



**Testimony of the  
Pennsylvania State Education Association (PSEA)**

**Public Hearing Regarding  
Reopening Schools Fall 2020**

**Presented to the  
Senate Democratic Policy Committee  
August 3, 2020**

**By  
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Good morning Chairwoman Boscola and members of the Senate Democratic Policy Committee. I am Rich Askey, President of the Pennsylvania State Education Association. Thank you for inviting PSEA to once again share our perspective on what is needed to help educators and students successfully navigate through this time of continued crisis.

The realities of this pandemic and its impact on all aspects of our lives have tested each of us to our core. These extreme circumstances have reminded each of us just how indispensable our public schools are for providing essential connections and supports within every community across the Commonwealth. And on behalf of PSEA's 180,000 members, I wish to thank you for your continued commitment to supporting public education during this crisis. I would also like to take a moment and publicly recognize and thank my fellow panelists – I know how hard their organizations have worked on behalf of Pennsylvania's students and PSEA has truly valued our continued partnership with them.

As communities throughout Pennsylvania prepare to return to school in whatever form, the challenges are many and the answers are few. Reopening will look different in each school entity – that is the reality of a “local control” state. “Local control” should not, however, mean the absence of statewide consistency and clear expectations for certain protocols and strategies<sup>1</sup> that have proven most effective for mitigating COVID-19 transmission in our schools. A failure to consistently apply mitigation strategies will result in needlessly exposing students, staff, and their families to a deadly virus with no cure.

PSEA members are eager to see their students and their colleagues in person. Their enthusiasm, however, is severely hampered by their valid and serious concerns about the safety and well-being of everyone in school if returning to in-person instruction is done without crucial safeguards in place. That is why we have continued to call upon Governor Wolf – and now upon you and your colleagues – to provide the education community with similar consistent and clear direction as was provided last spring with your decisive and swift adoption of Act 13.

PSEA has examined Act 13 and engaged our members on a regular basis to help us determine what may need to be included in this next round of emergency School Code legislation. PSEA's membership is not limited to K-12 institutions, so my testimony today also reflects the needs of our members working in higher education, particularly those members in Pennsylvania's community colleges. The following pages contain our recommendations. In a time of crisis last March, all of you – our duly elected legislators – provided schools with clarity and consistent statewide policy and protections for students, educators, and communities. We urge you to take that action again. PSEA stands ready to assist you with that task – just like we did last spring. Thank you for your consideration.

### [PSEA Recommendations for Legislation](#)

#### [K-12 HEALTH AND SAFETY](#)

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<sup>1</sup> The [comprehensive report](#) issued in June by PDE makes it clear that implementing evidence-based mitigation strategies – such as face coverings; social distancing; screening and contact tracing protocols; personal hygiene requirements; in-depth cleaning of all facilities; and increased and improved ventilation – could significantly reduce disease transmission in schools.

**Require face coverings in all school settings by students and staff.**

The best way to prevent the spread of COVID-19 is by requiring everyone to wear a mask. The state Department of Health (DOH) and Department of Education (PDE) require students to wear face coverings unless they have a medical or mental health condition or disability, documented in accordance with Section 504 of the Rehabilitation Act or IDEA, that precludes the wearing of a face covering in school.

In its recently issued guidance, [Preparing K-12 School Administrators for a Safe Return to School in Fall 2020](#), the Centers for Disease Control and Prevention (CDC) likewise advises that everyone should wear “face coverings,” except for limited exceptions, and also recommends clear masks as an alternative when children need to see whole faces in order to learn.

Unfortunately, it has become evident that many school districts are making masks optional for students in the upcoming school year, rather than requiring them. Many of our members are terrified of physically returning to schools and bringing the virus home to their families and loved ones. If that occurs and educators are either made sick themselves or have to care for sick people, it will have defeated the entire goal we’ve all been working toward: the reopening of schools.

**Provide Personal Protective Equipment (PPE) to essential staff.**

Act 13 included a provision requiring school entities to provide custodial staff with PPE and we recommend this provision be carried forward into any legislation under consideration in the coming weeks. The reality is that our school staff are about to become front-line workers and they should be provided the equipment necessary to protect themselves.

**Require robust, regular cleaning of facilities and sanitation regimen.**

A robust, regular cleaning and sanitation regimen is critical. Providing for the regular sanitation of surfaces, desks, hallways, handrails, restrooms, cafeterias, and buses is now understood to be critical in reducing the health risks of transmitting COVID-19. Planning for how to do this efficiently, on a daily, if not more frequent, basis, is essential for the safe reopening of schools for in-person instruction.

It is important to note that districts are experiencing procurement problems around cleaning supplies. Teachers are being told they must bring their own cleaning supplies for their rooms. Some PTAs and PTOs have been tasked with securing cleaning supplies. While I appreciate the team approach, one has to question whether it’s wise to reopen if your school can’t procure these essential items.

**Require clear and detailed quarantine protocols for students and staff.**

Our members are very concerned about the lack of consistent policies across the state on what happens when a student or employee shows COVID-19 symptoms during the school day. My members need to know there is a standard safety protocol in every school entity when this happens. Sending students and staff members to visit a nurse, who may or may not have PPE, or who might have other students present with health issues unrelated to COVID-19, is not good practice. Our members are concerned that some of the health and safety plans approved by school entities thus far do not adequately address how positive cases among staff and/or students will be addressed. Mitigation cannot work if proper quarantine measures are not put into place. PSEA continues to fight for more clear quarantine instruction and guidance from the state level.

Given the current wait for test results, approximately 10 to 14 days in most cases, school entities should treat suspected cases as though they are confirmed and prohibit attendance in school buildings of anyone who has been in close contact with a suspected case. This cannot be stressed enough. Even with the strictest protocols in place with testing every 48 hours, Major League Baseball is currently watching the virus rapidly spread among players and staff. We cannot let this same thing occur in our school buildings. Lives are at stake. To do ANYTHING less in a crowded school environment will serve to endanger the entire school community.

**Require notification and contact tracing if a student or employee tests positive.**

One of the biggest questions coming from the field right now is: What should be our procedure when a student or employee tests positive? Unfortunately, we're not receiving definitive answers from PDE or DOH. I understand that state officials are trying to respect local control across our Commonwealth, but the underlying message from the field is, "We want a standard procedure. Tell us what to do. We're not health officials." Rep. Todd Stephens has been working on language since June around notification of positive COVID-19 test results that would provide at least a baseline of when and whom to notify. His language should start as the foundation to provide people with clarity, especially if PDE and DOH are not going to tell local school entities what to do.

**Prohibit schools as polling places or require additional sanitization and ventilation.**

As we all know, 2020 is a general election year. One thing we should be thinking about now is the fact that many schools are used as polling stations for elections. It is not wise to have schools physically open as polling stations, potentially allowing thousands of people into the schools to vote during a pandemic. This defeats the goal of trying to limit community spread. The easiest solution is to refrain from using schools as polling stations this year. Another option would be to require that schools close on election day – and possibly one or two days thereafter - to sanitize all physical areas of the school where polling stations were placed.

**K-12 SCHOOL FUNCTIONALITY****Unavailability of certification assessments may necessitate emergency permits.**

The pandemic shut down teacher certification testing sites last spring and also limited testing opportunities this summer for certification assessments to be completed. Since last spring, PSEA has been very concerned about the impact of the pandemic on the teacher certification system, which is why we worked closely with PDE, as well as legislators and staff in both chambers, in

developing legislative language to help address these concerns. We appreciate that Senator Langerholc and Representative Schroeder introduced this language (SB 1216 and HB 2683, respectively) to remedy the difficulty these realities present.

Unfortunately, the legislation PSEA helped to develop might be too late as we head into the 2020-2021 school year in just the next few weeks. School districts are required to validate the certifications of staff, and if teaching candidates weren't able to take any of the certification assessments -either because the tests weren't available online or they couldn't get to one of the limited test sites - school entities need to start requesting emergency permits for their personnel now.

### **Ensure student teacher requirements remain flexible.**

The pandemic upended the student teacher experience for many of our future educators and it threatens do so again. This is unfortunate and has the potential to exacerbate the existing teacher shortage crisis. Requirements around student teaching competencies state that no more than 50 percent of student teaching can occur in an online setting. Act 13 provided the Secretary with the authority to waive the twelve-week student teacher requirement under 22 Pa. Code § 354.25(f) for the 2019-20 academic year. It is very likely that we need to extend flexibility on student teacher programs for the 2020-21 school year. Regulations around student teacher programs did not contemplate a pandemic and pause on in-person instruction.

### **Extend provisions pertaining to standardized testing captured in Act 13.**

We appreciate the swift action of PDE and the legislature to waive standardized testing requirements as part of Act 13. However, standardized testing remains a problem for the 2020-21 academic year. The last thing students and educators should be worried about next year is standardized testing and the impact of those scores, when the traditional educational model has been upended and many students will be playing catch-up. Decisions, whether state or local, should not be made using standardized tests for this time period. The following action is necessary:

- Require the Secretary to apply for a federal waiver for standardized testing;
- Waive student performance components in the educator evaluation system again; and
- Allow PDE the authority to waive the NOCTI Exam and NIMS assessment based on the recommendations of career and technical center (“CTC”) directors and the ability of CTCs to stay open for the in-person instruction necessary to prepare CTE students for those exams.

In addition to carrying forward the provisions captured in Act 13, PSEA urges lawmakers to include in upcoming legislation a prohibition on local districts' use of the Keystone Exams as local graduation requirements in the 2020-2021 school year. We need to ensure consistent state policy and messaging around standardized testing at both the state and local levels. Also, given the unprecedented challenges we are all facing, PSEA will be engaging in conversations with PDE about whether or not the effective dates of the new statewide graduation pathways and educator evaluation system should be pushed out another year. (Currently, both take effect beginning in the 2021-22 school year.)

### **Extend the mandate waiver option in Act 13.**

While there were only 27 applications this spring under the most flexible mandate waiver

program ever authorized under statute, PSEA believes that PDE’s authority to waive statutory and regulatory requirements is an important safety net for problems none of us has anticipated yet. Pennsylvania should extend this provision through the 2020-21 academic year to provide administrators with that flexibility. It’s not necessary to make things more difficult or reopen old debates about past programs. The simple solution is to allow the Act 13 waiver program to continue.

### **Protect employees that support students in multiple school settings.**

Because we’re relying on local control for reopening, there is no standard procedure for employees who work in multiple buildings – particularly intermediate unit (“IU”) employees who travel between buildings and serve multiple districts. Each school district has its own plan for reopening and its own schedule. It might be too late, but a requirement for districts to better coordinate with IUs in order to ensure better deployment of IU employees would be helpful.

## **K-12 EMPLOYEE PROTECTIONS**

### **Provide an extension for continuing education requirements to paraprofessionals.**

Paraprofessionals are key to providing a free and appropriate public education to our students with special needs. Like our certified educators, our paraprofessionals have annual continuing education requirements that need to be met. Act 13 extended continuing education requirements for certified educators until June 30, 2021 due to the challenges raised in meeting those requirements due to COVID. We urge the same extension be provided to our paraprofessionals for the 2020-2021 school year and we thank Rep. Miller for already introducing the legislation needed to address this issue and Sen. Langerholc for including this provision in SB 1216.

### **Keep support staff ready to work.**

Our Education Support Professionals (“ESPs”) provide critical services to our schools and students. It would be a disservice to these professionals, and to the schools and students they serve, if they have a lack of clarity about their job status. Schools cannot safely reopen without ESPs — the people who serve lunches, drive buses, and serve as classroom aides. But if these employees are repeatedly furloughed and brought back, and furloughed and brought back, they will be forced to seek other jobs. To keep our schools ready to educate our students, we must keep our support staff employed.

### **Prohibit furloughs of professional employees due to moving to online learning.**

Equally important, we need to keep teachers serving their students. District enrollment may be more volatile than at any time in recent memory because of this pandemic, but we expect that volatility to smooth out eventually. The very last thing we want is to lose thousands of teachers, who may leave the profession or the state forever, and be unable to meet student needs in one month or two months.

### **Ensure employees can safely quarantine if they test positive for COVID, are exposed to COVID, or are caring for a loved one with COVID.**

If a public school employee is exposed to COVID, we need the employee to quarantine, immediately. However, the very last thing we need is public school employees who are unable to quarantine because they lack either sick time or the financial resources to be off work for two

weeks. Ensuring paid leave for individuals exposed to COVID is the right thing to do for our school community, and one of the best possible ways to keep our schools open.

## HIGHER EDUCATION

### **Provide adequate funding for PPE and sanitization for community colleges providing in-person instruction.**

Our community colleges are vital to the economic growth of the Commonwealth, providing critical education for current and future workers to build new skills, enhance existing skills, and connect directly to Pennsylvania’s workforce. Our faculty and students are eager to return to their physical campuses, given the valuable role campus connections play in the learning and success of students. Teaching and supporting students in person is the ideal for many of our students and faculty, but only if done in a way that does not temporarily - or worse, permanently - remove the teacher or student from the classroom due to COVID exposure.

In order to protect against expanded risk exposure, it is essential that Pennsylvania provide our community colleges with the funding and supports they need to ensure an adequate supply of PPE for staff, as well as cleaning supplies and staffing. for essential deep cleaning. It is critical that these protections be in place *before* we send faculty and other student-facing staff – many of whom are considered at higher-risk given their age – into the admissions offices, dining halls, classrooms, lecture halls, small seminar rooms, and other common spaces of our campuses.

### **Provide furlough protection.**

We also believe we should keep our institutions of higher education functioning by ensuring employees stay employed. When we consider the incredibly positive contributions our community colleges make to our Commonwealth’s economy and overall well-being, it is easy to see that we need our community college staff now, more than ever.

### **Provide paid leave for employees who are forced to quarantine.**

Much like public school employees, if employees at our institutions of higher education are exposed to COVID we need to ensure they have access to paid leave for the good of their community.