



Senate Education Committee Hearing

The Impacts of PA Department of Health Orders on Pennsylvania's Children and Schools

September 23, 2021

Good morning, Chairman Martin, Chairwoman Williams, and distinguished members of the Senate Education Committee.

My name is Dr. Noe Ortega, and I am Secretary of the Pennsylvania Department of Education. Due to pending litigation filed by members of the General Assembly and some families, I am only presenting written remarks today. As Secretary, I am Pennsylvania's prime champion of both our students and our educators. I take that responsibility very seriously and I am presenting these written remarks to advocate on their behalf. I cannot stress enough: I am submitting these remarks today to advocate for their safety and well-being.

The health and safety of Pennsylvania's students are at the forefront of our minds as we begin this school year. The Order signed by Pennsylvania's Acting Secretary of Health requiring face coverings to be worn in all school entities that took effect on Tuesday, September 7, 2021, is intended to ensure that schools can continue to offer in-person instruction and keep students and staff healthy in the midst of an aggressive variant of COVID-19. Preventing this pandemic from disrupting another school year and further isolating children from their friends and teachers requires social responsibility and forbearance of all Pennsylvanians. Last year, children and their families wore masks to protect grandparents and loved ones most at-risk of contracting the virus. This year we need those same masks to protect our children and school communities.

Under the Order, school entities must require all individuals, two years of age and older, to wear face coverings unless the individual has a medical or mental health condition or disability that precludes the wearing of a face covering. In accordance with Section 3 of the Order, before an individual is excepted from the Order, all alternatives to a face covering, including a face shield, are to be exhausted. It is recommended that any exception be in accordance with eligibility under Section 504 of the Rehabilitation Act or IDEA for such medical or mental health condition or disability. School entities should follow their established processes for determining student eligibility under those laws, including any medical documentation that they would normally require. There are exceptions to the Order; however, a parent's opposition to the Order is not one of them.

We recognize that implementing this Order has been difficult, but this is not a mask optional policy. It is a necessary public health measure implemented to keep children safe and provide them with as much in-person learning in school as possible. One only needs to read the news to see the number of schools across the commonwealth that, less than one month into the new

school year, have already had to close or quarantine significant numbers of students to understand the importance of masking in schools.

COVID-19 mitigation efforts have required school communities to work within changing, complex circumstances and unprecedented situations. As we have done since the beginning of the pandemic, the Pennsylvania Department of Education is committed to offering guidance and resources to support, inform and help protect school communities. The Department frequently sends messages and updates to school leaders. The Department's publicly available website includes tools and resources for school communities, Frequently Asked Questions, and flowcharts and guidance for responding to cases in schools, as well as COVID-19 data for children 0-18 years of age by county. In August, the Pennsylvania Department of Health directed vaccine providers to support COVID-19 vaccination clinics at K-12 schools and institutions of higher education. The departments of Health and Education have also partnered to provide free COVID-19 testing in K-12 schools across the commonwealth to mitigate the spread of COVID-19 and outbreaks in schools during the 2021-22 school year.

Throughout the global pandemic, Pennsylvania has demonstrated a commitment to documenting the educational and other harms experienced by students, educators, and families. Schools, families and the Department understand the impact the global pandemic has on learning. If we are to address those learning gaps and get every child back on track academically, students must be in school and have access to teachers, paraprofessionals, school nurses, administrators and all the other school staff that support our educational system.

We commend those schools and educators that have continued to put children's needs first by ensuring healthy and safe school conditions and providing consistency during this unprecedented time. Our students' long-term prospects depend on schools remaining open for full-time instruction and with everyone's help, we can achieve that goal.

Thank you again for the opportunity to comment on such an important issue for our educational communities.