

# Commentary on Recent Mandate

1 message

Gary Niels <gniels@paispa.org>

Tue, Nov 24, 2020 at 12:38 PM

To: smallschoolheads@paispa.org, largeschoolheads@paispa.org

All,

Yesterday's COVID-19 press conference and the public school mandate (see below) raised some questions about the degree of relevance to private schools, despite the fact that it specifically only referenced public schools. Nevertheless I asked our education lawyer to provide a little commentary on this topic. Here is her answer:

*It is not a mandate enacted for private schools in terms of the PDE. The various county departments of health orders and guidance are more key to private school operations. However, from a purely legal perspective, private schools should be mindful of the argument that parents/staff can make in terms of outbreaks and naturally should be following safety and health precautions. Such decisions also should be informed - such that private schools if possible should be seeking input from medical professionals as well as ensuring clear and transparent communications with parents about what is happening. Some have suggested that you should keep parents informed about what is happening with the local public schools and what news and information that your school is following and why.*

I suspect that nothing said here is news to you; in fact, I believe it supports all that you know and are already doing.

Best!

Gary

Begin forwarded message:

**From:** Gary Niels <gniels@paispa.org>

**Subject:** FYI

**Date:** November 23, 2020 at 3:48:19 PM EST

**To:** smallschoolheads@paispa.org, largeschoolheads@paispa.org

Dear All,

In today's COVID-19 press conference, Secretary Levine discussed an attestation process for schools in counties with two consecutive weeks of substantial transmission.

Here's a link to additional information on the attestation process: <https://www.education.pa.gov/Schools/safeschools/emergencyplanning/COVID-19/SchoolReopeningGuidance/ReopeningPreKto12/Pages/AttestationForm.aspx>

This attestation requirement **DOES NOT** apply to private schools (only applicable to public school entities).

Gary

\*\*\*\*\*

Gary J. Niels  
Executive Director  
Pennsylvania Association of Independent Schools (PAIS)  
P.O. Box 590  
Plymouth Meeting, PA 19462

Office: 610.567.2960  
Mobile: 412.491.9606