Updated Mitigation Measures – As COVID-19 cases continue to rise, Governor Tom Wolf and Secretary of Health Dr. Rachel Levine last Thursday implored Pennsylvanians to take the next three weeks and stand united against the virus by adhering to both existing mitigation and new orders concerning public gatherings, restaurants and athletics. Click here for the Governor’s order, and click here for the DOH order.

"Today I am announcing additional, temporary COVID-19 protective mitigation measures in the commonwealth," said Gov. Wolf. “With these measures in place, we hope to accomplish three goals: First, stop the devastating spread of COVID-19 in the commonwealth. Second, keep our hospitals and health care workers from becoming overwhelmed. And third, help Pennsylvanians get through the holiday season – and closer to a widely available vaccine – as safely as possible. This is a bridge to a better future in Pennsylvania.”

The new, limited-time mitigation orders took effect at 12:01 a.m. on December 12, and will remain in effect until 8 a.m. on January 4, 2021.

"Each of the last two days we have reported the highest number of deaths since the beginning of the pandemic,” Dr. Rachel Levine said. “In the past week, we have reported close to 1,100 new deaths from COVID-19 across Pennsylvania. The virus continues to strain our health care systems and the dramatic rise in cases among all age groups, including among school-age children, is alarming. Since the start of the pandemic, there have been more than 37,500 cases among children age 5 to 18, yet 9,500 of those cases occurred in the past two weeks.”

Mitigation measures now in effect include the following:

* **In-Person Dining and Alcohol Sales:** All in-person indoor dining at businesses in the retail food services industry is prohibited. Outdoor dining, take-out food service, and take-out alcohol sales are permitted and may continue, subject to any limitations or restrictions imposed by Pennsylvania law, or this or any other Order issued by the Sec. of Health or by the governor.

* **Indoor Gatherings and Events:** Indoor gatherings and events of more than 10 persons are prohibited. Churches, synagogues, temples, mosques, and other places of congregate worship are specifically excluded from the limitations set forth above during religious services, these institutions are strongly encouraged to find alternative methods for worship, as in person gatherings pose a significant risk to participants at this time.

* **Outdoor Gatherings and Events:** Outdoor gatherings and events of more than 50 persons are prohibited.

* **Capacity Limits for Businesses:** All in-person businesses serving the public may only operate at up to 50% of the maximum capacity stated on the applicable certificate of occupancy, except as limited by existing orders to a smaller capacity limit.

* **Gyms and Fitness Facilities:** Indoor operations at gyms and fitness facilities are prohibited. Outdoor facilities and outdoor classes can continue, but all participants must wear face coverings in accordance with the [Updated Order Requiring Universal Face Coverings](#), including any subsequent amendments, and practice physical distancing requirements.

* **Entertainment Industry:** All in-person businesses in the entertainment industry serving the public within a building or indoor defined area, including, but not limited to, theaters, concert venues, museums, movie theaters, arcades, casinos, bowling alleys, private clubs, and all other similar entertainment, recreational or social facilities, are prohibited from operation.

* **In-Person Extracurricular School Activities:** Voluntary activities sponsored or approved by a school entity’s governing body or administration are suspended, but these extracurricular activities may be held virtually. This includes, but is not limited to, attendance at or participation in activities such musical ensembles, school plays, student council, clubs, and school dances.

* **K-12 School Sports and Youth Sports:** All sports at K-12 public schools, nonpublic schools, private schools and club, travel, recreational, intermural, and intramural sports are paused.

* **Professional and Collegiate Sports:** Professional or collegiate sports activities may continue in accordance with guidance from the CDC and the Department of Health. Spectators may not attend such sports activities in person.
FAQ on New Mitigation Orders for Schools (from the Department of Health) –

Do the Limited-Time Targeted Mitigation Orders and the Mitigation, Enforcement and Immunity Protections Orders apply to schools?
The Orders do not apply to educational instruction but do apply to school activities within and outside of the classroom that are not related to educational instruction, including, but not limited to, assemblies, school board meetings, staff meetings, and extracurricular activities.

Do the event and gathering limitations in the Limited-Time Targeted Mitigation Orders include students and staff?
Yes, the Orders include all individuals present at the event or gathering, regardless of whether they are students, staff, or others.

Do the Limited-Time Targeted Mitigation Orders apply to school buses?
The Order does not apply to school buses. The Department of Education includes a list of best practices for safely transporting students.

Are school board meetings considered gatherings?
Yes. A school board meeting is a gathering and must follow the indoor gathering limits, and members must practice physical distancing, and comply with the Secretary's Order Requiring Universal Face Coverings. Local education agencies should consider alternative ways to host these meetings including virtual.

Does the Limited-Time Targeted Mitigation Order apply to school cafeterias and college dining facilities?
No. The Orders do not apply to school cafeteria food services and college dining services, as those services are not considered to be a private catered event or offered by a restaurant.

See the Department of Education's website for additional guidance and resources on schools.

What are considered extracurricular activities?
Extracurricular activities are defined in the Limited-Time Mitigation Orders as voluntary activities sponsored, approved or permitted by a school entity or local education agency or an organization sanctioned by the local education agency other than sports and athletics, and include, but are not limited to, preparation for and involvement in public performances, contests, demonstrations, displays, and club activities.

Winter Sports – As noted above, the new order suspends athletic practices, scrimmages and competitions until January 4. The PIAA confirmed that with a press release issued on Friday, Dec. 11. Before the orders were announced, the PIAA Board of Governors, meeting last Wednesday, did not discuss postponing the season. PASA had sent a letter to the PIAA that morning requesting that the winter sports season be delayed based on responses to a PASA survey of superintendents about whether they wanted to postpone. Of the 333 that responded, 278 (83%) indicated they wanted a delay and only 55 (17%) said they did not. “The vast majority of Chief School Administrators want PIAA to make a universal decision to delay the start of the winter sports season,” the letter said. “This would provide our communities time to flatten the curve of the virus transmission and allow all districts to meet district and state playoff timelines. We understand the critical importance of interscholastic athletics in the development and wellbeing of our students as a component of their school experience and support these opportunities for our youth. It is out of concern for our students and staff members that we ask for a delay in the start of the 2020-2021 winter sports season.”

PDE Press Conference – PDE officials held a press conference on Friday, Dec. 11 to provide an update to help schools and communities with issues related to COVID-19. Click here for a recording of the press conference, which featured Acting Secretary Noe Ortega and Deputy Secretary for K-12 Matt Stem, who answered questions from media. Both indicated the department is exploring possible next steps to aid in determining the best way to determine the instructional method that schools should continue based on levels of community transmission, including examining research beyond Pennsylvania. “We recognize that there is no one-size-fits-all policy for the commonwealth,” Ortega said. “That’s why our efforts to mitigate the transmission of COVID-19 have often been segmented. They’ve been targeted at times, and they’ve been adjusted to account for emerging research and findings.” (from The Patriot-News, 12/13/20)

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...

**COVID Relief Funding and Inequity** – Pennsylvania’s move to divide stimulus funding based on enrollment shortchanged poor schools, a report released last Monday concluded. The last round of federal stimulus funding provided $600 million for schools in Pennsylvania. Members of Congress are negotiating another round of COVID relief – a proposed $908 billion plan. Stephen Herzenberg, executive director of the Keystone Research Center, said that he hopes that if the second round of stimulus funding is split to provide a larger share to poorer school districts. The first round of stimulus mandated that $400 million be divided between schools based on a formula spelled out in the federal Every Student Succeeds Act. As a result, the funding was weighted to provide additional help to poorer districts, Herzenberg said. However, the state’s method of dividing the remaining $200 million didn’t take into account the wealth or poverty of the school districts, Herzenberg said. Read the rest of the story: “Study Finds State Shortchanged Poor Schools in Distributing Stimulus Funds” (from The Tribune-Democrat, 12/8/20).

In Legislative News...

**Session Schedule** – The Senate stands in recess until the call of the President Pro Tempore, while the House stands adjourned sine die.

**Preparing for a New Session** – State Sen. John Yudichak (Luzerne) announced last week that he has tested positive for COVID-19. Yudichak is the 11th state legislator to test positive since March, though all but two of the documented cases have been since Oct. 1 and three have been announced within the last week, including Rep. Mike Reese (R-Westmoreland) and Rep. Barry Jozwiak (R-Berks). The House and Senate must meet again on the first Tuesday of the new year — Jan. 5, 2021 — to be sworn in under the state constitution. That means lawmakers must return to the Capitol and their spacious but indoors chambers to recite their oath of office. In a memo sent to members of the House on Dec. 3, House Speaker Bryan Cutler said that instead of packing all 203 members of the House onto the floor at the same time, lawmakers would be sworn in in groups of 50 or so. The chamber is also cutting down on the number of guests allowed to attend swearing in. A handful of Democrats have asked for every member who does not wear a mask to be sworn in together, according to the Associated Press. Ideally, they would be sworn in at the end of the ceremony after all other lawmakers have taken the oath. House Democratic spokesperson Bill Patton confirmed that the swearing in has “been a topic of discussion among the members.” (from The Pennsylvania Capital-Star, 12/10/20)

In State News...

**Gov. Wolf and COVID-19** – Governor Tom Wolf announced that on Thursday evening, he received his second negative PCR test since his COVID-19 diagnosis. The governor had a positive PCR test on Tuesday and negative PCR tests on Wednesday evening and Thursday evening. It appears the positive PCR test on Tuesday came at the end of the course of his virus. Throughout the course of the virus, the governor was asymptomatic. The governor is continuing to quarantine.

**Expanding Broadband Internet Access** – Governor Tom Wolf today announced last Thursday that more than 327,000 Pennsylvanians will gain access to high-speed internet service through the Federal Communications Commission’s (FCC) Rural Digital Opportunity Fund Phase I auction. Thirteen providers in Pennsylvania successfully bid in the auction and will provide high-speed internet access in locations across the state that are underserved or do not have access to broadband that meets current federal standard. The FCC will allocate $368.7 million to these providers over the next 10 years. Virtually every Pennsylvania county will benefit from the broadband build out supported by this funding. The Rural Digital Opportunity Fund is an effort by the FCC to ensure high-speed internet access in underserved communities. In total, the FCC will allocate $9.2 billion to 180 bidders, who will deploy high-speed broadband to more than 5.2 million unserved homes and businesses across the country.
Nearly a million Pennsylvanians lack access to reliable high-speed internet access, according to the FCC. (from a press release)

**From the PDE: Gifted Education** – The Pennsylvania Department of Education (PDE) has established contracts with two intermediate units (IU) (Allegheny IU 3 and Montgomery County IU 23) to provide professional development and technical training across the Commonwealth. The PA Gifted Education team is strongly encouraging school administrators to hear information on the state of gifted education, answers to common questions and online resources. These information sessions are scheduled on two different dates: Thursday January 21 from 10:00 a.m. to 12:00 p.m. and Thursday April 7 from 10:00 a.m. to 12:00 p.m. Registration is open at [http://giftedinpa.eventbrite.com/](http://giftedinpa.eventbrite.com/). Questions may be directed to Shirley Moyer at 717.705.5186 or shirymoyer@pa.gov, Amy Davis at 412.394.4193 or amy.davis@aiu3.net, or Patrice Semicek at 610.755.9483 or psemicek@mciu.org.

**In National News…**

**Federal Aid** – According to news sources, there may be movement toward a compromise federal aid bill this week. The bill (or bills) could include compromises on issues such as local and state government aid and liability issues. Watch for details…

**Across the Nation…**

**Ruling in Transgender Case** – The U.S. Supreme Court on Dec. 7 preserved an Oregon public school district's policy of accommodating transgender students, rejecting an appeal challenging a policy that let students use bathrooms and locker rooms that correspond to their gender identity. The justices left in place a lower court ruling that threw out a lawsuit against Dallas School District No. 2 in rural western Oregon spearheaded by parents of a small group of students. The plaintiffs had argued that the policy violated students' rights to privacy and religious freedom under the U.S. Constitution as well as a federal law that prohibits sex discrimination in education. (from The Huffington Post, 12/7/20)

**On the PASA Calendar…**

Dec. 14-15….PASA/PASBO School Construction Workshop
Dec. 17……..Superintendent Virtual Session: What’s Next?
Jan. 6.........Winter Webinar Series #1
Jan. 7.........Superintendent Forum: Leading in a Culture of Change