Updated Face Covering Order – Last week the PA Department of Health issued updated orders concerning face coverings in indoor and outdoor settings due to rising cases of COVID throughout the commonwealth. The order was effective as of last Friday (Nov. 20). Significant provisions in the order affecting schools are as follows:

* When indoors, individuals must wear a face covering, irrespective of physical distance. If a person is working alone and does not expect to have any interaction with another person, they may remove their face covering.
* Everyone must wear a face covering when indoors, irrespective of physical distance, however, if a person is working alone, and has no expectation of being around other persons, they do not need to do so.
* The order applies to all students, staff and visitors two years old and older while in school entities.
* School entities may allow students to remove face coverings when students are:
  - eating or drinking when spaced at least six feet apart; or
  - when wearing a face covering creates an unsafe condition in which to operate equipment or execute a task; or
  - at least six feet apart during “face-covering breaks” to last no longer than 10 minutes
* Everyone who participates in sport activities including coaches, athletes (including cheerleaders), and spectators must wear a face covering, such as a mask, unless they fall under an exception in Section 3 of the order (below). This requirement includes those actively engaged in workouts, competition, on the sidelines, in the dugout, etc.
* Section 3 Exceptions:
  - those with respiratory issues that impeded breathing, mental health conditions or disability
  - those for whom wearing a mask while working would create an unsafe condition in which to operate equipment or execute a task as determined by local, state or federal regulators or workplace safety guidelines (i.e. for student athletes such as swimmers)

The order also notes that a school entity may make a stricter face covering policy.

Click here to read the order. Click here for the FAQ. As in all issues related to the pandemic, school officials should consult with their local department of health and district solicitor on these issues.

Out-of-State Quarantine Order – Also last week the DOH issued an out-of-state quarantine order specifically to address holiday travel and gathering concerns, effective last Friday. The order requires that individuals traveling into and returning to Pennsylvania from any other state or an international location must produce evidence of a negative SARS-CoV2 (COVID-19) test from a specimen collected within 72 hours prior to entering the Commonwealth, or quarantine for 14 days upon entering, unless they qualify for one of the specified exemptions (travel for work, military, medical reasons, and those in transit through the commonwealth). Travelers who do not have their test results at the time of entry into the Commonwealth must remain at their travel destination without contact with others outside their travelling party until they receive their test results. Travelers receiving positive results must remain in isolation. Travelers receiving negative results may continue their intended activities.

While schools do not have the capacity to “police” these requirements, it is important to make students and parents aware of the order and encourage them to follow it as much as possible.

Report on Virtual Education – Several months into the new school year, the question remains: Is remote learning going better this fall than it was in the spring? New data from the RAND Corporation show that many teachers are still struggling. Teachers in all-remote environments reported higher student absenteeism and less student work completion than teachers in face-to-face classrooms. These online teachers also said that they needed more support and guidance in planning instruction than their colleagues who were teaching in-person. These results are especially relevant right now, as COVID-19 cases are surging across the country, and several big-city school districts are weighing a return to fully remote classes. "From this data that we've collected, it's clear that there are some students who are very likely falling through the cracks because of remote learning," said Julia Kaufman, a senior policy researcher at the RAND Corporation and a co-author of the report, in an interview with Education Week. Read the rest of the story: “Survey: Teachers and Students Are Struggling With Online Learning” (from Education Week, 11/16/20).
**Parent Survey: Online Learning** – While many school leaders focus on bringing students back into in-person classrooms as they were, a majority of parents want them to develop new and better ways of teaching, prioritize high-quality distance learning now and continue to offer virtual instruction even after COVID-19 recedes, a new poll finds. The survey, commissioned by the National Parents Union, also finds broad approval among parents for their own schools — but high numbers reporting that their children are receiving less learning than usual. Low-income parents and those whose children have disabilities are particularly likely to say their kids are losing ground. Nearly two-thirds of parents surveyed in the most recent poll want schools to focus on new ways to teach children moving forward as a result of COVID-19, while 32 percent say they want schools to try to get back as quickly as possible to how things were pre-pandemic. Read the rest of the story: “New Poll Finds Parents Want Better Distance Learning Now, Online Options Even After COVID, More Family Engagement” (from the74million.org, 11/17/20).

**Statement of Support for In-Person Learning** – Governors of seven Northeastern states released a statement in support of in-person learning with “appropriate protections” Thursday as schools around the country confront climbing coronavirus rates in their communities. The statement bolstering the case for in-person schooling was issued by Pennsylvania Gov. Tom Wolf, New York Gov. Andrew Cuomo, New Jersey Gov. Phil Murphy, Connecticut Gov. Ned Lamont, Delaware Gov. John Carney, Rhode Island Gov. Gina Raimondo, and Massachusetts Gov. Charlie Baker. The bipartisan coalition of leaders, who have coordinated their states' responses to the public health crisis, included the statement in a press release calling on colleges and universities to take extra precautions to slow the spread of COVID-19 as Thanksgiving approaches. "Medical research as well as the data from Northeastern states, from across the country, and from around the world make clear that in-person learning is safe when the appropriate protections are in place, even in communities with high transmission rates,” said the governors’ statement. "In-person learning is the best possible scenario for children, especially those with special needs and from low-income families. There is also growing evidence that the more time children spend outside of school increases the risk of mental health harm and affects their ability to truly learn.” (from Education Week, 11/19/20)

**PASA Resources** – PASA’s web page concerning the Coronavirus and Pandemic Preparation includes links to information about COVID-related issues, along with updated guidance from the PDE, CDC and USDE, and other important updates from the state and federal levels. In addition, 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 communities. 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. PASA 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.

**Budget, Finance & Funding News…**

**2020-21 State Budget** – Lawmakers last week finalized the remainder of the 2020-21 state budget (HB 2536 and SB 1350), passed a Fiscal Code and state appropriations bill and have sent them to the governor. The budget is a $35.5 billion plan that marks a 2.2% decrease from the the 2019-20 budget. Reduced state tax collections, now estimated at between $3 - 4 billion, will be supplemented with a projected $2.1 billion in federal medical assistance reimbursements, $1.3 billion in remaining CARES Act funds held by the Wolf Administration, and $531 million in one-time transfers from cash reserves in a number of state government’s special funds. The budget also hinges on a bet that tax collections for the current fiscal year will come in about $2 billion higher than had been estimated last spring, when the American economy was nearing the bottom of a sharp drop caused by the nationwide lockdowns.

The budget plan provides the following:
* no cuts to Basic, Special Education or C/T subsidies
* a proposed $668 million state spending cut for education. HOWEVER, most of the “cuts” will be filled in by unallocated CARES funds. Some line items will actually see small increases from reallocation of funds.
* Pupil Transportation subsidy fully funded according to the formula, even though the budget spreadsheet shows a
CT Grants – Last week the Pennsylvania Department of Education (PDE) announced it is awarding nearly $1.2 million in competitive grants to 32 Career and Technical Centers (CTC) and Area Vocational Technical Education Schools and two school districts across the state for the purchase of new equipment aligned to training students in high-demand occupations. “The importance of industry-standard technology to enhance career readiness is still a priority we at PDE continue to highlight given the recent shift to learning models communities have had to endure,” said Acting Secretary of Education Noe Ortega. “The Career and Technical Education Equipment grants assist institutions in preparing their students to excel so they can advance and prepare for the technical careers that await them.” Under the program, the maximum grant is $50,000, and each grant must be matched dollar-for-dollar from a local source which could include local school funds or contributions from business and industry partners. (from a press release, 11/18/20)

In Legislative News...

Session Schedule – The 2019-20 legislative session ends on November 30. Lawmakers are not expected to return to the Capitol before that date, as the state budget and numerous other bills were passed last week. Any bill not passed finally and sent to the governor will need to be reintroduced in the 2021-22 session, which begins in January.

Legislative Leadership Elections – The Senate Democratic Caucus has elected their leaders for the 2021-22 session. They are:
- Minority Leader: Jay Costa (Allegheny)
- Minority Whip: Anthony Williams (Philadelphia)
- Appropriations Chairman: Vince Hughes (Philadelphia)
- Caucus Chair: Wayne Fontana (Allegheny)
- Caucus Secretary: Maria Collett (Montgomery) - replaces Larry Farnese (Philadelphia) who lost his reelection bid in the primary
- Policy Chair: Katie Muth (Montgomery) - replaces Lisa Boscola (Northampton) who lost her bid to maintain the leadership post

Last Week’s Action – Both the Senate and the House were in session four days last week and acted on the following bills:

* **HB 1342**: Vision Screening; passed by the Senate and sent to the governor. The bill creates prekindergarten vision screenings, and also modifies the current school vision screening schedule by eliminating annual screenings for students after 5th grade, instead requiring them every two years. As amended earlier, the bill changes the applicability to school years beginning after the regulations are promulgated and requires a school entity to provide resources to aid parents if they have not been able to get their annual eye exam after a failed screening. The Department of Health would develop informational resources for schools to share with parents. An amendment will be added to the bill to give schools the option of continuing annual vision screenings for students after 5th grade.

* **HB 1737**: Limited Liability; amended and passed by the Senate; House concurred in Senate amendments, and bill goes to the governor. The bill would protect health care providers, schools, businesses and others who followed COVID-19 public health directives from unfair lawsuits for good-faith actions they took during the pandemic. People and entities covered by the legislation would still be responsible for any intentionally wrongful acts and acts considered “reckless.” Most will also be responsible for any “gross negligence.” (Manufactures of personal protective equipment who donated PPEs or sold them at cost are protected against “gross negligence” claims.) Under the legislation, claims of negligence must be demonstrated by “clear and convincing evidence,” rather than “by a preponderance of evidence.” The legislation does not provide complete immunity for anyone. It simply ensures that if people or entities follow public health directives established by federal or state governments, they will not be held responsible for any harm that allegedly occurred. The Senate also include amendments related to limited liability for economic development agencies. *At this time, it is unknown whether the governor will sign the bill due to several Senate amendments unrelated to limited liability for school officials.*

* **HB 1962**: Retirement System Stress Test; passed as amended in the House, Senate concurred in House amendments, and sent to the governor. 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 835**: Funding for Broadband Expansion; Senate concurred in House amendments, bill goes to the governor. The bill would dedicate state funding to address unserved rural areas of the Commonwealth by establishing a grant program to extend deployment of facilities already providing broadband service, limiting funding to entities who have demonstrated the ability to construct and administer, requiring it to be used in unserved areas only, and necessitating 25-percent of project costs come from their own funds.

* **SB 1216**: Teacher Certification; amended by the Senate, House concurred in Senate amendments, and will be sent to the governor. The bill amends the School Code with a number of provisions:
  - delays to 2021-22 the graduation requirement for passing the Keystone Exams or the alternative graduation project
  - effective with the 2019-2020 school year and each year that the federal government waives accountability assessments under ESSA, provides that any student taking and passing a Keystone course shall be deemed proficient
  - delays the deadline for the Special Education Funding Commission Report until June 30, 2021
  - grants to the PDE the authority to continue to issue K-8 and 7-12 Special Education Certificates to students finishing those programs
  - grants to the Secretary of Education the authority to do the following:
    - waive requirement to complete the basic skills assessment until June 30, 2021
    - issue temporary provisional teaching certificates good for one year
    - issue an exceptional case permit for Level I Professional Employees through June 30, 2021 who were not able to complete their Level II requirements due to the pandemic
    - issue a temporary teaching certificate to those who were unable to schedule and take a subject matter exam except for physical education, cooperative education, and special education
    - Extend and emergency teaching permit for one year under 22 PA code, section 22.41
    - waive the NIMS and NOCTI Assessments
    - waive the Performance Data for Professional Employee Evaluations
    - waive Staff Development Requirements under 22 PA Code, Section 14.105 until June 30, 2021
    - apply to the federal government for an accountability assessment waiver

PASA did oppose an amendment that nevertheless was included in the final bill. SB 1216 requires school districts to provide pupil transportation to non-public schools even if the public school system is not running its transportation system. However, the bill does make clear that districts will receive pupil transportation subsidy in 2020-21 equal to or greater than they received in 2019-20. Districts must pay the transportation contractor the amount the contractor would have received for a full school year minus variable costs to receive state transportation subsidy. PDE will develop guidelines in consultation with PASBO, PSBA, and the School Bus Association.

Two amendments that PASA opposed were removed from the bill prior to final passage. One would have granted to parents the option of opting their children out of the Keystones or PSSA without any specific reason and require the school entity to inform parents that they would have that option. Another amendment would have required school entities to inform any parents, staff, volunteers or contractors in a building or on the same school property as a positive COVID case.

**In National News…**

*The ESSA and the Pandemic* – The Every Student Succeeds Act (ESSA) was enacted in 2015 after years of painstaking negotiations and compromise. But one thing the people who wrote it didn’t include in the law, or talk about when they wrote it, was how it would be affected by a pandemic. As the coronavirus surges nationwide, some schools that had reopened for in-person instruction, or planned to, are reconsidering their options. Children who haven't swapped out public schools for other choices, or dropped off the radar altogether, still face major disruptions. And the pandemic has wrought huge changes if not chaos on educators in terms of where they can direct their time and energy. The main federal K-12 law focuses on accountability, but otherwise doesn't engage in
a lot of micromanagement of how schools work. It has a limited amount of power by design. Will that structure help it endure? And how, and how much pressure could the pandemic put on the law's assumptions and foundations? Read the rest of the story: “How Will ESSA Hold Up During COVID-19? Pandemic Tests the Law's Resilience” (from Education Week, 11/16/20).

**Seeking Assessment Relief** – Pressure is growing for schools to get some kind of relief from traditional standardized tests as coronavirus cases reach new highs, and education officials in at least a few states are responding. In Washington, President-elect Joe Biden's administration will have to decide whether to grant states waivers from federally mandated tests soon after he takes office Jan. 20. But the validity and usefulness of tests during the pandemic has been a concern for months. And at this point, states are clearly not content to wait for input or leeway from any new U.S. Department of Education leadership about the issue in general. Read the rest of the story: “States Push to Ditch or Downplay Standardized Tests During Virus Surge” (from Education Week, 11/20/20).

**Statement on Reopening Schools Removed** – The Centers for Disease Control and Prevention has quietly removed a statement from its website that stressed "the importance of reopening America's schools" even as they take steps to address the coronavirus pandemic. The July statement had been attached to revised guidance from the agency that came after President Donald Trump criticized the CDC's guidance on COVID-19 and called for K-12 schools to reopen, threatening their funding if they remained in remote learning. The change, first reported by The Hill Tuesday, comes after the CDC—and the Trump administration as a whole—have faced months of criticism for incomplete and inconsistent guidance to schools on how to respond to the public health crisis. The now-withdrawn statement, which took a stronger tone in favor of reopening than the agency's other guidance documents, was reportedly influenced by White House discussions over the subject. It appears to have been removed on Oct. 28, according to cached versions of the website kept by the Internet Archive. (from Education Week, 11/17/20)

**Importance of Vaccinations** – A vaccine against the coronavirus that causes COVID-19 could be broadly available by late spring, and to some teachers in schools even sooner. But schools are already grappling with the problem of how to convince families to get their children immunized—not just against COVID-19, but other childhood diseases already at risk of dangerous outbreaks. While the coronavirus pandemic has heightened schools' focus on infection spread and containment, educators can take a key leadership role in preventing new outbreaks by encouraging existing childhood immunizations and laying the groundwork for a future COVID-19 vaccine. Read the rest of the story: “The COVID-19 Vaccine Isn't Here Yet, But Schools Need to Push Families to Vaccinate Now. Here's How” (from Education Week, 11/19/20).

**On the PASA Calendar…**

Nov. 26-27….PASA office closed
Dec. 2........Prof. Dev. Comm. Meeting
Dec. 3........Superintendent Virtual Session: What’s Now?
Dec. 14-15….PASA/PASBO School Construction Workshop
Dec. 17........Superintendent Virtual Session: What's Next?