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MA Set to Enter Phase Four of Reopening Plan

Earlier this month, Massachusetts moved into Step 2 of Phase 3. Effective March 22, Massachusetts will transition into Phase 4 Step 1. During Step 1 of Phase 4 capacity limits for public gatherings will increase to 100 indoors and 150 outdoors. The COVID-19 Travel Order remains in effect. However, individuals who have been completely vaccinated do not need to quarantine or obtain a negative test result prior to traveling to the state.

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Stimulus Bill Signed Into Law by President Biden

On Thursday, President Biden signed a \$1.9 trillion COVID-19 relief package, the American Rescue Plan Act of 2021, which was passed by Congress this week. The bill provides one-time direct payments of \$1,400 per person to eligible households, and continues federal unemployment assistance and tax credits for voluntary employer-provided paid sick and family leave. The highlights of the bill are summarized below.

◇ Provides tax credits to employers who voluntarily choose to extend FFCRA leave benefits through September 30, 2021. Notably, the bill expands the covered reasons for sick leave to include leave for COVID-19 vaccines or to recover from any injury related to receiving the vaccine and, as of April 1, allows for an additional 10 days of paid sick leave for employees who previously exhausted their paid sick leave under the FFCRA. It also appears that state and local governments may now be eligible for these tax credits.

◇ Extends the \$300 per week enhanced federal unemployment payment, which was set to expire next week, and two other federal pandemic unemployment assistance programs through September 6, 2021.

◇ Allocates an estimated \$122 billion in funding to the existing Elementary and Secondary School Emergency Relief Fund aid in returning students to in-person learning on a full-time basis, with certain requirements for use of the funds.

DESE Announces Details for Return to Full-Time In-Person Learning Starting on April 5th

Commissioner Riley released his phased plan for all schools and districts in the Commonwealth to return K-12 students to full-time in-person learning this spring. The Board previously approved Commissioner Riley's request to determine when remote and hybrid learning would no longer count toward the student learning time (SLT) requirements. Effective April 5, 2021, schools and districts will be required to shift learning models to full-time in-person instruction five days per week for elementary students (grades K-5), and effective April 28, 2021, middle school students (grades 6-8) will return to full-time in-person instruction five days a week. The details on the return to in-person learning for high school students will be announced in April. DESE may delay or accelerate the timeframe for the phases of the plan based on public health data.

Both Governor Baker and Commissioner Riley have emphasized that it is vital to get as many students as possible back into the classroom, citing improved health metrics and effective safety protocols as evidence that schools may safely resume in-person learning. Commissioner Riley clarified that remote learning time would count toward SLT requirements where parents elect the option to have their children learn remotely for the remainder of the year and for students who are learning remotely because of isolation or quarantine in accordance with COVID-19 health protocols.

DESE may grant limited waivers upon a showing of compelling circumstances if districts need more time to transition to in-person learning this school year. Waiver requests for elementary schools and middle schools must be submitted to DESE by March 22, 2021, and Monday April 12, 2021, respectively. The complete version of the DESE guidance can be found on our website.