



## Education Update January 10, 2022

Pennsylvania Association of School Administrators  
*Proud Leadership for Pennsylvania Schools*

### In Health, Safety & Equity News...

**The Latest in Pennsylvania COVID Statistics** – Pennsylvania hospitals were caring for 6,680 patients with COVID-19 on Friday, January 7, another daily record and about 330 more than last winter's peak. Pennsylvania's rate of positive COVID-19 tests reached 34.1% for the seven days ending Thursday, January 6, another all-time high and up from 25% during the previous week. Any positivity rate of 5% or more is considered a sign of significant spread. Monroe County has the highest positivity rate, 43%, according to numbers updated Friday on Pennsylvania's early warning monitoring dashboard. Four other counties have rates above 40%. Twenty-eight, including Dauphin, York, Lancaster, Lebanon, Adams, Cumberland, and Perry have rates of 30% or more. Pennsylvania in the seven days leading up to Thursday registered 56,000 more confirmed COVID-19 infections than during the previous week.

But one hopeful data point is that, while the seven-day average of new infections rose by 68% in one week, the number of people in the hospital with COVID-19 rose only 26%. In addition, Pennsylvania's daily death rate from COVID-19 remains well below that of last winter's peak.

**Quarantine Guidance** – U.S. health officials on Dec. 27 cut isolation restrictions for Americans who catch the coronavirus, from 10 days to five days, and similarly shortened the time that close contacts need to quarantine. Centers for Disease Control and Prevention officials said the [guidance](#) is in keeping with growing evidence that people with the coronavirus are most infectious in the two days before and three days after symptoms develop. The decision was also driven by a recent surge in COVID-19 cases, propelled by the omicron variant. Early research suggests omicron may cause milder illnesses than earlier versions of the coronavirus. But the sheer number of people becoming infected — and therefore having to isolate or quarantine — threatens to crush the ability of hospitals, airlines and other businesses to stay open, experts say. (from the AP, 12/27/21)

**COVID And Staying In School Manual – (from AASA)** Over the holiday break, USED released a new resource [“2022: Staying in School In Person”](#). The document outlines four key strategies keep students and staff safe, healthy and ready for in-person learning, including:

\* **Help Students Get Vaccinated:** Vaccination is the leading public health prevention strategy to end the COVID-19 pandemic, and the best way to help school communities remain in school, in-person during the pandemic. USED provides [resources](#) on how to host school-based vaccination clinics and recommends hosting family vaccine clinics and encouraging all eligible school staff, parents and family members to get vaccinated and a booster shot.

\* **Implement Test to Stay and Provide Screening Testing:** The document identifies the key factors in successful [Test To Stay programs](#) including frequent testing of close contacts after exposure – repeated at least twice during a seven-day period post-exposure. USED has partnered with the CDC and the Rockefeller Foundation to help districts accelerate school-based testing for students and staff. As part of this effort, the Rockefeller Foundation published a [testing how-to start-up guide for schools](#) and the CDC launched a [directory and website](#) to make it easy for schools to identify testing providers within their state.

\* **Collaborate with Local Health Departments:** Vaccination rates and community spread vary across states and impact decisions at a local level. Collaborating with local health departments is crucial in ensuring a coordinated and supported response to COVID in your school. At the foundation of this relationship should be meaningful, regular and consistent interactions with your local, county and state health departments so that schools are best equipped to respond to new data, pivot in response to evolving information and reassess any changed policies as needed.

\* **Monitor Community Spread:** The CDC has stated that although outbreaks in schools can occur, multiple studies have shown that transmission within school settings is typically lower than—or at least similar to—levels of community transmission, when prevention strategies are in place in schools. Implementing mitigation strategies at all levels of community transmission is important to keep in-school transmission low. When there are higher levels of community transmission, it is particularly important to strengthen strategies like screening testing to identify

cases early.

**Ongoing Impact of COVID Cases in Schools** – By international benchmarks, the latest wave of the pandemic has disrupted schools as much as last winter’s high-water mark, and still has not crested. World Health Organization officials warned last Thursday that in the last seven days, infection rates have jumped by 71 percent worldwide—and doubled in the Americas—driven by the combined spread of the Delta and Omicron variants. Among children 11 and younger, the U.S. Centers for Disease Control and Prevention finds infection rates in the United States alone are now higher than they were at this time last year, with more than 278 cases for every 100,000 children ages 5-11 and nearly 286 infections among those under 5. Infection rates for teenagers are nearing their all-time highs, too, ranging from 330 to 426 per 100,000 adolescents. In the United States, closures and moves to virtual learning are affecting more than 58.5 million as of Jan. 6, UNESCO finds, meaning about as many American pre-k-12 students are experiencing disruptions now as at this time last January, during the height of the last pandemic wave. *Read the rest of the story:* [“Latest Wave of Pandemic School Disruptions Has Yet to Crest, Global Data Show”](#) (from *Education Week*, 1/6/22).

**Vaccine Update for Children** – Following the approval process by the federal government, the PA Department of Health last week confirmed that children ages 12 and older are now eligible for a Pfizer COVID-19 vaccine booster dose five months after completing the primary series. The five-month booster interval was updated from the previous authorization of six months and is applicable to anyone 12 years of age and older who received the Pfizer BioNTech vaccine for their primary vaccination series. The U.S. Food and Drug Administration (FDA) also amended the emergency use authorization for the Pfizer COVID-19 vaccine to allow for a third primary series dose for certain immunocompromised children 5 to 11 years old, at least 28 days following the second dose. Children between the ages of 5 and 11 who are fully vaccinated and are not immunocompromised are not eligible for a third dose at this time, but the Department of Health continues to review relevant information and studies from the FDA and CDC. (from a press release, 1/6/22)

**Data Requirements and Gender Issues** – Back in the fall of 2020, a few staff members from the Philadelphia public school system’s central office brought a vexing problem to Sarah Galbally, the district’s lobbyist in the state capital of Harrisburg. They’d already advanced a local policy aimed at making transgender and gender nonconforming students feel more welcome at school. Those kids now had the right to be addressed by the name and pronouns that corresponded to their gender identity. But the district’s student information system, used to digitally track everything from attendance to grades to class assignments, still forced students to identify as either male or female. And the software couldn’t be altered without first tweaking state guidelines for how schools report information into Pennsylvania’s longitudinal data system—a change that the Republican-controlled Pennsylvania legislature and many of the 499 other school districts in the state, which often serve smaller, more conservative rural communities, were unlikely to support. With public schools now a battleground in raging culture wars over diversity, equity, and inclusion, similarly messy processes are playing out all across the country. Given the fights over gender identity in schools around the state and country, it seems likely that efforts to change school data systems to include nonbinary options will meet resistance. And even some observers who generally support more-inclusive data collection practices urge caution. *Read the rest of the story:* [“Students Embrace a Wide Range of Gender Identities. Most School Data Systems Don’t”](#) (from *Education Week*, 1/4/22).

## **In Budget, Revenue & Finance News...**

**December Revenue** – Pennsylvania collected \$3.8 billion in General Fund revenue in December, which was \$464.3 million, or 13.7 percent, more than anticipated. Fiscal year-to-date General Fund collections total \$22.6 billion, which is \$1.5 billion, or 7.0 percent, above estimate.

**Update on the School Funding Lawsuit** – Over more than four weeks of testimony prior to the holiday break, the landmark trial in the challenge to Pennsylvania’s school-funding system has featured superintendents and teachers from rural, urban, and suburban communities describing cash-strapped schools that struggle to meet state academic standards. Republican lawmakers who are defendants in the lawsuit have questioned the validity of the tests measuring those standards, the value of imposing them — and whether the districts suing the state are as resource-deficient as they claim. The trial resumes this month. *Read the rest of the story:* [“5 Takeaways from Pennsylvania’s Ongoing, Landmark School-Funding Trial after One Month”](#) (from *pennlive.com*, 12/27/21).

**CT Grants** – On Dec. 21, Gov. Tom Wolf announced the Department of Education (PDE) will grant nearly \$1.5 million to 39 career and technical education centers through the Career and Technical Education Equipment Grant program. The program grant award has a maximum amount of \$50,000 and shall be matched from a local source, such as local school funds or business and industry partners. The list of grant recipients can be found on [PDE's website](#).

**Federal Funds for School Meals Program** – U.S. Agriculture Secretary Tom Vilsack announced on Dec. 17 that the Biden-Harris Administration is providing up to \$1.5 billion to states and school districts to help school meal program operators deal with the challenges of supply chain disruptions brought on by the pandemic. With funding made available through [USDA's Commodity Credit Corporation](#), USDA will provide \$1 billion for schools to purchase food for their meal programs and another \$300 million for states to purchase foods to be distributed to schools. An additional \$200 million will be used for cooperative agreements to purchase local foods for schools with a focus on buying from historically underserved producers. A state-by-state breakdown of funds can be found in [this table](#). (from a USDA press release, 12/17/21)

## In Legislative News...

**Session Update** – The House returns to voting session this week. Only a handful of education bills are on the calendar for possible consideration, although a committee-approved voucher bill (HB 1254) is also on the calendar. Whether that bill or any other education bills will move forward in the House this week is unknown, as it appears that House Republicans will be focused on the proposed redistricting maps. Next week only the Senate will be in session.

**Governor's Actions** – Before the holidays, Gov. Wolf took the following action on bills passed by the General Assembly:

\* **HB 1332: Posting School Curriculum; vetoed by Gov. Wolf (Veto #5) after being passed by the House and Senate along party lines, with all Democrats opposed.** The bill would have amended the School Code to require public school districts to publish on their websites all curriculum that will be taught for each grade and for each subject area, so parents can review the lessons and textbooks in advance of the school year. A web link would be required for each textbook.

**PASA opposed the bill.** The curriculum for all Pennsylvania Public Schools is defined in Chapter 4 of 22 PA Code through the Academic Standards established by the state for each grade level and subject area. Under these regulations, school entities are required to adopt policies to assure that parents have:

- Access to information about the curriculum, including academic standards to be achieved, instructional materials and assessment techniques.
- A process for the review of instructional materials.
- The right to have their children excused from specific instruction that conflicts with their religious beliefs, upon receipt by the school entity of a written request from the parent.

The state curriculum mandates academic standards that are posted on the PDE website. Each district must develop planned instruction to meet the Pennsylvania Academic Standards. Most districts post their planned instruction on their publicly accessible website and/or make their planned instruction available to parents and the public upon request. For those reasons, PASA believed the legislation was not necessary.

“Under the guise of transparency, this legislation politicizes what is being taught in our public schools,” Gov. Wolf stated in his veto message. “Many education stakeholder groups voiced significant concerns and opposition to this bill, including its underlying purpose, the lack of need, and its burdensome impact. This legislation is a thinly veiled attempt to restrict truthful instruction and censor content reflecting various cultures, identities, and experiences. My Administration is committed to creating a safe learning environment for all students, and we will not take part in this dangerous and harmful imposition.”

\* **HB 2071: Broadband Expansion; signed into law as Act 96 of 2021.** The act sets up a state broadband authority that will allow the state to receive hundreds of millions of dollars in federal funding to expand access to high-speed internet in underserved communities.

## **Committee Schedule –**

### **Thursday, January 20**

#### **House State Government Subcommittee on Public Pensions, Benefits and Risk Management**

11:00 a.m. – Room 515, Irvin Office Building

*Public hearing to discuss pension legislation with representatives from SERS and PSERS*

### **Wednesday, January 26**

#### **Performance-Based Budget Board**

10:00 a.m., Room 140, Main Capitol

*hearing to review the Independent Fiscal Office's Dept. of Education and Dept. of Agriculture Performance-Based Budget reports.*

**State Budget Hearings** – Gov. Wolf will release his proposed state budget early next month. Following that, both the House and Senate appropriations committees will hold hearings on the budget plan, including the following:

Department of Revenue: House – Feb. 15, Senate – Feb. 22

Independent Fiscal Office: House – Feb. 15, Senate – Feb. 22

Department of Education: House – March 7, Senate – March 10

Department of Health: House – March 3, Senate – March 9

## **In National News...**

**School Bus Driver Shortage – (from AASA)** Last week the U.S. Department of Transportation announced a collaborative effort with the U.S. Department of Education to address the school bus driver shortage. The Federal Motor Carrier Safety Administration (FMCSA), an agency within US DOT responsible for regulating the trucking industry, is giving states the option of waiving the portion of the commercial driver's license (CDL) skills test that requires applicants to identify the "under the hood" engine components. All other components of the written and road test will remain. Drivers receiving a CDL under this temporary waiver are permitted to operate intrastate school buses only; they are not authorized to operate trucks, motorcoaches, or any other type of commercial motor vehicle requiring a CDL. The FMCSA waiver, which became effective Jan. 3, 2022, expires March 31, 2022. USED and US DOT hope this will alleviate some of the labor shortage challenges schools are facing to safely keep schools open for full-time, in-person learning.

AASA led a [letter](#) with 12 other national organizations in November 2021 to US DOT identifying a handful of policy changes that could help address the bus driver shortage. While this change was not one of the asks, it does represent a low-hanging fruit provision, that in coordination with longer-lasting and more substantive relief is a good first step towards providing relief. In late November, US DOT also provided flexibility to allow 3rd parties to administer both the skills and knowledge portions of the CDL, in response to our letter. Together, these are two clear indicators that US DOT is committed to supporting schools.

## **Across the Nation...**

**Ohio: Lawsuit Against State Voucher Program** – Calling it "an existential threat to Ohio's public school system," 100 school districts filed a lawsuit Tuesday challenging the constitutionality of the state's voucher system. If they succeed, it could mean the end of the EdChoice scholarships programs that currently cover at least part of the private school tuition for more than 50,000 Ohio children. Supporters of the lawsuit filed in Franklin County say Ohio must "secure" a single "system of common schools" and giving \$2 billion to private institutions over the last decade goes against that goal. "Funding schools that aren't for everybody is not the business of the Ohio General Assembly," Columbus City School board member and plaintiff Eric Brown said. "And it is not the responsibility of Ohio taxpayers to pay for these private schools." [Read the rest of the story: "100 Public Schools Are Suing Ohio, Saying EdChoice Voucher Programs Are Unconstitutional"](#) (from *The Columbus Dispatch*, 1/4/22).

## **In the PASA Calendar...**

Jan. 12.....Webinar: Education in a New Era #5

*Jan. 17.....PASA office closed*

Jan. 19.....Professional Development Committee meeting (virtual)

Jan. 20-21.....New Superintendents' AcademyPart 3 (virtual)