Defendant Governor “J.B.” Pritzker (“Governor”) has issued a series of disaster declarations, executive orders, rules, regulations, and has made statements of intention, because of an outbreak of a novel coronavirus in late 2019 (“COVID-19”), which the World Health Organization (“WHO”) and the Center for Disease Control (“CDC”) have declared to be a pandemic. Because COVID-19 was novel, very little was known about it in the medical community, and therefore the responses of different governments around the world, and different states, counties, and cities with in the United States, has varied and changed over time. Some of the changes in the responses were driven by the increasing knowledge about COVID-19. However, other changes were driven by politics and the political concerns of elected officials and had little to nothing to do with scientific knowledge regarding COVID-19 or public health concerns.

2. The declarations, orders, rules, regulations and statements issued by the Governor which this case addresses concern those: (a) which have cancelled or indefinitely delayed the winter-spring 2020-2021 high school sports season for football, basketball, and hockey, (b) imposed mask mandates for high school athletes as a prerequisite to participate in high school sports, (c) intend to impose COVID-19 vaccination mandates on high school athletes as a prerequisite to participate in high school sports. These declarations, orders, rules, regulation and statements of intentions, arbitrarily burden high school students and prohibit high school athletes from participating in high school sports, while allowing the same sports to be played by colleges and professional sports

1. Paragraphs one (1) through four (4) of this Second Amended Complaint are introductory in nature, and are only intended to give a brief overview of the nature of the Plaintiffs. These paragraphs are not intended to be factual allegations to which the Defendants need to respond to in detail.

teams without restrictions. There is no rational or reasonable basis to prohibit certain high school sports, impose mask mandates or vaccination requirements on high school athletes while not imposing the same requirements on college and professional athletes and college and professional sports.

3. In addition, this Second Amended Complaint will also address the declarations, orders, rules, regulations and statements issued by the Governor which impose mask mandates, and intend to impose COVID-19 vaccination mandates, on all high school students. There is no rational basis to impose masking mandates or vaccination requirements on high school students, when no similar mandates or requirements are imposed on any other group of citizens of the State of Illinois. These declarations, orders, rules, regulation and statements of intentions, arbitrarily burden high school students

4. A bedrock principle which underlies the Constitution and laws of the State of Illinois is that the citizens of the State of Illinois are free to live their lives in any manner they seem fit, and that any governmental law, rule or regulation which restricts those freedoms must not be arbitrarily imposed nor may it restrict the freedoms of one group while not restricting another group unless there is a rational basis for doing so in accomplishing a legitimate governmental interest. This principle is enshrined in the equal protection clause of the Illinois Constitution. In violation of this principle and the equal protection clause, the Governor has issued the aforesaid emergency declarations, executive orders, and rules and regulations regarding high school sports which are arbitrary, irrational, and bear no relation to reducing the spread of, or remediating the risks posed by the COVID-19 virus.

THE PARTIES

5. Plaintiff Lisa Mara Moore, (hereinafter “Moore”) is an individual who resides in LaSalle County in the State of Illinois, and who is the mother of Trevor Till (“Trevor”) who was a student at Seneca High School in LaSalle County, Illinois. Trevor was an athlete at Seneca High School, and was class president, NHS president, drum major, speech team captain, Spanish Club president, XC captain, lead in his school’s play, “The Music Man,” band, chorus, clubs and much more. After COVID-19 hit, and restrictions on school sports and activities were put in place, Trevor was devastated that he didn’t have his senior year track and pole vaulting season. The final blow was when winter sports were canceled. Trevor committed suicide on October 21, 2020, a proximate cause of which was the Governor Pritzker’s restrictions on high school sports programs.

6. Plaintiff Mandy Worker, (hereinafter “Worker”) is an individual and is a resident of Fayette County, Illinois, and who is the mother of Miley Worker (“Miley”) and Tiler Worker (“Tiler”). Miley and Tiler both attend Vandalia High School in Fayette County, Illinois. Miley played volleyball and Tiler plays football and wrestling at Vandalia High School. Both Miley and Tiler are struggling with the depression and stress because missing out on their senior year high school sports and education. They are and intend to participate in high school sports now and in the future.

7. Plaintiff Jill Pearson Layne, (hereinafter “Layne”) is an individual and is a resident of Schuyler County, Illinois, who is the mother of Jonah Layne (“Jonah”). Jonah attended Rushville-Industry High School in Schuyler County. Jonah played high school football and drums. Because of the Governor’s COVID-19 restrictions Jonah has been prevented from playing football and as a result he has become depressed. Due to his depression, Jonah had an emotional meltdown and was sent home to learn virtually. He does and intends to participate in high school sports now

and in the future.

8. Plaintiff Kate Benton, (hereinafter “Benton”) is an individual and is a resident of DuPage County, Illinois, who is the mother of Brian Benton (“Brian”) and Molly Benton (“Molly”). Brian attends Downers Grove North High School in Downers Grove, Illinois. Brian played varsity soccer and Molly played basketball and softball, but due to the Governor’s COVID-19 restrictions all of their high school sports programs have been cancelled. As a result Brian and Molly have not been able to be seen by college recruiters and have lost any opportunity for college scholarships. Molly has suffered socially with no contact with peers, has lost most of her friends and rarely leaves the house. She does and intends to participate in high school sports now and in the future.

9. Plaintiff Christine Simmons, (hereinafter “Simmons”) is an individual and is a resident of LaSalle County, Illinois, who is the mother of Tristan Simmons (“Tristan”). Tristan attends Ottawa Township High School in LaSalle County. Tristan has an IEP which has been adjusted for remote learning and is passing his classes in hopes of a wrestling season. He has put a lot of time into training for this year’s wrestling season, which has been postponed until April because of the Governor’s COVID-19 restrictions. Tristan used to be happy, but after the Governor’s COVID-19 restrictions on high school sports he has become angry and depressed. Wrestling was an outlet Tristan no longer has for his anger and stress. Because of the cancellations of the Governor’s COVID-19 restrictions on high school sports Tristan is no longer able to qualify for a college wrestling scholarship. He does and intends to participate in high school sports now and in the future.

10. Defendant Jay Robert “J.B.” Pritzker (hereinafter “Governor” or “Pritzker”) is the current Governor of the State of Illinois who assumed office on January 14, 2019. He is the person

who issued Illinois Emergency Executive Orders regarding the COVID-19 pandemic, including twenty (20) disaster proclamations from March 8, 2020 through November 12, 2020, and one hundred two (102) executive orders numbered 2020-3 through 2020-48, 2020-50 through 2020-74 and 2021-1 through 2021-30. **Pritzker will continue to issue COVID-19 disaster declarations and issue executive orders for as long as he is able to do so, even though not one of his COVID-19 declarations or orders has been materially effective in reducing or mitigating the spread of the virus.** Pritzker's conducts the business of the Office of Governor in every county in the State of Illinois.

11. The Defendant Illinois Department of Health ("IDPH") is a department of the executive branch of the State of Illinois which was established to prevent and protect against disease and injury to citizens of Illinois and to prepare for health emergencies within the State of Illinois. It is under the auspices of the IDPH that the Governor has issued the rules, regulations, and decrees that are the subject of this law suit.

12. Defendant Dr. Ngozi Ezike, ("Ezike") is the medical director of the IDPH. She is the person who is in charge of and responsible for the policies adopted by, and rule and regulations issue by, the IDPH. It under Ezike's tenure that the IDPH has adopted the rules, regulations, and decrees that are the subject of this law suit.

13. The Defendant City of Chicago School District 299 a/k/a Chicago Public Schools ("CPS") is the organization established by the laws of the State of Illinois to create and operate the public school system in the City of Chicago. The CPS is implementing all restrictions and mandates put on students and on interscholastic sports by the Governor through his disaster proclamations, the executive orders he issues, and the rules and regulations adopted pursuant to

those proclamations and orders. The CPS has been designated by the Court hearing this case as a necessary party.

14. The Defendant Rockford Public School District 205 a/k/a Rockford Public Schools (“RPS”) is the organization established by the laws of the State of Illinois to create and operate the public school system in the City of Rockford, Illinois. The RPS is implementing all restrictions and mandates put on students and on interscholastic sports by the Governor through his disaster proclamations, the executive orders he issues, and the rules and regulations adopted pursuant to those proclamations and orders. The RPS has been designated by the Court hearing this case as a necessary party.

15. The Defendant Illinois High School Association (“IHSA”) supervises and regulates the interscholastic activities in which its member schools may engage. (IHSA Handbook - Constitution § 1.130(a)). The IHSA Board of Directors has complete authority to organize and conduct the statewide interscholastic activities of member schools, subject to the provisions of the IHSA Constitution and By-laws. (IHSA Handbook - Constitution § 1.450). The IHSA has decided that it will abide with all restrictions put on interscholastic sports by the Governor through his disaster proclamations, the executive orders he issues, and the rules and regulations adopted pursuant to those proclamations and orders.

ALLEGATIONS COMMON TO ALL COUNTS

16. On March 11, 2020, the World Health Organization (WHO) declared the COVID-19 a pandemic. Then on March 13, 2020, the President of the United States declared the COVID-19 pandemic to be a national emergency. Prior to that, WHO declared COVID-19 a Public Health Emergency of International Concern on January 30, 2020, and the United States Secretary of

Health and Human Services declared that COVID-19 -19 presents a public health emergency on January 27, 2020.

17. On March 9, 2020, the Governor made a proclamation of disaster for the State of Illinois stating that the COVID-19 virus posed a public health emergency, and invoked the provision of the Illinois Emergency Management Act, 20 ILCS 3305/7, (IEMA) which granted him limited emergency powers for thirty (30) days. Pritzker has reissued this disaster proclamation every thirty (30) days thereafter through the date of the filing of this Amended Complaint.

18. Under the powers allegedly granted to the Governor under the aforesaid disaster proclamations, he has issues a series of one hundred two (102) orders, numbered 2020-3 through 2020-48, 2020-50 through 2020-74 and 2021-1 through 2021-30. These executive orders have resulted in the adoption of numerous emergency rules and regulations by the various agencies and departments of the State of Illinois, including the Restore Illinois Plan, by which the Governor decrees on a frequent basis which personal, scholastic, and business activates citizens of the State of Illinois may engage in and which they may not.

19. On September 3, 2021, Pritzker signed Executive Order 21-22 which requires all individuals over the age of two (2) and who can medically tolerate a face covering to wear a face covering when in indoor public places. The Executive Order also requires health care workers, school personnel, higher education personnel and students, and employees and contractors of state-owned or operated congregate facilities to be fully vaccinated, as described in the Order.

20. The aforesaid Restore Illinois Plan has certain “tiers” of “mitigation” by which agencies and departments of the State of Illinois issue emergency rules and regulations restricting various activities of the citizens of the State of Illinois.

21. On November 18, 2020, the Governor issued Executive Order 2020-73, which re-imposed Tier 3 mitigation levels on the citizens of the State of Illinois.

22. Pursuant to the re-imposition of Tier 3 mitigation by Executive Order 2020-73, the Illinois Department of Health has issued rules and regulations that provided for the cancellation of the sports of football, basketball and hockey for the winter 2020-2021 season. (Exhibits “A” and “B”) This prevents high school aged students ages 14 through 18 from engaging in the interscholastic football, basketball and hockey during the winter 2020-2021 season, resulting in the harm and damages outlined to the Plaintiff’s children in paragraphs five (5) through nine (9) of this Complaint.

23. Starting on June 25, 2021 Illinois moved to Phase 5 of the Restore Illinois Plan. According to the Official Illinois Restore Illinois website, under Phase 5: “All sectors of the economy reopen with **new health and hygiene practices permanently in place**” and “All sectors of the economy reopen with businesses, schools, and recreation resuming normal operations with **new safety guidance and procedures.**” (emphasis added)

24. Phase 5 has no termination date and the State Government website states that it is to be permanent with the permanent imposition of new health and hygiene practices and new safety guidance and procedures imposed on the public without its consent and regardless of necessity. This is nothing less than permanent government mandated behavior in the areas in which the State of Illinois has no authority. The government’s permanent control of a citizen’s personal health and hygiene practices is not authorized by the Constitution of the State of Illinois, and is prohibited by Article I Section 2 of the Constitution of the State of Illinois.

25. Since the start of the COVID-19 pandemic Pritzker has, through the various departments of state government, imposed by decree and emergency rule-making authority, rules

and regulations on the citizens of the State of Illinois in general and high school students specifically, that are arbitrary, irrational, and bear no relation to reducing the spread of, or remediating the risks posed by the COVID-19 virus. The imposition of these rules and regulations are not based on any objective fact or reason, as is evidenced by the fact that Illinois was often the outlier, imposing rules and regulations when only one or two states did so. There is no reason to believe that Pritzker will not continue to act in this arbitrary and irrational manner as long as he is in office.

26. On August 4, 2021, Governor Pritzker caused rules and regulations to be promulgated which require high school athletes to wear cloth masks, which have no ability to prevent, and have no effect on, the spread of COVID-19, while they play indoor sports. No such rules or regulations have been adopted applying the same standards for college or professional athletes.

27. On August 4, 2021, Governor Pritzker caused rules and regulations to be promulgated which require high school and college students to wear cloth mask while in school, even though cloth masks have no ability to prevent, and have no effect on, the spread of COVID-19. Pritzker has not caused rules and regulations to be promulgated which require everyone in the State of Illinois to wear cloth masks while at work. There is no rational basis for requiring students to wear masks while in school when others are not required to wear them.

28. The Chicago Public Schools (“CPS”) and the Rockford Illinois Public Schools (“RPS”) have adopted policies requiring all student athletes to get COVID-19 vaccines to be eligible to play high school sports. These policies have been adopted even though; (a) the risk of death from a COVID-19 infection to healthy children is incredibly rare (*Nature*, July 15, 2021) and (b) COVID-19 vaccines do not prevent a child from becoming infected with COVID-19 nor

from spreading COVID-19 and (c) the State of Illinois and the IDPH does not, currently, impose this requirement on high school students in other areas of the state, nor do these entities impose this requirement on college and professional athletes. Therefore, there is no rational basis for adopting a policy requiring high-school student athletes-only to be vaccinated or undergo mandatory COVID testing.

29. In Executive Orders 2021-22 Pritzker stated that “increasing vaccination rates in schools is the strongest protective measure against COVID-19 available and, together with masking and regular testing, is vital to providing in person instruction in as safe a manner as possible”. On November 3, 2021, Dr. Ezike, the head of the IDPH stated “No vaccine requirement at this time, but that’s probably not forever.” Therefore, it is reasonable to conclude that Governor Pritzker will impose a COVID-19 vaccine or testing mandate on high school students and athletes in the near future.

30. The government policies mandated and executed by Pritzker, the IDPH, or Ezike, have been largely ineffective against the spread of COVID-19, in any of its variants. In fact, there is no action that can be taken that will prevent individuals in a large population from becoming infected with some variant of the COVID-19 virus, nor slow the rate at which they will become infected. COVID-19 can be treated and its virulence reduced, but its spread cannot not prevented or even slowed.²

31. When it becomes politically expedient for him to do so in the future, and because it is important, politically, that he appears to be in control of the spread of a virus that it is

2. The pronouncements by Pritzker and members of his administration calling on people to comply with his mandates so that we can “beat the virus” is deceptive and dangerous. Leading immunologists believe COVID-19 will become endemic. Nicky Philips, *The coronavirus is here to stay*, (2021) Nature, <https://www.nature.com/articles/d41586-021-00396-2>

impossible to control the spread of, Governor Pritzker, acting through Ezkie and the IDPH, will impose a COVID-19 vaccine mandate on high school students and athletes in the near future even though there is no legitimate medical or public health reason for him to do so, and doing so will not have an rational basis in mitigating against the COVID-19 pandemic. The CPS, RPS, and ISHA will all comply with these rules and regulations.

32. The aforesaid Illinois Department of Health rules and regulations have been adopted by and adhered to by the IHSA, which has therefore cancelled or indefinitely delayed the high school interscholastic sports of football, basketball and hockey for the winter 2020-2021 high school interscholastic season.

33. The age of those athletes playing high school interscholastic sports of football, basketball and hockey are between fourteen (14) and seventeen (17) years old. The age of those athletes playing the college or professional sports of football, basketball and hockey are from eighteen (18) and twenty-nine (29) years old.³

34. The Center for Disease Control (“CDC”) of the United States of America has published data and figures on the rate of infection, hospitalization, and deaths caused by COVID-19. These figures breakdown the rates of these infections by the COVID-19 virus by age groups.

35. According to the CDC data and figures regarding the COVID-19 virus, the rate of hospitalization and death from the Covid19 virus broken down by age group are **nine (9) times lower** for the 14 to 17 year old age group than they are for the 18 to 29 year old age group. (Exhibit “C”)

3. The 18 to 29 figure is a typical figure, and Plaintiffs do acknowledge that there are some professional athletes playing football, basketball and hockey who are over the age of 29. However, the CDC figures show that those athletes are at a higher rate hospitalization and death than the 18 to 29 year old age group.

36. Further according to the CDC data and figures regarding the COVID-19 virus, the rate of infection from the COVID-19 virus broken down by age group are 23.3% of cases for the 18 to 29 year old age group but only 8.3% for the 5 to 17 year old age group. (Exhibits “D” and “E”)

37. The unequal treatment by Governor Pritzker, Ezkie, and the IDPH against athletes in the 14 to 17 year old age group (a) prohibiting them from playing high school interscholastic football, basketball and hockey because of the COVID-19 virus, while allowing those aged 18 to 29 to play those sports, (b) requiring them to wear cloth masks during indoor sports while allowing those aged 18 to 29 to play those sports without masks, and (c) imposing any requirement that they be vaccinated with a COVID-19 vaccine in order to be allowed to play high school sports, are without any rational basis and does not serve or relate to any legitimate state interest. The aforesaid actions, and anticipated actions, of Governor Pritzker Ezkie and the IDPH regarding high school interscholastic sports are arbitrary and invidious discrimination done for political reasons, against the parents of children attending high school in Illinois who wish to play high school interscholastic sports, and therefore violates the rights of the Plaintiffs to equal protection under the Constitution of the State of Illinois.

38. The unequal treatment by Governor Pritzker, Ezkie, and the IDPH against high school students in imposing mask mandates, and intending to impose COVID-19 vaccination mandates are arbitrary and invidious restrictions done for political reasons, against the parents of children attending high school in Illinois, and therefore violates the rights of the Plaintiffs to equal protection under the Constitution of the State of Illinois.

39. There is no rational basis to impose masking mandates or vaccination requirements on high school students, when no similar mandates or requirements are imposed on any other group

of citizens of the State of Illinois. These declarations, orders, rules, regulation and statements of intentions, arbitrarily burden high school students

COUNT I – DEFENDANT GOVERNOR PRITZKER

40. Plaintiffs incorporate paragraphs five (5) through thirty-nine (39) of this complaint as paragraph forty (40) of Count I of this complaint, as if repeated verbatim.

WHEREFORE, Plaintiffs request that this Court grant them the following relief:

A. Enter a declaratory judgment that the imposition of of Restore Illinois Plan mitigation by Governor Pritzker, and the resulting rules and regulations issued by the Illinois Department of Public Health cancelling the interscholastic high school sports of football, basketball and hockey for the winter 2020-2021 season was an unconstitutional violation of the Plaintiffs right to equal protection under the Constitution of the State of Illinois, and impose suitable and equitable injunctive relief;

B. Enter a declaratory judgment that the imposition a face mask mandate by Governor Pritzker, and the resulting rules and regulations issued by the Illinois Department of Public Health requiring interscholastic high school athletes to wear facemasks while playing said sports is an unconstitutional violation of the Plaintiffs right to equal protection under the Constitution of the State of Illinois, and impose suitable and equitable injunctive relief;

C. Enter a declaratory judgment that the imposition COVID-19 vaccination mandate by Governor Pritzker, and the resulting rules and regulations issued by the Illinois Department of Health, requiring interscholastic high school athletes to be vaccinated with a COVID-19 vaccine before playing said sports is an unconstitutional violation of the Plaintiffs right to equal protection under the Constitution of the State of Illinois, and impose suitable and equitable injunctive relief

D. Enter a declaratory judgment that the imposition COVID-19 vaccination mandate or mask mandate by Governor Pritzker, and the resulting rules and regulations issued by the Illinois Department of Public Health, requiring high school students to be vaccinated with a COVID-19 vaccine before attending high school, or to wear a mask while attending high school, is an unconstitutional violation of the Plaintiffs right to equal protection under the Constitution of the State of Illinois, and impose suitable and equitable injunctive relief.

E. Enter a preliminary and then a permanent injunction barring Governor Pritzker and his officers, agents, servants, employees and all of those acting in concert with them, from imposing unconstitutional masking mandates and/or vaccination mandates on high school athletes or students in the State of Illinois, or from cancelling any interscholastic high school sports, or continuing a mask mandate on high school athletes and imposing a COVID-19 vaccination mandate on high school athletes,

F. Award to Plaintiffs their attorneys' fees, costs of suit as provided under applicable law; and

G. Grant such further relief as the parties may fashion and agree to or as the Court may deem just and proper.

COUNT II – ILLINOIS DEPARTMENT OF PUBLIC HEALTH

41. Plaintiffs incorporate paragraphs five (5) through thirty-nine (39) of this complaint as paragraph forty-one (41) of Count II of this complaint, as if repeated verbatim.

WHEREFORE, Plaintiffs request that this Court grant them the following relief:

A. Enter a declaratory judgment that the imposition of the Restore Illinois Plan mitigation by Governor Pritzker and the resulting rules and regulations issued by the Illinois Department of Public Health cancelling the interscholastic high school sports of football,

basketball and hockey for the winter 2020-2021 season was an unconstitutional violation of the Plaintiffs right to equal protection under the Constitution of the State of Illinois, and impose suitable and equitable injunctive relief;

B. Enter a declaratory judgment that the imposition a face mask mandate by Governor Pritzker, and the resulting rules and regulations issued by the Illinois Department of Public Health requiring interscholastic high school athletes to wear facemasks while playing said sports is an unconstitutional violation of the Plaintiffs right to equal protection under the Constitution of the State of Illinois, and impose suitable and equitable injunctive relief;

C. Enter a declaratory judgment that the imposition COVID-19 vaccination mandate by Governor Pritzker, and the resulting rules and regulations issued by the Illinois Department of Health, requiring interscholastic high school athletes to be vaccinated with a COVID-19 vaccine before playing said sports is an unconstitutional violation of the Plaintiffs right to equal protection under the Constitution of the State of Illinois, and impose suitable and equitable injunctive relief

D. Enter a declaratory judgment that the imposition COVID-19 vaccination mandate or mask mandate by Governor Pritzker, and the resulting rules and regulations issued by the Illinois Department of Public Health, requiring high school students to be vaccinated with a COVID-19 vaccine before attending high school, or to wear a mask while attending high school, is an unconstitutional violation of the Plaintiffs right to equal protection under the Constitution of the State of Illinois, and impose suitable and equitable injunctive relief.

E. Enter a preliminary and then a permanent injunction barring Governor Pritzker and his officers, agents, servants, employees and all of those acting in concert with them, from imposing unconstitutional masking mandates and/or vaccination mandates on high school athletes or students in the State of Illinois, or from cancelling any interscholastic high school sports, or

continuing a mask mandate on high school athletes and imposing a COVID-19 vaccination mandate on high school athletes,

F. Award to Plaintiffs their attorneys' fees, costs of suit as provided under applicable law; and

G. Grant such further relief as the parties may fashion and agree to or as the Court may deem just and proper.

COUNT III – DR. NGOZI EZIKE

42. Plaintiffs incorporate paragraphs five (5) through thirty-nine (39) of this complaint as paragraph forty-two (42) of Count III of this complaint, as if repeated verbatim.

WHEREFORE, Plaintiffs request that this Court grant them the following relief:

A. Enter a declaratory judgment that the imposition of the Restore Illinois Plan mitigation by Governor Pritzker and the resulting rules and regulations issued by Dr. Ngozi Ezike as director of the Illinois Department of Public Health cancelling the interscholastic high school sports of football, basketball and hockey for the winter 2020-2021 season was an unconstitutional violation of the Plaintiffs right to equal protection under the Constitution of the State of Illinois, and impose suitable and equitable injunctive relief;

B. Enter a declaratory judgment that the imposition a face mask mandate by Governor Pritzker, and the resulting rules and regulations issued by Dr. Ngozi Ezike as director of the Illinois Department of Public Health requiring interscholastic high school athletes to wear facemasks while playing said sports is an unconstitutional violation of the Plaintiffs right to equal protection under the Constitution of the State of Illinois, and impose suitable and equitable injunctive relief;

C. Enter a declaratory judgment that the imposition COVID-19 vaccination mandate by Governor Pritzker, and the resulting rules and regulations issued by the Dr. Ngozi Ezike as

director of the Illinois Department of Public Health, requiring interscholastic high school athletes to be vaccinated with a COVID-19 vaccine before playing said sports is an unconstitutional violation of the Plaintiffs right to equal protection under the Constitution of the State of Illinois, and impose suitable and equitable injunctive relief

D. Enter a declaratory judgment that the imposition COVID-19 vaccination mandate or mask mandate by Governor Pritzker, and the resulting rules and regulations issued by the Dr. Ngozi Ezike as director of the Illinois Department of Public Health, requiring high school students to be vaccinated with a COVID-19 vaccine before attending high school, or to wear a mask while attending high school, is an unconstitutional violation of the Plaintiffs right to equal protection under the Constitution of the State of Illinois, and impose suitable and equitable injunctive relief.

E. Enter a preliminary and then a permanent injunction barring Dr. Ngozi Ezike as director of the Illinois Department of Public Health and her officers, agents, servants, employees and all of those acting in concert with them, from imposing unconstitutional masking mandates and/or vaccination mandates on high school athletes or students in the State of Illinois, or from cancelling any interscholastic high school sports, or continuing a mask mandate on high school athletes and imposing a COVID-19 vaccination mandate on high school athletes,

F. Award to Plaintiffs their attorneys' fees, costs of suit as provided under applicable law; and

G. Grant such further relief as the parties may fashion and agree to or as the Court may deem just and proper.

COUNT IV – CHICAGO PUBLIC SCHOOLS

43. Plaintiffs incorporate paragraphs five (5) through thirty-nine (39) of this complaint as paragraph forty-three (43) of Count IV of this complaint, as if repeated verbatim.

WHEREFORE, Plaintiffs request that this Court grant them the following relief:

A. The Chicago Public Schools are a necessary party to this litigation, and except that they enact no rule or regulation nor impose any masking or vaccination mandate found to be unconstitutional in this litigation on students in the CPS, the Plaintiffs are not asking for any relief from the CPS.

B. Grant such further relief as the parties may fashion and agree to or as the Court may deem just and proper.

COUNT V – ROCKFORD PUBLIC SCHOOLS

44. Plaintiffs incorporate paragraphs five (5) through thirty-nine (39) of this complaint as paragraph forty-four (44) of Count V of this complaint, as if repeated verbatim.

WHEREFORE, Plaintiffs request that this Court grant them the following relief:

A. The Rockford Public Schools are a necessary party to this litigation, and except that they enact no rule or regulation nor impose any masking or vaccination mandate found to be unconstitutional in this litigation on students in the RPS, the Plaintiffs are not asking for any relief from the CPS.

COUNT VI – ILLINOIS HIGH SCHOOL ASSOCIATION

45. Plaintiffs incorporate paragraphs five (5) through thirty-nine (39) of this complaint as paragraph forty-five (45) of Count VI of this complaint, as if repeated verbatim.

WHEREFORE, Plaintiffs request that this Court grant them the following relief:

A. Enter a declaratory judgment that the actions of the Illinois High School Association actions in reliance on the aforesaid actions and anticipated actions of Governor Pritzker, IDPH or Dr. Ezkie, are an unconstitutional violation of the Plaintiff's right to equal

protection under the Constitution of the State of Illinois, and impose suitable and equitable injunctive relief;

B. Grant such further relief as the parties may fashion and agree to or as the Court may deem just and proper.

Respectfully Submitted,

By: /s/ Laura Grochocki

Laura Grochocki
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CERTIFICATE OF SERVICE

Under penalties as provided by law pursuant to 735 ILCS 5/1-109, the undersigned hereby certifies the statements set forth in this certificate of service are true and correct and that I have caused a copy of the foregoing to be served upon the following lawyers via the email addresses noted below on January 3, 2022:

Darren Kinhead
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Winter Updates to All Sports Policy

This guidance issued by the Department of Commerce and Economic Opportunity (DCEO), the Illinois Department of Public Health (IDPH), and the Illinois State Board of Education (ISBE) pertains to all youth and adult recreational sports, including, but not limited to, school-based sports (high school and elementary school), travel clubs, private leagues and clubs, recreational leagues and centers, and park district sports programs. This guidance does NOT pertain to professional sports leagues or college division level sports.

These guidelines do not apply to adult sport activities subject to existing DCEO guidance identified below:

- For golf, refer to existing guidance on the [DCEO website](#).
- For tennis, refer to existing guidance on the [DCEO website](#).

Wearing face coverings or masks, including during competition, may further reduce the transmission of disease and is recommended for all sports below where face coverings do not unduly interfere with participation.

This guidance will be regularly updated as public health conditions change and new information becomes available.

HIGHER RISK	MODERATE RISK	LOWER RISK
• Basketball • Boxing • Football • Hockey • Lacrosse • Martial Arts • Rugby • Ultimate Frisbee • Wrestling	• Fencing • Flag Football or 7v7 Football • Paintball • Racquetball • Soccer • Volleyball • Water Polo • Wheelchair Basketball	• Archery • Badminton • Baseball • Bass Fishing • Bowling • Competitive Cheer • Competitive Dance • Climbing • Crew • Cross Country • Cycling • Disc Golf • Golf • Gymnastics • Horseback Riding • Ice Skating • Ropes Courses • Sailing, Canoeing, Kayaking • Sideline Spirit • Skateboarding • Softball • Skiing • Swimming/Diving • Tennis • Track and Field • Weight Lifting

Additional detailed guidance on sport-specific mitigation efforts, including appropriate distance, cleaning of equipment, and use of masks by participants, are included below.

The level of play allowed is dictated by current public health conditions.

Below are the **Type of Play Levels**:

Level 1	No-contact practices, and trainings only
Level 2	Intra-team scrimmages allowed, with parental consent for minors; no competitive play
Level 3	Intra-conference or Intra-EMS-region ¹ or intra-league play/meets only; state- or league-championship game/meet allowed for low-risk sports only
Level 4	Tournaments, out-of-conference/league play, out-of-state play allowed; championship games allowed

Current Conditions Allow for the Following Types of Play per Sport Risk Level:

- Lower-risk sports can currently play at Levels 1, 2, and 3
- Medium-risk sports can currently play at Level 1 and 2
- Higher-risk sports can currently play at Level 1

¹ EMS Regions are the 11 regions IDPH uses for the Restore Illinois boundaries

The following mitigation efforts can lower the risk of COVID-19 transmission while engaged in the following sports:

Baseball	Maintain at least 6-feet apart in dugout areas or if players are seated in bleachers behind dugout
Basketball	Maintain at least 6 feet of distance on the bench
Bass Fishing	Limit number of individuals on boat to allow for social distancing
Bowling	Clean and sanitize equipment, including bowling balls
Competitive Cheer	Minimize contact between participants by maintaining at least 6 feet of distancing on the floor during routines, including when changing formations, and by prohibiting lifts, stunts, pyramids, and tosses as well as shared equipment (e.g., signs, flags, poms)
Competitive Dance	Minimize contact between dancers by maintaining at least 6 feet of distance (i.e., spacing) on the floor during routines, including when changing formations, and by prohibiting lifts and stunts and shared equipment (e.g., poms)
Cross Country	Significantly limit the number of teams and follow physical workspace guidelines
Cycling	Play individually or use only every other track in velodrome

Gymnastics	Clean equipment between participants and limit sharing of personal equipment or materials (e.g., chalk)
Ice Skating	Play individually
Ropes Courses	Maintain at least 6 feet of socially distance and clean equipment between each individual
Sailing	Limit number on boat to socially distance
Sideline spirit	Maintain social distance at least 6-feet apart and do not perform stunts or lifts
Softball	Maintain at least 6-feet apart in dugout areas or when players are seated in bleachers behind dugout
Swimming/Diving	Restrict play to a single lane and singles diving; no relays, synchronized swimming, or paired diving
Tennis	Minimize touching of shared objects and limit play to singles
Track and Field	Apply delayed starts, use every other track, and clean equipment between usage
Volleyball	Maintain distance of at least 6 feet between players on each side of net and on the bench; clean and sanitize shared equipment
Weight Lifting	Clean between each individual

Follow the latest regional metrics at: <https://dph.illinois.gov/regionmetrics>

For more information on guidance for businesses, please visit the [FAQ on DCEO's website](#).



EXHIBIT B



Today's Press Conference for COVID-19 will begin at 2:30 pm Click Here to Watch Live

(<https://www.illinois.gov/livevideo>)

Sports Safety Guidance



DCEO Sports Safety Guidance (<https://dceocovid19resources.com/assets>

/Restore-Illinois/businessguidelines4/youthsports.pdf).

This guidance issued by the Department of Commerce and Economic Opportunity (DCEO), the Illinois Department of Public Health (IDPH), and the Illinois State Board of Education (ISBE) pertains to all youth and adult recreational sports, including, but not limited to, school-based sports (high school and elementary school), travel clubs, private leagues and clubs, recreational leagues and centers, and park district sports programs. This guidance does NOT pertain to professional sports leagues or college division level sports.

These guidelines do not apply to adult sport activities subject to existing DCEO guidance identified below:

- For golf, refer to existing guidance on the DCEO website (<https://dceocovid19resources.com/assets/Restore-Illinois/businessguidelines4/golf.pdf>).
- For tennis, refer to existing guidance on the DCEO website (<https://dceocovid19resources.com/assets/Restore-Illinois/businessguidelines4/tennis.pdf>).

Wearing face coverings or masks, including during competition, may further reduce the transmission of disease and is recommended for all sports below where face coverings do not unduly interfere with participation.

This guidance will be regularly updated as public health conditions change and new information becomes available.

Higher Risk

Basketball
Boxing
Football
Hockey
Lacrosse
Martial Arts
Rugby
Ultimate Frisbee
Wrestling

Moderate Risk

Flag Football or 7v7 Football
Futsal
Paintball
Racquetball
Soccer
Volleyball
Water Polo
Wheelchair Basketball

Lower Risk

Archery
Badminton
Baseball
Bass Fishing
Bowling
Climbing
Competitive Cheer
Competitive Dance
Crew
Cross Country

- Cycling
- Disc Golf
- Fencing
- Gymnastics
- Horseback Riding
- Ice Skating
- Ropes Courses
- Sailing, Canoeing, Kayaking
- Scholastic Golf
- Sideline Spirit
- Skateboarding
- Softball
- Skiing
- Swimming/Diving
- Tennis
- Track and Field
- Weight Lifting

Additional detailed guidance on sport-specific mitigation efforts, including appropriate distance, cleaning of equipment, and use of masks by participants, are included below.

All Sports Policy

The level of play allowed is dictated by current public health conditions.

Below are the **Type of Play Levels**:

Level 1	No-contact practices, and trainings only
Level 2	Intra-team scrimmages allowed, with parental consent for minors; no competitive play

Level 3	Intra-conference or Intra-EMS-region ¹ or intra-league play/meets only; state- or league-championship game/meet allowed for low-risk sports only
Level 4	Tournaments, out-of-conference/league play, out-of-state play allowed; championship games allowed

Current Conditions Allow for the Following Types of Play per Sport Risk Level:

- Lower-risk sports can currently play at Levels 1, 2, and 3
- Medium-risk sports can currently play at Level 1 and 2
- Higher-risk sports can currently play at Level 1

¹ EMS Regions are the 11 regions IDPH uses for the Restore Illinois boundaries

The following mitigation efforts can lower the risk of COVID-19 transmission while engaged in the following sports:

Baseball	Maintain at least 6-feet apart in dugout areas or if players are seated outside of dugout.
Bass Fishing	Limit number of individuals on boat to allow for at least 6 feet social distance.
Bowling	Clean and sanitize equipment, including bowling balls, before and after each game. Do not share equipment between players. Limit bowlers per lane to maintain at least 6 feet social distance throughout play.
Competitive Cheer	Minimize contact between participants by maintaining at least 6 feet of social distance on the floor during routines, including when changing formations, and by prohibiting lifts, stunts, pyramids, and tosses as well as shared equipment (e.g., signs, flags, poms). Avoid shouting, singing, and chanting.
Competitive Dance	Minimize contact between dancers by maintaining at least 6 feet social distance (i.e., spacing) on the floor during routines, including when changing formations, and by prohibiting lifts and stunts and shared equipment (e.g., poms). Avoid shouting, singing, and chanting.
Cross County	Limit the number of teams such that runners can always maintain at least 6 feet social distance throughout the course

Cycling	Play individually or use only every other track in velodrome
Gymnastics	Clean equipment between participants and limit sharing of personal equipment or materials (e.g., chalk). All non-participant personnel (e.g., spotters) should wear masks at all times.
Ice Skating	Play individually or have one exclusive skating partner.
Ropes Courses	Maintain at least 6 feet of socially distance and clean equipment between each individual
Sailing	Limit number on boat to socially distance
Sideline spirit	Minimize contact between participants by maintaining at least 6 feet of social distance on the floor during routines, including when changing formations, and by prohibiting lifts, stunts, pyramids, and tosses as well as shared equipment (e.g., signs, flags, poms). Avoid shouting, singing, and chanting.
Softball	Maintain at least 6 feet social distance in dugout areas or when players are seated in bleachers behind dugout
Swimming/Diving	Restrict play to a single lane. No synchronized swimming
Tennis	Minimize touching of shared objects
Track and Field	Apply delayed starts, use every other track, and clean equipment between usage. Modify relays and team races to minimize contact between players, including by not sharing equipment (e.g., batons).
Volleyball	Maintain at least 6 feet social distance between players on each side of net and on the bench
Weight Lifting	Clean between each individual

Uniform guidelines across businesses, industries, and nonprofits within the State of Illinois; the following two categories do not apply to school-based activities.

General Health

Minimum guidelines

1. All employees who can work from home should continue to do so

2. Employees should wear face coverings over their nose and mouth when within 6-ft. of others (cloth masks preferred). Exceptions may be made where accommodations are appropriate – see IDHR’s guidance
3. Social distance of at least 6-ft. should be maintained between non-household individuals
4. Frequent hand washing by employees, and an adequate supply of soap/ paper towels and/or disinfectant/ hand sanitizer should be available

HR and Travel Policies

Minimum guidelines

1. All employees and workers who perform work at the worksite (such as temporary or contract workers) should complete health and safety training related to COVID-19 when initially returning to work. Resources to design a training are posted on the DCEO Restore Illinois guidelines website
2. When travel is necessary, employees should follow CDC travel guidance to protect themselves and others.
3. Employees should follow IDPH travel guidance to protect themselves and others by not traveling to states at higher risk for transmission of COVID-19.
 - a. When traveling domestically or international, avoid travel to areas of higher risk. Wear a face covering while in the airport, during the flight, and during any shared transit. If your essential travel requires you to be in areas of higher risk, attempt to travel during less crowded or lower-demand travel times in order to reduce exposure. Upon returning home, stay home if possible, and monitor your health for 14 days.
4. Employees should not report to, or be allowed to remain at, work if sick or symptomatic (with cough, shortness of breath or difficulty breathing, fever of 100.4 degrees or above, chills, muscle pain, headache, sore throat, new loss of taste or smell, or other CDC-identified symptoms), and sick or symptomatic employees should be encouraged to seek a COVID-19 test at a state or local government testing center, healthcare center or other testing locations, and follow CDC guidelines for self-isolation.
5. Employees who come into close contact with an infected employee– i.e., employees who were within 6 feet of an infected person for a cumulative total of 15 minutes or more over a 24-hour period – should follow CDC guidelines for self-quarantine.
6. Employers should clearly explain all paid leave policies and make workers aware that they may be eligible for benefits if they are sick or symptomatic
7. Employers should be aware that the Occupational Safety and Health Act of 1970 and provisions of state law prohibit employers from retaliating against workers for raising safety or health concerns

Encouraged best practices

1. Provide reasonable accommodation for COVID-19-vulnerable employees, including but not limited to work from home (if feasible), reduced contact with others, use of barriers to ensure minimum distance between others whenever feasible or other accommodations that reduce chances of exposure
2. When possible, limit travel to within each of the 11 regions IDPH uses for the Restore Illinois

guidelines.

3. Encourage employees to cooperate with contact tracing efforts to identify and inform their close contacts of their potential exposure to SARS-CoV-2.

Health Monitoring

Minimum guidelines

1. Sports organizations should encourage the practice of temperature checks by employees. Organizers should post information about the symptoms of COVID-19 in order to allow employees, participants, and spectators to self-assess whether they have any symptoms
2. All employers should have a wellness screening program. Resources outlining screening program best practices are posted on the DCEO Restore Illinois guidelines website
3. Before allowing participation in sporting activities, sport organizers or coaches should ask whether participant is currently exhibiting COVID-19 symptoms. If participant does have symptoms, they should wait to enter premises or participate in any sporting activity for a minimum of 10 days after symptom onset OR until feverless and feeling well (without fever-reducing medication) for at least 24 hours
4. Sport organizers or coaches should maintain attendance log of participants for contact tracing purposes. Sports organizers should maintain attendance logs of all facility rentals, spectators, and employees for contact tracing purposes
5. If employee, coach, participant, or spectator reports having any COVID-19 related symptoms, sports organizer should encourage individual to contact their health care provider; if multiple individuals report having any COVID-19 related symptoms, sports organizer or coach should notify their local health department within three days of being informed of the presence of COVID-19 symptoms; if multiple individuals test positive for COVID-19, sports organizer or coach should notify their local health department within one day of positive test results
6. If an employee, athlete, coach, or spectator is identified as being COVID-19 positive by testing, cleaning and disinfecting should be performed according to CDC guidelines
7. Where appropriate, notify individuals who have been exposed. Individuals who tested positive should not be identified by name.
8. Any individual who has had close contact (15 min or more) with any other person who is diagnosed with COVID-19 should quarantine for 14 days after the last/ most recent contact with the infected individual and should seek a COVID-19 test at a state or local government testing center, healthcare center or other testing locations. All other individuals should be on alert for symptoms of fever, cough, or shortness of breath and taking temperature if symptoms develop

Physical Workspace

Minimum guidelines

1. Sports organizers should display signage at entry with face covering requirements, social distancing

- guidelines, cleaning protocols, behavioral guidance, and any reduced capacity limit, in multiple languages as needed.
2. Non-competitive activities (activities in Level 1) should be set up to allow for at least 6 feet social distance between participants whenever possible, both during active gameplay and for other participants not actively exercising or involved in the activity.
 3. Sports organizers should allow for at least 6 feet social distance for all participants not actively exercising or involved in the sporting activity (e.g., on the bench or sidelines, in the stands) If a sporting facility has stations for individual recreation activities, sport organizers should ensure at least 6 feet between stations. If stations cannot be moved, sport organizers should limit the number of open stations to ensure participants can maintain at least 6 feet social distance whenever possible.
 4. Sports organizers should prohibit access to locker rooms whenever possible. Participants should arrive to the venue dressed for play. If locker rooms and showers are a necessity, sports organizers should require all entrants to wear a face covering at all times and the space should be configured with signage, tape, and other markings to ensure participants can maintain 6 feet social distance at all times.
 5. Sport organizers should designate an area for spectators with existing seating (e.g., bleachers) or in space around area of play. Organizers should ensure there is space available such that spectators can maintain at least 6 feet social distance between themselves and spectators that are not members of the same household or party.
 - a. Display visual markers (e.g., tape, cones) at least 6 feet apart for seating.
 - b. Remove any furniture and restrict spectators' access to any areas not conducive to maintaining at least 6 feet social distance.
 - c. If seats cannot be moved, venue operators should limit the number of open seats to ensure spectators can maintain at least 6 feet social distance (e.g., zip tie unused seats, remove seat bottoms, cover unused seats).
 6. Sports organizers or venues should configure space to ensure there is at least 30 feet social distance between spectators and participants.
 7. Sports organizers and venues that provide concessions should follow Restaurant and Bar guidelines for all food and beverage operations in line with the regional Tier mitigation levels as outlined in the Restore Illinois guidelines.

Encouraged best practices

1. Whenever possible, configure the area of play to allow for at least 6 feet social distance between participants, including for sports at Play Levels 2-4. Refer to the guidance above regarding mitigation efforts to lower transmission risk for particular sports.
2. Display visual markers at least 6 feet apart at any queue points (e.g. check-in, along sidelines, concessions).
3. Designate an area separate from others for anyone who exhibits COVID-like symptoms during the activity session to isolate from others before being picked up to leave.
4. If practical, expand seating beyond current capacity (e.g., bleachers, stands) by utilizing any available field or court space to encourage social distancing between spectators.
 - a. Use portable seating from other activity areas.
 - b. Encourage spectators to bring their own additional seating (e.g., chairs) from home.

5. Stream practices and games online, if possible, to promote virtual spectating.
6. Provide “grab-and-go” concessions that are pre-packaged and individually wrapped with markers spaced at least 6 feet apart to represent appropriate social distance between queued spectators and participants.

Procedures for Cleaning and Disinfecting

Minimum guidelines

1. Cleaning and disinfecting of premises should be conducted on a weekly basis in compliance with protocols from the CDC and EPA.
2. Clean and disinfect common areas (e.g., restrooms) and surfaces which are touched by multiple people (e.g., entry/exit doorknobs, stair railings) frequently
3. Sports organizers should make hand sanitizer or hand washing stations available to participants.
4. Minimize sharing of high-touch equipment between non-household individuals. If equipment is to be shared, sports organizers should sanitize equipment before and after use (see EPA approved list of disinfectants).
 - a. Athletic equipment such as bats and batting helmets should be cleaned between each use. Other equipment, such as catchers gear, hockey helmets/ pads, wrestling ear guards, football helmets/other pads, lacrosse helmets/ pads/gloves/eyewear should be worn by only one individual and not shared
5. Sanitization of locker rooms and showers should be completed at the beginning and end of practice/games at minimum.
6. Sport organizers should sanitize any individual recreation stations before and after participant use.
7. All required disinfecting, cleaning, or sanitizing activities to be conducted by employees should be within their normal workday or during otherwise compensated time.

Encouraged best practices

1. If practical, sanitize shared equipment during use (e.g., between drills) and encourage frequent hand sanitizing or hand washing, including during gameplay (e.g., between quarters, at time outs, when returning to the bench)
2. Athletes should be encouraged to shower and wash their workout clothing immediately upon returning home.

Staffing and Attendance

Minimum guidelines

1. For contact tracing purposes, sports organizers or venues should maintain a log of all spectators and non-participant visitors in attendance and schools or coaches should maintain a log of all participants in attendance.

2. Sports organizers should limit spectator attendance as follows, in accordance with regional Tier mitigation levels as outlined in the Restore Illinois guidelines:
 - a. When located in a region not facing specific mitigation efforts outlined in the Restore Illinois guidelines:
 - Gatherings of up to 50 spectators, indoors or outdoors, are allowed.
 - b. When located in a region under Tier 1 mitigation efforts per the Restore Illinois guidelines:
 - Gatherings of up to 25 spectators, indoors or outdoors, are allowed.
 - c. When located in a region under Tier 2 or more restrictive mitigation efforts per the Restore Illinois guidelines:
 - No spectators are allowed, whether indoors or outdoors.
3. Sports organizers should limit spectators to immediate household members or guardians of participants. Others should be considered only if space allows.
4. Sports organizers or venues may host multiple groups of participants engaged in active exercise or gameplay (e.g., multiple games happening in the same location), both indoors and outdoors, as long as:
 - a. The region in which the practice or game is not facing specific mitigation efforts, at Tier 1 or higher, as outlined in the Restore Illinois Guidelines.
 - b. The venue allows for all attendees to maintain at least 6 feet social distance throughout gameplay and during any ancillary contacts (e.g., spectator areas, entry, exit, concessions, etc.).
 - c. The venue allows for separation of at least 30 feet between contests, with areas for each contest marked to discourage interaction and limit contacts between groups when not actively exercising or engaged in competitive play.
5. Sport organizers should design a plan to allow all attendees to maintain at least 6 feet social distance within the venue and, if needed, designate employee(s) or coaches to monitor capacity limits and social distancing.
6. Sports organizers should ensure that any participants not actively exercising or participating in gameplay should sit on the sidelines at least 6 feet apart from one another.
7. Sports organizers should designate employee(s) or coaches to remind spectators, participants, and others to follow state guidance regarding face coverings, social distance, hygiene, behavior, and other rules.
8. Sport organizers should limit the occupancy of common areas and break rooms to allow for at least 6 feet social distance by removing or decommissioning furniture or staggering break times; this guideline is not intended to diminish employees break time requirements.

Encouraged best practices

1. Limit the number of individuals from separate organizations who attend games or contests to keep sports gatherings as small as possible. Individual organization should consider higher priority attendance for athletes, coaches, officials, medical staff, event staff, and security, and lower priority for others, such as spectators, media, and vendors.
2. Stagger game and practice times to minimize congregation of groups.
3. Teams/ groups should be static, with no mixing of employees or participants between groups for the duration of the season, if practical.
4. If practical, assign participants from the same household to the same team or group.

5. When possible, spectators from the same household should sit together.

External Interactions

Minimum guidelines

1. Before allowing external supplier or non-participant visitor to enter, or while requiring them to wait in a designated area, sport organizers should ask whether an external supplier or nonparticipant visitor is currently exhibiting COVID-19 symptoms.
 - a. If practical, sport organizers should take external supplier or non-participant visitor temperature using thermometer (infrared/ thermal cameras preferred, touchless thermometers permitted).
2. Sport organizers should keep log of all external suppliers, visitors, spectators who enter premises.
3. Suppliers and other visitors should wear face coverings over their nose and mouth when entering premises (exceptions can be made for people with medical conditions or disabilities that prevent them from safely wearing a face covering).

Encouraged best practices

1. Limit contact between external suppliers/ non-participant visitors and employees.
2. For youth sports, suspend post-activity group snacks.
3. As practical, adults dropping off or picking up participants should wait at designated drop-off/ pick-up areas and should arrive during a designated time window that limits congregation of persons at any one location.
4. Volunteers should abide by static team/ group guidelines applied to employees with no mixing between groups for the duration of the season/ volunteer period, if practical.
5. When possible, sports organizers should make lower-cost personal protective equipment available to spectators and other non-participant visitors to ensure they comply with stated guidance regarding face coverings, social distance, and hygiene.

Customer Behaviors

Minimum guidelines

1. Spectators and non-participant visitors must wear a face covering at all times that fully covers their nose and mouth and fits snugly against the sides of the face with no gaps, whether indoors or outdoors, except for
 - a. when eating or drinking,
 - b. people with medical conditions or disabilities that prevent them from safely wearing a face covering,
 - c. Individuals younger than 2 years of age, and
 - d. Individuals who have trouble breathing or are unconscious, incapacitated, or otherwise unable to remove the cover without assistance.

2. All participants must wear a face covering at all times that fully covers their nose and mouth and fits snugly against the sides of the face with no gaps, whether indoors or outdoors, except for
 - a. When eating or drinking,
 - b. When engaged in vigorous or high-intensity exercise, including practices or competitions,
 - c. For individuals with medical conditions or disabilities that prevent them from safely wearing a face covering, and
 - d. During activities where coverings could pose an injury risk by getting caught on equipment or accidentally covering eyes.
3. Sports organizers should direct all individuals not actively exercising or participating in sports activities to refrain from shouting, singing, or chanting.
4. Participants should wash hands with soap and water or use hand sanitizer before participating and, when practical, during gameplay (e.g., between quarters, at time outs, when returning to the bench).
5. Participants should bring their own source of water and refrain from using any communal sources of hydration (e.g., team water or sports drink jug).
6. Participants should not share athletic towels, clothing, or shoes.
7. All attendees should refrain from handshakes, high fives, fist bumps, hugs, “go-team” hand raises, etc.
8. All attendees should refrain from spitting or blowing of the nose without the use of a tissue.

Encouraged best practices

1. All participants should wear a face covering when engaged in non-vigorous exercise, including practices and competitions, and when maintaining at least 6 feet social distance is not possible.
2. Require physicians notes for individuals who have a medical contraindication to wearing a face covering.
3. If practical, sport organizers should take participant temperature using thermometer (infrared/ thermal cameras preferred, touchless thermometers permitted) prior to participation in the activity.
4. When possible, sports organizers should make lower-cost personal protective equipment available to spectators and others to ensure they comply with stated guidance regarding face coverings, social distance, and hygiene.
5. Activity sessions should be held by appointment only (e.g., limit walk-ins, limit pick-up games)
6. Participants should sanitize hands regularly.
7. Participants should avoid touching facility accessories (e.g., goal posts, flags).
8. Participants should use their own equipment (e.g., helmet, bat, gloves) as much as practical.
9. Participants should place personal belongings at least 6 feet away from others’ personal belongings.

Follow the latest regional metrics at: <https://dph.illinois.gov/regionmetrics> (<https://dph.illinois.gov/regionmetrics>)

For more information on guidance for businesses, please visit the [FAQ on DCEO's website](https://www2.illinois.gov/dceo/Documents/Phase%204%20Business%20Guidance%20FAQ.pdf) (<https://www2.illinois.gov/dceo/Documents/Phase%204%20Business%20Guidance%20FAQ.pdf>).

Audience:

[Colleges & Universities \(/colleges-universities\)](#)

[Community Settings \(/community-settings\)](#)

[Home \(/home\)](#)

[Local Health Departments \(/local-health-departments\)](#)

[Schools \(/schools\)](#)

Protecting health, improving lives.

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COVID-19 HOSPITALIZATION AND DEATH BY AGE

EXHIBIT C

FACTORS THAT INCREASE COMMUNITY SPREAD AND INDIVIDUAL RISK



CROWDED SITUATIONS



CLOSE / PHYSICAL CONTACT



ENCLOSED SPACE



DURATION OF EXPOSURE

Rate ratios compared to 18-29 year olds

0-4 years

5-17 years

18-29 years

30-39 years

40-49 years

50-64 years

65-74 years

75-84 years

85+ years

HOSPITALIZATION¹

4x
lower

9x
lower

Comparison
Group

2x
higher

3x
higher

4x
higher

5x
higher

8x
higher

13x
higher

DEATH²

9x
lower

16x
lower

Comparison
Group

4x
higher

10x
higher

30x
higher

90x
higher

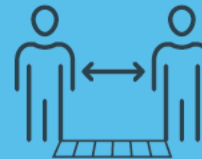
220x
higher

630x
higher

ACTIONS TO REDUCE RISK OF COVID-19



WEARING A MASK



SOCIAL DISTANCING
(6 FT GOAL)



HAND HYGIENE



CLEANING AND
DISINFECTION



¹ Data source: COVID-NET (<https://www.cdc.gov/coronavirus/2019-ncov/covid-data/covidview/index.html>, accessed 08/06/20). Numbers are unadjusted rate ratios.

² Data source: NCHS Provisional Death Counts (<https://www.cdc.gov/nchs/nvss/vsrr/COVID19/index.htm>, accessed 08/06/20). Numbers are unadjusted rate ratios.

cdc.gov/coronavirus

CS319360-A 08/10/2020

EXHIBIT D

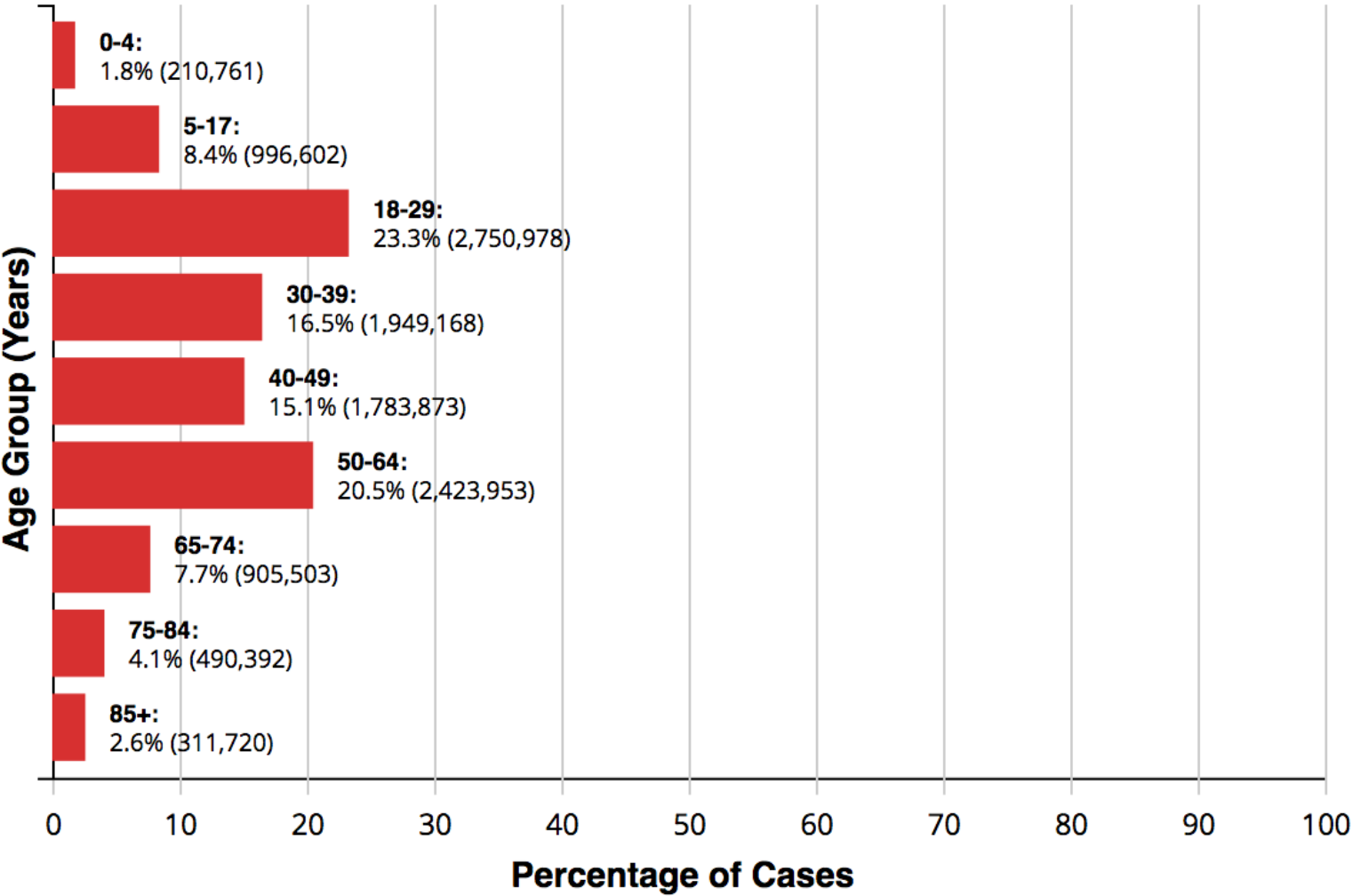


EXHIBIT E

Cases by Age Group

Date generated: Sun Dec 13 2020 16:56:01 GMT-0600 (Central Standard Time)

Age Group	Percentage	Count
0 - 4 Years	1.8	210761
5 - 17 Years	8.4	996602
18 - 29 Years	23.3	2750978
30 - 39 Years	16.5	1949168
40 - 49 Years	15.1	1783873
50 - 64 Years	20.5	2423953
65 - 74 Years	7.7	905503
75 - 84 Years	4.1	490392
85+ Years	2.6	311720