In Budget & Finance News…

**E-Rate and Connectivity** – School districts will have another shot to apply for federal funding for campus connectivity, thanks to an order approved Wednesday by the Federal Communications Commission. The move would allow districts to seek additional funds under the E-rate program, which helps schools and libraries across the country with internet connectivity needs. The new round of funding will allow districts to upgrade broadband to help with the increasing shift to 1-to-1 computing, live-streaming of classroom instruction to children at home, and expanded use of cloud-based educational tools and platforms, the FCC said in a statement. The order also waived some procedural requirements to help expedite the funds. Read the rest of the story: “Districts Get Second Shot at E-Rate Funds to Bolster Campus Connectivity” (from Education Week, 9/16/20).

**Vouchers and a Relief Bill** – As negotiations over the next round of COVID-19 relief remained stalled on Capitol Hill, U.S. Secretary of Education Betsy DeVos said last Thursday that she's hopeful the final package will include funding for two programs that would provide public funds and tax credits to allow families to send their children to private schools. Those items were included in the most recent GOP bill, which failed to advance in the Senate this month. Democrats have criticized DeVos's efforts to direct new and existing relief funds to private school students. They've pushed instead for more funding to shore up the budgets of struggling state and local governments. School administrators have said cuts at the state and local level could lead to teacher layoffs and elimination of educational programs. Read the rest of the story: “DeVos Hopeful School Choice Funding Will Be Included in COVID-19 Relief Bill” (from Education Week, 9/17/20).

Guidance and Resources…

**Federal Judge’s Ruling on Gubernatorial Authority** – One day after a federal judge ruled Pennsylvania’s pandemic restrictions unconstitutional (on Monday, Sept. 14), Gov. Tom Wolf issued a statement slamming Republicans' celebratory response and urging people to take the coronavirus seriously. "There's no sense debating a ruling that will be appealed," Wolf said on Tuesday. "But what's not up for debate is that our early and decisive action saved lives." Plaintiffs, including four Pennsylvania counties, several Republican lawmakers and a number of local businesses, filed suit against Wolf and Dr. Rachel Levine, the state's health secretary, in May, alleging that public health orders closing businesses and requiring people to stay at home violated their constitutional rights. Certain counties were placed under stay-at-home orders starting in March, and a statewide order took effect in April. A March 19 order required all "non-life-sustaining" businesses to close. Those measures relaxed as counties moved through a phased reopening plan, and as of July 3, the entire state is in the green phase, where mask requirements, capacity limits and gathering restrictions remain in place. On Monday, U.S. District Judge William Stickman, an appointee of Pres. Trump, sided with the plaintiffs, finding the since-suspended business closure and stay-at-home orders as well as limits on indoor and outdoor gatherings were unconstitutional. Read the rest of the story: “Pennsylvania Officials Stand By Pandemic Response After Judge Rules Against Orders” (from NPR/WITF, 9/15/20).

**New Mathematic Report** – A new Mathematica report posted by the PDE last week provides every school leader with highly relevant modeling around various reopening strategies, information on what those strategies imply for when an infection presents, and projections for what the longer-term school year may look like (i.e., how often students and staff could reasonably expect to be in school). The report will be particularly useful for communications with parents, community members and local officials.

**Coronavirus Web Resources** – PASA’s web page concerning the Coronavirus and Pandemic Preparation includes links to information about issues such as school athletics and return-to-school, along with updated guidance from the PDE, CDC and USDE, and other important updates from the state and federal levels.

**Racism and Equity Resources** – PASA has compiled and posted a list of resources to assist school leaders and educators to facilitate conversations and initiatives addressing racism and inequity in schools and
Click here for the list.

**Resources from PASA Sponsors** – PASA is grateful for the ongoing support of our Sponsors at all levels. Although PASA does not promote or endorse any product or service offered by our sponsors, we are pleased to share information they offer that may be helpful to school leaders, particularly concerning return-to-school issues. Several of our sponsors have offered free webinars and other unique opportunities and resources to assist PASA members in planning for the school year. A recording of several of these webinars and a list of additional **FREE** resources and information is available on the PASA website.

**In Legislative News…**

**Session Schedule** – The Senate had been scheduled for a three-day session this week but instead will meet only on Monday and Tuesday. The House stands in recess. Next week, the House returns, while the Senate goes into recess.

At this point, Gov. Wolf has until the end of the day to act on **HB 2787** concerning attendance at athletic events. In addition, numerous bills are on committee calendars and the Senate floor calendar, and rumors abound concerning possible amendments to one or two School Code bills in advance of the Nov. 3 election. This is a time when things can change quickly. Stay tuned….

**Last Week’s Legislative Action**

* **HB 1962**: Retirement System Stress Test; passed the House, 202-0. The bill would establish an annual “stress test” for both the State Employees Retirement System and the Public School Employees’ Retirement System, require those results to be submitted to the governor, General Assembly and the Independent Fiscal Office (IFO) no later than January 1, and require the IFO to issue a report summarizing those results to the General Assembly no later than March 1 of each year.

* **SB 1216**: Certification Flexibility; extensively amended on the House floor. As introduced, the bill would amend the School Code to provide temporary certification flexibility for up to one year (expiring June 30, 2021) as follows:
  - Allow the Pennsylvania Department of Education (PDE) to issue a temporary certificate to individuals that have completed all of their teacher preparation requirements except their final assessment (i.e. praxis).
  - Allow PDE to issue an exceptional case permit for current educators who are unable to take their assessment to move from an Instructional I certificate to an Instructional II certificate.
  - Allow PDE to issue a temporary certificate under limited circumstances for individuals who were seeking to add on a certification (physical education/health, cooperative education and special education are exempted). Individuals will have to provide proof to PDE that their assessment was cancelled.
  - Waive requirement for undergraduate sophomores to take the basic skills exam. This test is required for teacher preparation programs.
  - Extends the deadline for paraprofessionals to satisfy staff development requirements.
  - Creates a transition period for the Special Education-PK-8 and Special Education-7-12 certifications.

**SB 1216 was significantly amended** on the House floor to:
  - delay until 2022-23 the use of the Keystone Exams as a graduation requirement or as a benchmark for the need to participate in a project-based assessment;
  - allow the Secretary to waive the NIMS assessment and the NOCTI exam school-wide or for a specific CT program based on the recommendations of directors of CT education programs;
  - allow the Secretary to waive the requirement to include performance data otherwise required in a professional employee's performance rating;
  - require the Secretary to apply to the USDE for a waiver from testing and accountability requirements under ESSA if the USDE provides an opportunity to apply for such a waiver;
  - exempt students who satisfactorily complete Keystone Exam-tested courses from taking the Keystone for that course should the USDE provide a waiver from testing in 2020-21, and would consider that student to be proficient for purposes of graduation;
  - grant to parents the option of opting their children out of the Keystones or PSSA without any specific reason and requires the school entity to inform parents that they would have that option;
  - require school districts to provide transportation to private school students, regardless of whether the public
school is operating in-person instruction; and
- require the DOH to notify a school entity of any positive case of COVID-19 involving a student or staff member,
and require that school entity to inform that information to any parents, staff, volunteers or contractors in that
building or on the same school property as the positive case, and require the school to provide affected students
with educational support.

Although the bill did not have a final vote, it could be further amended and/or subject to a vote on final
consideration next week when the House returns to session.

This Week’s Committee Schedule –

Tuesday, September 22

Senate Education Committee: The committee will meet to consider the following bills:
* **SB 1251**: Assessment Testing Select Committee. As introduced, the bill amends the School Code to establish
the Assessment Testing Select Committee, comprised of the majority and minority chairs of the House and Senate
Education Committees, to study and make findings and recommendations regarding the requirement for and
administration of the testing requirements of the Elementary and Secondary Education Act of 1965 during a
resurgence of the Pandemic of 2020 in the 2020-2021 school year. The committee would report its findings and any
recommendations to the secretary, the Senate and the House of Representatives by September 10, 2020. (The bill
would need to be amended.)
* **SB 1252**: Volunteer Program. The bill amends the School Code to establish the Retired Volunteer Educator
Tutor Program.
* **SB 1268**: Temporary Nurse Aids. The bill would amend current state law to allow TNA’s hired during the
declared emergency to be deemed to satisfy the requirement of completing a nurse aid training and competency
evaluation program and placed on the Certified Nurse Aide Registry if they meet a certain level of training, testing
and experience.
* **HB 703**: School Director Email Addresses. The bill amends the School Code to require school districts to
establish an e-mail address for each school director and post them on the school district’s publicly accessible
Internet website (in a location and manner that are easily visible and accessible to the public) for use by members
of the public, school district staff and students to communicate with individual school directors regarding matters of
school district governance.

In State News...

**Teacher Retirements** – The number of teachers who retired in Pennsylvania during the first eight days of
September has skyrocketed. From 2020, 252 teachers retired in the Commonwealth, as reported by the Public
School Employees’ Retirement System (PSERS). This represents an increase of more than 183 percent compared
that same week the previous year. In 2018, 49 teachers retired during this same eight-day period, equivalent to a
decrease of 414 percent compared to the first eight days of this September. Read the rest of the story: “As
Pandemic Lingers, Teachers Retiring in Record Numbers” (from The Daily Local News, 9/17/20).

In National News...

**‘Patriotic’ Education** – President Donald Trump is continuing his concerted attacks on what he called “left-wing
indoctrination” in history classes that teach students to disown America’s past and its founding ideals. During an
event on American history at the National Archives last Thursday celebrating Constitution Day, the president also
drew a direct link between what he called decades of “propaganda” taught in schools and this summer’s protests
and unrest over racial injustice. He also reiterated his recent broadsides against the New York Times Magazine's
Pulitzer Prize-winning 1619 Project, which sought to more fully incorporate slavery and its effects into discussions
of American history. In recent months, amid divisive debates over the role of race in the nation’s politics and culture,
the president has sought to use debates about what children learn about American history to his political
advantage. He’s called for schools to “teach American exceptionalism” and said that schools are teaching students
to "hate their own country." On Thursday, the president also used his speech to announce that he would create the
"1776 Commission" that would be used to "promote patriotic education." He also announced that the National
Endowment for the Humanities had awarded a grant to fund the creation of "a pro-American curriculum that
celebrates the truth about our nation's great history." Read the rest of the story: “Trump Blasts 'Left-Wing
Indoctrination' in History Classes as 'Child Abuse'” (from Education Week, 9/17/20).
**Transgender Court Ruling and Title IX** – The Trump administration is doubling down on its view that transgender female athletes are taking away opportunities from cisgender girls in violation of Title IX, and it argues that the U.S. Supreme Court’s recent decision that federal anti-discrimination law protects transgender employees does not alter that equation. The U.S. Department of Education’s office for civil rights sent a letter recently to the Connecticut Interscholastic Athletic Conference and six school districts saying that the high court’s June 15 decision in *Bostock v. Clayton County, Ga.* did not necessarily apply to Title IX of the Education Amendments of 1972, which bars sex discrimination in federally funded educational programs. "The court's opinion in *Bostock* also does not affect the department's position that its regulations authorize single-sex teams based only on biological sex at birth—male or female—as opposed to a person's gender identity," said the Aug. 31 letter signed by Kimberly M. Richey, the Education Department's acting assistant secretary for civil rights. Read the rest of the story: “Education Dept.: High Court Ruling Does Not Support Transgender Athletes” (from Education Week, 9/14/20).

**On the PASA Calendar…**

Sept. 21.......Sponsor Webinar – EduPlanet21  
Sept. 22-23...New Superintendents’ Academy  
Sept. 28.......Webinar: Building Culture from the Inside Out  
Oct. 7.........Professional Development Committee meeting (virtual)