

**IN THE COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF EDUCATION**

ORDER

WHEREAS, on March 9, 2020, Governor Wolf issued a Proclamation of Disaster Emergency with respect to the emergence of COVID-19 in the United States and throughout the Commonwealth; and

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 a global pandemic; and

WHEREAS, on March 13, 2020, on account of COVID-19, the Governor ordered the closing of the schools of the Commonwealth for a period of ten business days, which period of closure has since been continued indefinitely; and

WHEREAS, on March 27, 2020, the Governor signed Act 13 of 2020 into law (“Act 13”), which amended the Public School Code of 1949 (the “School Code”), Act of March 10, 1949, P.L. 30, to authorize the Secretary of Education (“Secretary”) to order the closure of all school entities until the threat to health and safety caused by the Pandemic of 2020 has ended; and

WHEREAS, Act 13 further permits the Secretary to waive certain provisions of the School Code, regulations of the State Board of Education, and standards of the Department of Education (“Department”) related to the 2019-2020 school year, in connection with the Pandemic of 2020.

NOW THEREFORE, pursuant to the authority provided to me by Act 13, I hereby order that all school entities, which Act 13 defines as any school district, intermediate unit, area career and technical school, charter school, cyber charter school, or regional charter school a child

attends in order to fulfill the compulsory attendance requirements of the School Code, shall remain closed until the end of the 2019-2020 academic year.

FURTHER, pursuant to the authority provided to me by Act 13, I hereby waive the following provisions of law and regulation for the 2019-2020 school year in connection with the Pandemic of 2020:

- 1) The application deadline for flexible instruction days under Section 1506(c)(1) of the School Code; however, since the 180-day requirement has been waived, the program definition under 1506(h) does not apply for the 2019-2020 school year. Nevertheless, new applications will be accepted beginning April 15, 2020, with no limit on the number of program days for the 2019-20 school year.
- 2) The minimum total number of hours required for a career and technical education program under 22 Pa. Code § 339.22(a)(9)(i) (relating to program content).
- 3) The requirement to include performance data otherwise required under section 1123(b)(1)(ii) of the School Code in a professional employee's performance rating.
- 4) The minimum number of days of prekindergarten instruction required under 22 Pa. Code § 405.41 (relating to school term).
- 5) The twelve-week student teacher requirement under 22 Pa. Code § 354.25(f) (relating to preparation program curriculum) for educator preparation programs that are unable to meet the regulatory requirement due to the Pandemic of 2020 and that utilize the modified student teaching requirements established by the Department.
- 6) The statewide administration of the National Institute for Metalworking Skills (“NIMS”) Assessment and the National Occupational Competency Testing Institute (“NOCTI”) Exam.

This Order shall take effect immediately.

April 9, 2020



Pedro A. Rivera
Secretary of Education