



On May 4, the Wolf administration announced that some COVID-19 mitigation orders affecting schools and businesses will be lifted effective May 31, 2021, but the announcement did not include sufficient detail to determine all specifics of what will change about the requirements schools must follow. One thing that seems clear is that requirements for face coverings will not change until the point where 70% of Pennsylvanians age 18 and older have been fully vaccinated, even though one order being lifted May 31 required school districts in counties with substantial community transmission rates to attest that if operating in-person, full or part time, they will comply with that face covering order. A more significant aspect of lifting that attestation order is the requirement that districts in substantial transmission counties attest that they would comply with the Departments of Health and Education “Recommendations for Pre-K to 12 Schools Following Identification of a Case(s) of COVID-19,” which called for school closures in certain cases. Other mitigation orders being lifted May 31 specify such things as limits on the number of persons permitted to attend indoor and outdoor events and gatherings, physical distancing, and other enhanced precautions for businesses and employers. The May 4 announcement emphasized that the lifting of state mandates will not prevent municipalities and school districts from continuing and implementing stricter mitigation efforts.

This means that school districts will have the flexibility at the local level to decide – in light of CDC recommendations and in consultation with their school health staff and district solicitor – what mitigation measures currently in place, other than masking, should continue for the last few weeks of school, as well as what changes can safely be made to plans for conducting end-of-year events. School officials will need to act promptly to:

- Assess whether local municipalities in which schools are located have enacted or are likely to enact COVID-related restrictions in place of state-level restrictions.
- Evaluate the COVID mitigation measures the school entity currently has in place to determine what should be maintained beyond May 31 through the end of the school year, consistent with or in addition to those enacted by municipalities.
- Determine in what form the school entity will issue directives establishing continued measures locally in place of state-level directives and/or supplementing municipal measures.
- Determine the extent to which the lifting of state-level restrictions on gathering sizes allows or necessitates changes in plans for end-of-year events, consistent with measures established by municipalities having jurisdiction over the location of those events.

