



Pennsylvania Association of School Administrators
Proud Leadership for Pennsylvania Schools

Education Update

May 3, 2021

Budget, Finance & Funding News...

School Funding Press Conferences This Week – PASA and PASBO are assisting the PA Schools Work Campaign to hold several simultaneous press conferences on **Thursday morning, May 6 at 10 a.m.** in several school districts around the state. The focus of the events is to emphasize the need for increases in basic subsidy, special education subsidy, and CTE subsidy in the 2021-22 state budget. Pennsylvania citizens need to be aware that mandated costs for PSERS, special education and charter schools will continue to increase long after federal stimulus dollars are gone. Press conferences will be held at the following sites: Penn Manor, Franklin Regional, Abington Heights, Bethlehem, Williamsport Area and Bensalem.

Please contact Mark DiRocco (mdirocco@pasa-net.org) if you are interested in attending a press conference in your area. A significant gathering of school leaders at these press conferences will send a strong message to our legislative leaders!

Biden Proposal for Schools and Families – (from AASA) The Biden administration has released the second part of its Build Back Better economic recovery and infrastructure plan that includes \$731 billion in education and child care funding along with other school-based investments that will benefit children. The biggest single components are \$200 billion for a partnership with states to provide universal high-quality preschool for all 3- and 4-year-olds and \$109 billion to provide tuition free community college, in essence adding an extra two years of free public education for all students. In terms of education funding in the American Families Plan, the President is proposing funding for a combination of existing and new education programs. Education and education-related investments total \$731 billion. Check out the official detailed [fact sheet](#).

P-EBT Program in Summer – (from AASA) Following the announcement last month about extending school meal flexibilities, USDA has further announced a new ARP-funded program to expand the Pandemic Electronic Benefit Transfer (P-EBT) to cover the summer months. The new program will deliver roughly \$375 per eligible child over the summer months. (NPR coverage is [here](#); a press release from USDA is [here](#).)

FEMA Reimbursement – (from AASA) The Biden administration has outlined the pandemic-related expenses it will direct the Federal Emergency Planning Agenda (FEMA) to fully reimburse for schools. Eligible expenses include: cleaning supplies and PPE still in use that were purchased in 2020; cleaning supplies and PPE purchased after January 21, Covid-19 testing and screening; and compensation for workers preventing virus spread after January 21. (EdWeek coverage is [here](#); the advisory from FEMA is [here](#).)

Requirements to Receive Federal COVID Aid – (from AASA) The U.S. Department of Education (USDE) has released the interim final rule on American Rescue Plan (ARP) funding. The rule stipulates that, as a requirement for receiving the remaining 20% of ARP funds earmarked for learning recovery efforts, LEAs will be required to develop and submit to state education agencies [a plan for the use of the ARP dollars](#) as well as a plan showing how they will ensure a safe return to school learning environment for students and staff.

The use of funds plan must include how funds will be used to implement prevention and mitigation strategies that are to the extent possible consistent with CDC guidance on reopening schools. It will also require LEAs to describe how they will respond to the social, emotional and mental health needs of all students with a specific emphasis on vulnerable subgroups. LEAs also must describe how they are meaningfully consulting with stakeholders and allowing for public input on their plan.

Concerning stakeholder and public input, the USDE is requiring “meaningful” stakeholder engagement on the ARP spending plan. In addition to consulting with usual groups (students, families, school and district administrators, including special education administrators, teachers, principals, school leaders, other educators, school staff, and their unions) USDE mandates that LEAs demonstrate that they have consulted with tribes, civil rights organizations (including disability rights organizations) and stakeholders representing the interests of children with disabilities, English learners, children experiencing homelessness, children in foster care, migratory students, children who are

incarcerated, and other underserved students.

As a separate requirement, LEAs must have a “safe return to in-person instruction and continuity of services plan,” which is reviewed/ revised at a minimum of every six (6) months through September 2024. LEAs also must seek public input into its “return to school” plan and take such input into account in determining whether to revise their plans and take into consideration the timing of significant changes to CDC guidance on reopening schools that could impact the plans, which must describe how LEAs will maintain the health and safety of students, educators, and other staff and the extent to which they have adopted policies, and a description of any such policies, on each of the following safety recommendations established by the CDC:

- * universal and correct wearing of masks
- * modifying facilities to allow for physical distancing (e.g., use of cohorts/podding)
- * handwashing and respiratory etiquette
- * cleaning and maintaining healthy facilities, including improving ventilation
- * contact tracing in combination with isolation and quarantine, in collaboration with the State, local, territorial, or Tribal health departments
- * diagnostic and screening testing
- * efforts to provide vaccinations to school communities
- * appropriate accommodations for children with disabilities with respect to health and safety policies

Plans also will have to describe how LEAs will ensure continuity of services, including but not limited to, services to address students’ academic needs and students’ and staff social, emotional, mental health, and other needs, which may include student health and food services. In addition, if at the time LEAs revises their plans the CDC has updated its guidance on reopening schools, the revised plans must address the extent to which LEAs have adopted policies, and describe any such policies, for each of the updated safety recommendations.

Finally, the plans must be in an understandable and uniform format and to the extent practicable, written in a language that parents can understand or, if not practicable, orally translated; and, upon request by a parent who is an individual with a disability, provided in an alternative format accessible to that parent.

Guidance, Reports and Resources...

Education Strategies Post-Pandemic – Ever since schools around the country closed their buildings last spring, educators and families alike have been worried about how the shift online would affect kids’ learning. Early research was concerning: A [June 2020 analysis](#) found that [the average student could fall seven months behind](#) due to the pandemic, with Latinx students losing nine months and Black students losing 10. [More recent studies](#) have been more encouraging, showing students losing ground in math but not in reading. However, researchers are concerned that many students of color and those living in poverty aren’t being captured in the data. Now, with many schools likely to [reopen full time in the fall](#), districts around the country are facing the challenge of figuring out how much their students have missed and how to address it. Some are planning a remedial approach, even holding students back a grade so they can repeat all the material they missed. But some experts say that approach could actually widen educational inequity by depriving Black, Indigenous, and other students of color of access to grade-level work. What’s more effective, they say, is what Gregory Heights Elementary School in Washington State is doing: keeping kids moving forward, even if they need a little help to stay on track. *Read the rest of the story:* [“The Debate Over How To Handle Kids’ ‘Lost Year’ of Learning”](#) (from Vox, 4/23/21).

School Safety Post-Pandemic – Students are returning to school in person following over a year of building closures due to the COVID-19 pandemic. And as students return, so too do school safety concerns. According to a [recent report by Gaggle](#), a security management system used by districts to monitor student activity, there has been a 35% increase in threats of suicide and self-harm and a 23% increase in threats of violence against others over the course of the pandemic. Compared to the academic year prior to the pandemic, this marks a 67% increase in suicide or self-harm and threats of violence against others. As students return, educators should be prepared to assess students’ pre-pandemic challenges and stressors, the experiences they had during quarantine, and the impact of adapting to the changes present in their lives as communities reopen, said Rob Coad, a school psychologist and member of the National Association of School Psychologists School Safety and Crisis Response Committee, in an email. “Students with complex histories or who experienced significant stressors during the pandemic will likely need support at this time,” he added. *Read the rest of the story:* [“3 Strategies for Improving School Safety Amid Classroom Returns”](#) (from K-12Dive, 4/22/21).

From AASA: Civil Rights Data Collection Updates – The U.S. Department of Education Office for Civil Rights (OCR) has released updates for the 2020-21 Civil Rights Data Collection (CRDC). To assist local educational agencies (LEA) and schools that have offered virtual instruction for all or part of the school year, OCR has added new instructions and directional indicators to the 2020–21 CRDC LEA- and school-level forms, clarifying how to respond to CRDC items related to virtual, in-person, and hybrid (both virtual and in-person) educational environments. To prepare for the 2020–21 CRDC, LEAs should use the updated 2020–21 CRDC forms that are available on the [CRDC website](#) and the [CRDC Resource Center website](#). Read a related article from EdWeek [here](#).

Updated Mask Guidance – Last week the Department of Health (DOH) Acting Secretary Alison Beam announced that the department has updated its mask guidance to reflect the announcement made by the Centers for Disease Control and Prevention (CDC) on April 28.

The CDC provided information about activities that fully vaccinated people can do, including:

- * Visiting with other fully vaccinated people indoors without wearing masks or physical distancing.
- * Visiting with unvaccinated people (including children) from a single household who are at low risk for severe COVID-19 disease indoors without wearing masks or physical distancing.
- * Participating in outdoor activities and recreation without a mask, except in certain crowded settings and venues.
- * Resuming domestic travel and refraining from testing before or after travel, or self-quarantine after travel.
- * Refraining from testing before leaving the United States for international travel (unless required by the destination) and refraining from self-quarantine after arriving back in the United States.
- * Refraining from testing following a known exposure, if asymptomatic, with some exceptions for specific settings.
- * Refraining from quarantine following a known exposure if asymptomatic.
- * Refraining from routine COVID-19 testing if asymptomatic and if feasible.

However, for now, fully vaccinated people are still advised to continue to:

- * Take precautions like wearing a well-fitted mask in indoor public settings.
- * Wear masks that fit snugly when visiting indoors with unvaccinated people who are at increased risk for severe COVID-19 disease or who have an unvaccinated household member who is at increased risk for severe COVID-19 disease.
- * Wear well-fitted masks when visiting indoors with unvaccinated people from multiple households.
- * Avoid indoor large-sized, in-person gatherings.
- * Get tested if experiencing COVID-19 symptoms.
- * Follow guidance issued by individual employers.
- * Follow CDC and health department travel requirements and recommendations.

Additional guidance for those who are fully vaccinated is available on the [CDC website](#).

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.

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](#).

In Legislative News...

Session Update – Only the House is in recess this week. The Senate will be in session next week.

Last Week's Actions –

* **SB 83: High School Firefighter Training Program; passed the Senate, 47-0.** The bill creates a pilot program for community colleges and universities in the State System of Higher Education (SSHE) to give interested high school students training in firefighting. A technical amendment was added to the bill. **PASA does not oppose the**

bill.

- * **[SB 312](#): Right-to-Know Fees; approved by the Senate State Government Committee.** The bill permits local and state agencies to charge search, review and duplication fees when responding to public record requests that are made for a commercial purpose, to include charges for staff time required to respond to those requests originating from outside the responding municipality.
- * **[SB 478](#): No-Bid Contracts; approved by the Senate Local Government Committee.** The bill authorizes political subdivisions and authorities to enter into contracts for services when two consecutive advertisements fail to induce bids.
- * **[SB 552](#): Right-to-Know Requests; approved by the Senate State Government Committee.** The bill allows an agency to petition the Office of Open Records (OOR) for relief from a requestor that the agency alleges is a vexatious requestor. If the Executive Director (ED) of the OOR determines that further proceedings are warranted, the ED must pursue a resolution through mediation or a hearing. The ED must put out a final opinion with appropriate relief that includes, but is not limited to, an order that the agency does not need to comply with future requests from the vexatious requestor for no more than one year. **PASA supports the bill.**
- * **[SB 554](#): Sunshine Act; approved by the Senate State Government Committee.** The bill requires that agencies make their meeting agendas available to the public. Once the agenda has been finalized and posted for the public, the agency may not take any official action on any item that is not listed on the notice, except in emergency situations or to consider matters that are de minimis in nature.

This Week's Calendar –

Monday, May 3

House State Government Committee

8:00 a.m., Room 60 East Wing

To consider:

- * **[HB 1014](#): School Director Background Checks.** The bill requires candidates running for the office of school director to obtain background checks as part of a candidate's affidavit submitted with his or her nominating petitions.

PA Athletic Oversight Committee

9:00 a.m., Senate Chamber

Public meeting to reorganize and receive updates from the PIAA pursuant to Act 91 of 2000

Tuesday, May 4

House Appropriations and House Education committees

9:30 a.m., Room 140 Main Capitol

Joint public hearing on PASSHE regarding their report pursuant of Act 50 of 2020 and the systems implementation plan for the improvement of the operations of the system

In State News...

U.S. Census and House Seats – Pennsylvania will lose one of its seats in the U.S. House of Representatives, the Census Bureau has confirmed, setting up a high-stakes redistricting process as Democrats and Republicans battle to protect their incumbents. When the 2022 midterm elections arrive, Pennsylvania will have 17 congressional districts, as opposed to the 18 currently represented evenly by Democratic and Republican lawmakers. Pennsylvania also will lose one of its 20 Electoral College votes, further decreasing its clout during presidential contests. Recent census estimates showed growth in south-central and Southeastern Pennsylvania, with declines essentially everywhere else. That makes seats in Western Pennsylvania a prime target. Pennsylvania's congressional map is drawn by the 253-member General Assembly and must be approved by the governor. In 2011, both branches were controlled by Republicans. But this time around, the GOP-majority state House and Senate will need to win the blessing of Democratic Gov. Tom Wolf. Beyond the looming political fight, last Monday's announcement further solidified a stark reality for Pennsylvania: Its sluggish growth and rapidly graying population

is setting the stage for difficult economic decisions. (from *Spotlight PA*, 4/26/21)

In National News...

U.S. Supreme Court –

* **Pennsylvania Student Speech Case:** Facing its biggest student speech case in a half century, the Supreme Court seemed to be looking for a narrow exit door last Wednesday. At issue was whether schools may punish students for speech that occurs online and off campus but may affect school order. The case, billed as the most important student speech case since 1969, was brought by Brandi Levy, a 14-year-old Mahanoy Area high school cheerleader in Schuylkill County, who failed to win a promotion from the junior varsity cheer team to the varsity and subsequently went on social media to post profanity-laden comments posted a photo of herself and a friend flipping the bird to the camera. The school deemed the post disruptive to cheerleader morale and suspended her from the team for the rest of the year. The ACLU took her case to court, claiming that her free speech rights had been violated. And last week, the Supreme Court faced a question that did not exist in 1969: Can schools punish students for their online but off campus speech? *Read the rest of the story:* [“‘Frightened To Death’: Cheerleader Speech Case Gives Supreme Court Pause”](#) (from NPR, 4/28/21).

* **First Amendment and School Boards:** The U.S. Supreme Court on Monday agreed to decide whether school boards and other local government bodies may censure speech by one of their members without running afoul of the First Amendment. The case of *Houston Community College System v. Wilson* (No. 20-804), stems from the 2017 reprimand by a Texas community college board of a member who had filed multiple lawsuits against the college he was helping to supervise and who was accused of leaking confidential information and making an anti-LGBTQ rant. But the issue has also come up with some frequency for K-12 school boards, leading to First Amendment cases over censures of board members who had criticized the superintendent or had been disruptive and difficult to work with. And more recent examples involve official reprimands of school board members who had posted racist rants or other inappropriate material on social media. *Read the rest of the story:* [“Supreme Court to Weigh When School Board Censure of a Member Violates the First Amendment”](#) (from *Education Week*, 4/26/21).

Impact of Later School Starts – The physical and mental health benefits of getting a good night’s sleep are indisputable. What’s less clear is whether starting school later in the morning will prompt kids to sleep more and consequently learn more during the school day. Fewer studies have looked at academic achievement after a later morning bell. Some have found improved student performance. Some haven’t. A new study in Minnesota documents what happened to 18,000 students in grades 5 through 11 after four school districts postponed the start of the school day by 20 to 65 minutes. Student grades increased a little, raising students’ grade point averages by an extra 0.1 points, on average. That’s the equivalent of moving from, say, a B average of a 3.1 to a B average of a 3.2. Researchers from the University of Minnesota and the Bloomington, Minnesota, public schools characterized the academic benefits as “small” but the sleep increases as “large.” *Read the rest of the story:* [“PROOF POINTS: Later School Start Time Gave Small Boost to Grades But Big Boost to Sleep, New Study Finds”](#) (from *The Hechinger Report*, 4/26/21).

USDE Policy Nominee – President Joe Biden announced last Wednesday that he plans to nominate Roberto Rodriguez, one of former President Barack Obama’s top education advisers, to lead one of the most important divisions of the U.S. Department of Education. Biden wants Rodriguez to lead the Education Department’s office of planning, evaluation and policy development. Rodriguez, a former special assistant to Obama on education policy who also previously worked in the Senate, is currently the president and CEO of Teach Plus, a teacher-advocacy organization. (from *Education Week*, 4/28/21)

On the PASA Calendar...

May 6.....Superintendent Forum: Leading Change
 Press Conferences on School Funding (six sites)
May 10.....Legislative Committee meeting (virtual)
May 24.....Legislative Committee meeting (virtual)
May 31.....PASA office closed