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Dynamic development in certificates for exemption from the obligation to wear masks - Kugelmann: Safer action for schools improved New regulations in the Corona Control Ordinance and new case law create new framework conditions for schools with regard to exemption from the obligation to wear masks. In connection with the exemption from the obligation to wear masks or from classroom teaching, meaningful medical Certificates are requested from students, which are to be treated in accordance with data protection. In this respect, the Rhineland-Palatinate state government has followed the recommendations of the State Commissioner for Data Protection and Freedom of Information (LfDI) Rhineland-Palatinate and has made a clarification on the corresponding certificates for schools in the Corona Control Ordinance in Section 12 (2). The state data protection officer, Professor Dieter Kugelmann, states: "The right to informational self-determination must be balanced with other fundamental rights such as the right to physical integrity, including health. In the times of the pandemic, data protection is also subject to a wide range of restrictions. In view of the special sensitivity of health data, however, I think it is important that the legislator or legislator makes this weighing decision in clear regulations that also take the specific situation in schools into account. I therefore welcome the fact that the scope of data requirements for medical certificates and the ban on making copies have now been expressly regulated for the school sector in the Corona Control Ordinance that will apply from December 1, 2020."

Kugelmann goes on to say: "The courts had recently considered general regulations to be fundamentally viable in order to request extensive medical data in a school context. The new regulations take up the requirements formulated by case law without losing sight of data protection aspects. This also dispels the concerns I have expressed in the past. This gives everyone involved, and especially the schools, more confidence in their actions."

The current text of the regulation can be accessed [here](#).

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