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Michigan Association of Superintendents & Administrators

MASA Legislative Update

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Corrected

October 30, 2020

*In a previous version of this update, I inaccurately included mask requirements for child-care organizations and camps and stated they applied to schools. Those **DO NOT** apply to schools as was indicated in the previous update. I apologize for the confusion this may have caused.*

—Peter

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Summary

This week in Lansing, the legislature did not act on any bills. With the election next week, most members are busy with events back home. Speaking of the election, Secretary of State Jocelyn Benson reported that 3.1 million absentee ballots have been requested, and over 2.4 million have since

Back in the legislature, Speaker Chatfield and Majority Leader Shirkey sent a letter to Governor Whitmer and Democratic leaders asking for a "collaborative effort" to "discuss emerging data" that "will benefit all Michiganders." This letter comes as case numbers are on the rise in Michigan and after a letter was sent by the state's major universities, business groups, and hospitals calling on the legislature to come together to solve the issues facing our state because of COVID. That letter specifically called for a legislative solution to establish defined mandatory standards in law that govern mask usage, workplace practices, public gatherings, and certain social activities.

Yesterday, the Michigan Department of Health and Human Services (MDHHS) issued an order that institutes capacity limits at indoor and outdoor establishments. You can find more details on that order below.

Have a great weekend and happy Halloween! As always, please [contact MASA](#) with any questions or concerns.

MDHHS Issues Gathering and Face Mask Order

Yesterday the Michigan Department of Health and Human Services (DHHS) issued an [order](#) that contains many restrictions on gathering and facilities.

The order limits indoor gatherings in a non-residential venue with **fixed seating** to no more than 500 persons and attendance is limited to 20% of the seating capacity of the venue. For venues **without fixed seating**, the limit is no more than 50 people, and attendance is limited to 20 persons per 1,000 square feet in each occupied room.

The limits on size and gatherings do not apply to students in a classroom setting, children in a daycare setting, or persons traveling on a school bus. For organized sports, the organizers and venues must ensure **either** that the live audience for organized sports competitions is limited to the guests of the athletes (with each athlete allowed two guests) **or that the event complies with the capacity guidelines outlined above.**

Face masks continue to be required for children over the age of 5. Face masks are now defined as "a tightly woven cloth or other multi-layer absorbent material that closely covers an individual's mouth and nose."

school cafeterias, as they have been part of other gathering restrictions in previous orders. As written, **no more than 6 people can sit at a lunch table and those tables must be 6ft apart**. We know that you may have tables where more than 6 people can sit and still maintain 6ft of social distance and this requirement may be more than challenging to operationalize. **This issue has been flagged and we are hoping for clarification from DHHS and a possible exemption if this is intended to apply to school cafeterias.**

For organized sports, the order states that athletes must wear a mask for “any sport in which the participants are not able to consistently maintain six feet of distance” while training, practicing or competing. Please also see the MDHHS guidance on [Additional Measures for Safer Athletic Practice and Play](#).

Finally, the order moves MERC Region 6 (Traverse City) back to Phase 4.

Webinar with Treasury: Teacher and School Support Staff COVID-19 Grant Programs

Please join us this **Thursday, Nov. 5 at 11 a.m. for a free webinar with the Michigan Department of Treasury: “Teacher and School Support Staff COVID-19 Grant Programs.”** Topics will include **an overview of Public Act 166 of 2020, classroom teacher and support staff eligibility requirements, the process for list submissions, and key dates.** We encourage you to join us and **bring your questions and concerns** about these grants. The webinar will be held in partnership with the Michigan School Business Officials (MSBO), the Michigan Association of Intermediate School Administrators (MAISA), the Michigan Education Association (MEA) and the Michigan Association of Public School Academies (MAPSA). Please be sure to [register and save your seat](#) as spots are limited.

ICYMI: MDE Updates

MEMO #099-20

Early Literacy (Pre-K to 3) Grant Opportunities

MDE is announcing two (2) grants that are intended to increase student achievement in early literacy. The grants were included in the revised state school aid act adopted under Public Act 165 of 2020 (MCL 388.1635a) and

MEMO #100-20*Tools for Assessing Bias in Standards and Curricular Materials*

Believing in the ability of Michigan schools to uplift a community of diverse ideas that recognize and celebrate all the attributes that form children and hold true to the ideal that we are all created equal, MDE is highlighting tools to support districts in reviewing their curricular materials for greater inclusivity and less bias. [Read the full memo.](#)

MEMO #101-20*Protection of Pupil Rights Amendment*

Section 445 of the federal General Education Provisions Act (GEPA) (20 U.S.C. 1232h), which is commonly referred to as the protection of pupil rights amendment (PPRA), requires local education agencies (LEAs) to develop and adopt policies in consultation with parents to address the protection of student privacy and parents' rights. [Read the full memo.](#)

Submitting Extended COVID-19 Learning Plans

As previously communicated in the [Oct. 5 MDE Memo](#), **Extended COVID-19 Learning Plans must be reconfirmed monthly at school board meetings. In addition, the following information must be reported** to CEPI, per [Public Act 165 of 2020](#):

- The instructional delivery method.
- How instruction will be delivered for each grade level offered by the district, including prekindergarten.
- Whether or not the district is offering higher levels of in-person instruction for English language learners, special education students or other special populations.

The first submission, due Nov. 6, 2020, will allow districts to submit plan information for the months of September, October and November. In partnership with MDE, this information will be collected in the GEMS-MARS application. The application will be available for the first submission later this

For more information, please read the [Submitting Extended COVID-19 Learning Plans](#) document.

OTHER IMPORTANT INFORMATION:

1. [Food Service Administrative Memo No. 3 - School Year 2020-2021](#)

For information on Claim Submission 60 Day Deadline Schedule and Late Claim Exception Options for School Year 2020-2021, please see Food Service Administrative Memo No. 3 – School Year 2020-2021 at the following link: www.michigan.gov/documents/mde/Admin_Memo_No._3_704350_7.pdf

2. [REMINDER: Michigan K-12 Public School HVAC Assistance Program Outreach Request](#)

The Michigan Departments of Environment, Great Lakes and Energy (EGLE) and Education (MDE) have launched the Michigan K-12 Public School HVAC Assistance Program to help public schools reduce transmission of infectious aerosols via the heating, ventilating, and air-conditioning (HVAC) systems. The program is available at no cost through November 2020, and school districts are strongly encouraged to quickly take advantage of this assistance.

The assistance program involves a brief, confidential survey to gather basic information on the school district's HVAC systems, recent improvements, and current needs. Program information, confidential survey, and the assistance request form are available at:

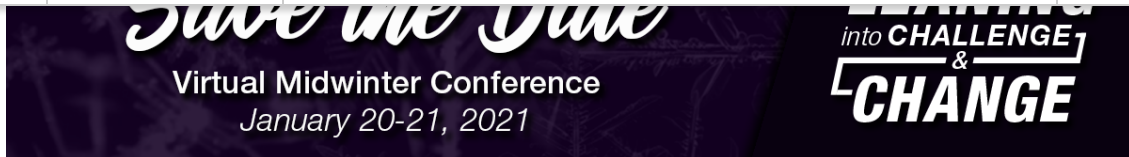
Michigan.gov/climateandenergy/0,4580,7-364-85453_85455_85516_85523-539583--,00.html.

School districts that complete the survey are eligible to request free assistance with recommendations to reduce infectious aerosol transmission from an approved licensed HVAC specialist (or the school's existing licensed HVAC contractor). Questions may be directed to David Herb at EGLE by email at HerbD@michigan.gov.

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