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WEBINAR

BACK TO SCHOOL AMID THE COVID-19 PANDEMIC: BALANCING STUDENTS' RIGHTS TO EDUCATION AGAINST PUBLIC HEALTH

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P R O C E E D I N G S

MR. HANSEN: Good morning, and thank you for joining our panel discussion on ending kids back to school amid the COVID-19 pandemic. I'm Michael Hansen, senior fellow and director of the Brown Center on Education Policy at the Brookings Institution in Washington, D.C.

School across the U.S. are facing an unprecedented set of challenges this back to school season as they wrestle with a cascading set of questions about how to best deliver school amid the ongoing COVID-19 pandemic. Will schools go back to live instruction, what are the public health signals for safely reopening, for shutting schools down once again if necessary, and what consideration is due to students' rights to education in this public health crisis? School age children are the least impacted by the virus, but are still paying a high price with lower access to education.

Layered on top of these difficult public health considerations is the recent politicization of reopening schools. President Trump has strongly encouraged schools to reopen and has promoted the idea of conditioning federal aid to schools on physically reopening their campuses to students rather than offering remote instruction.

The Brown Center on Education Policy is very pleased to host this panel discussion today. We welcome those in our listening audience to participate in the conversation by using #COVIDReopening on social media. You can submit questions by tagging the Brown Center on Twitter using the handle @BrookingsEd or by sending an email to Events@Brookings.edu. We will be pulling from these questions today during our panel discussion.

Now, first, let me briefly introduce our panelists. Robin Lake is director of the Center for Reinventing Public Education in Seattle, Washington. The Center, often abbreviated as CRPE in conversation, is a non-partisan research and policy organization that develops transformative and evidence based solutions for K-12 schools. During the pandemic CRPE has stepped forward to take a lead role in monitoring districts' responses and operating as a clearing house of timely research and analysis on the unfolding crisis. And we look forward to hearing about some of those lessons here.

Next, Dr. Aaron Spence, is superintendent of Virginia Beach City Public Schools, a position that he has held since 2014. The district oversees instruction and operation at 86 public school serving more than 67,000 students and employing more than 10,000 teachers and staff. In 2018 Aaron

was named Superintendent of the Year by the Virginia Association of School Superintendents. We are very pleased to have Dr. Spence with us to offer his perspective on what's happening on the ground in schools during these unprecedented times.

And, third, we are pleased to have Kimberly Robinson join us. Professor Robinson is the Elizabeth D. and Richard A. Merrill professor of law at the University of Virginia. And she has joint appointments in the University's education and public policy schools. Professor Robinson's scholarship focuses on educational equity, civil rights, and the federal role in education. Last year she published an edited volume titled "A Federal Right to Education: Fundamental Questions for Our Democracy." We look forward to hearing her perspectives on how rights and equity considerations should temper decision making during this pandemic.

And, again, we invite those of you at home to use #COVIDReopening on social media and to submit question by either tagging the Brown Center Twitter handle, @BrookingsEd, or by sending an email to Events@Brookings.edu.

So let's dive into the conversation.

Robin, let's go to you first. CRPE has been monitoring districts' responses to the pandemic since early March when the virus started shutting down schools in the Seattle area. What are some of the broad patterns you see as schools are choosing to reopen now? And do you see any evidence that districts are learning from the spring shut downs and improving their offerings going into the fall?

MS. LAKE: Great. Thanks, Mike. Appreciate you having me.

So let me give you just a little bit of a sense of what we're seeing as we're tracking district reopening plans. As you say, we've been watching since March to watch how districts and states are responding to the pandemic. And interesting, just in the last few weeks, we've seen districts really, you know, most of them start to announce what they're going to do for this school year. And interesting divides. First thing to know is that most of the urban districts that we're looking at — and we're looking across a sample of about 500 representative samples — have announced that they're going to go on line, so fully on line for at least the start of the school year. But that's a very different picture than what rural and suburbans are announcing. Rural districts are mostly at this point — last time we checked at least –

– still planning to open in person or are still undecided — a larger number of them were still undecided as of a week ago. And suburban districts are really somewhere in the middle, all over the place in terms of what they are offering — a fully in person, fully remote, or kind of a hybrid mix.

So it's just really interesting to see the varied responses across the country. And we're digging into trying to understand how those decisions relate to the local health conditions. I know that some of your colleagues at Brookings have looked at some of the politics of reopening and how politics may play in. But it's a pretty complex dynamic right now.

What's clear is that, at least for the urban districts, having so many move to the remote option after spending all summer, you know, working through different scenarios and trying to understand the complexities of kind of a hybrid scenario, they're ending up with this scenario that they were probably the least prepared for, going fully on line again, and maybe the most challenging for kids, especially those who don't have a lot of support at home.

So that's a challenge for us as we look forward over the course of this year. Anybody who, you know, has got a kid at home or was tracking how districts responded knew that a lot of districts really struggled with that fully remote option. As we've dug into the remote learning plans, just a little bit of insight into your question of are they improving, we are seeing a shift in the way that districts are thinking about offering fully remote first. Most importantly, they're planning to offer a lot more live instruction. So they've heard from families and students that that's important to them. They're paying more attention to grading standards, attendance taking, that kind of thing. But as we dig into the kind of teaching and learning details, we're finding that they're pretty vague still, especially around diagnosing learning loss and figuring out how to respond to that.

And then the last dynamic that I'll just mention quickly is that, you know, when we look at state guidance and support for districts, we're not seeing a lot of specificity there. Most of the attention from states has really focused on teaching and learning — I'm sorry, health and safety, which is quite understandable, but a lot less dynamic around the teaching and learning specification.

So, bottom line here is that districts have a very hard task in front of them this year. And they're being asked to do it all. They're being asked to be epidemiologists, politicians, and really attend to what are going to be pretty serious teaching and learning challenges as we know the stakes are very high

for kids. So this is going to be a big moment for public education.

MR. HANSEN: Thank you, Robin. That's very insightful.

Now, let's go to Dr. Spence. Robin just spoke about districts having to do it all, can you please offer us a little bit of context about the student body that you serve in Virginia Beach and tell us about your experiences there and the challenges that you faced as you've approached these questions around safely reopening?

DR. SPENCE: Absolutely. And thank you, Mike, and thanks to the Brookings Institution for the chance to be here.

So Virginia Beach, as you noted, we serve about 67,000 students. And although we are largely considered to be close to a resort town to those outside of the city, we are in fact a city of half a million people. Our free and reduced lunch population in Virginia Beach, we serve about 40 percent free and reduced lunch population, we serve a large military community. Of course Norfolk Naval Station is right next door, the largest Naval Station in the world. And so about 30 percent of our students are military connected. And so a very diverse, highly transient community, and so a lot of challenges in our work anyway. And of course, as we as noted, this is really going be a pivotal moment I think in public education and we're facing unprecedented challenges. And how we rise to those is going to define us.

So what's interesting about the specific challenge that we're talking about is that there are literally no right answers. And the information that we need as school districts to solve these challenges is shifting moment to moment and day to day. And so I think this kind of was alluded to. That's really the core challenge that's facing us as school leaders and facing our communities, because I think there's universal agreement — everyone absolutely understand that we have to bring children back to school as quickly as possible. And I know we'll get into the reasons for that today. But we know there are significant challenges that our students are facing when they're not with us and that equity issues have surfaced, or issues that predated the pandemic have been highlighted by these extended times away from us, from face to face instruction for our kids and all of the wrap around support services that we can provide when they're with us.

But we also know we have to bring students back to school safely, and that means making sure that our staff is also safe. And, of course, the big challenge there is that there's a lot of

uncertainty around what that means. What we've seen from our health experts is ample guidance on how to come back safely, right. So all of the mitigation things, put masks on children, Plexiglas, social distancing where practicable. And so there's a lot out there from the CDC and others on how to come back safely, but what's been challenging, to get really consistent information about — either from the health experts, or as you alluded to early, Mike, from the politicians, is when to go back to school safely. And those debates are raging all the way around the country. And of course that's no exception here in Virginia and in Virginia Beach where it has felt like for us that about half of our community wants to have their kids back in school yesterday and the other half do not want their children in our schools until this disease has disappeared entirely.

And so what we're trying to do is figure out that balance, because we know children need to come back, but we also have to be able to give our communities assurance that we're doing that in a way that's safe. So we took an approach in Virginia Beach based on the consistent guidance that school leaders need to look to our health experts to help make these decisions. And we impaneled a work group of local physicians. And these were folks with specialties in pediatric, adult, and emergency medicine, as well as infectious diseases and public health, and we asked them to give us their best thinking on metrics that really in a sense could build thresholds for when it might be safe to begin bringing students back to school. And so we came up with some red, yellow, and green metrics and really built our plan on reopening on those metrics. And, again, as was kind of alluded to, we're actually beginning the year virtually to give ourselves latitude to monitor that data when we start the school year. And we built a face to face option and then an all virtual option for those parents who are not comfortable sending their children back to school.

So what I shared with our board at our last meeting is essentially what we're being asked to do — and I think we're not unusual. Many of the districts in Virginia are doing what we're doing, just two options. One face to face and one virtual. And, you know, essentially, what we're being asked to do in that scenario is build two brand new school systems from the ground up, right. So a virtual system. And we hear all about the challenges of pivoting to emergency learning and we have learned a lot of lessons. And we're building a virtual system that is more robust — far more robust than what parents have experienced in the past few months.

But then also a face to face system that will not look like what we're accustomed to in terms of both how children interact with adults, but also how they interact with one another and how many classes they go to and how they move about our buildings. And so just a very different system and really kind of a unique challenge.

And, of course, even having those metrics in place is not without its detractors. And none of this will be without significant challenges for our parents and our community. You know, we heard an allusion to our working parents and what they're going to do with their kids. And so, you know, figuring all that out is incredibly complicated. But I'm happy to discuss how we're figuring that out as we dive deeper into this topic today. And thanks again for the opportunity to be here.

MR. HANSEN: Thank you. This is very, very helpful.

And, finally, to Professor Robinson. My colleagues in the Brookings Center on Universal Education have noted that students' rights to a quality public education has been a key argument in reopening schools in many European countries that have also been hit by the pandemic like we have. Yet students' rights have largely been overlooked here in our public conversations in the U.S. Can you offer some background on students' rights to education and how we might think about weighing these interests against public health considerations during the pandemic? And, Kimberly, it looks like you're muted.

MS. ROBINSON: Yeah, I just realized that. Yeah, so first, thanks for having me, Mike. It's exciting to be here.

So, yes, I think what your colleague is observing is something we should give some thought to. So as we think about education rights at this time, it's important to understand a couple of key points. So, first, in the United States we do not have a federal right to education. So that was something that was litigated at the Supreme Court level in 1973 in a case called San Antonio Independent School District v. Rodriguez. And in that case the United States Supreme Court held that the federal constitution does not either explicitly or implicitly guarantee children a right to education. And so what that did was push issues of equity. So in that case, the plaintiffs were arguing that a neighboring district was getting just far more funding and so a far greater capacity to educate their children than they were. And that does violate the constitution. And in rejecting that challenge, the court acknowledged that there's quite a

bit of inequity in how schools are funded, however, it trusts the laboratory of the states to address those issues.

And so what do we get from the laboratory? What we've gotten in that more than 40 years since that decision was rendered was that we've had an array of state litigation that looks at state rights to education. So each state does have a right to education, but what's important to understand is that there's a wide, wide spectrum of what a right to education looks like for a state. So in the recent book that I published, Kristine Bowman does a really excellent job of explaining why the right to education in Michigan really is not what you think of when you think of a right. It's merely the right to access a building, and even at the time of pandemic that's being taken away, whereas in other states, like Massachusetts, you have a right to a really high quality education. And then you have everything in between.

So in the states, because we believe in a larger state and local role in the United States, we don't have what is happening in European countries or any other countries, which is children have a right to an education, we have to ensure that they're being delivered a high quality education in addition to protecting their health. And so the challenge for the United States, of course we have to decide and look at all the guidance that's being issues about school reopenings. But I thought what's really interesting about your opening remarks is that we're focusing less on learning and sort of what's happening and high quality learning.

And so, for example, just to look at some data, the American Enterprise Institute did a survey and found that students lost on average about eight days of instruction in the springtime. In addition, if you look at data from the Pew Research Center, what you find is that about 51 percent of upper income parents said that their children received a lot of instruction on line, whereas only 38 percent of lower income parents said the same. So you see a pretty big gap along the lines of poverty and what children were offered. In fact, 29 percent of lower income parents said their children were offered little to no instruction compared to 13 percent of upper income families.

And so what you see is before the pandemic began, states' rights have consistently allowed substantial disparities in educational opportunity along the lines of class, and often times along the lines of race. And then what we saw in the spring was a widening of that gap. And so the real

challenge for the fall is how do we focus on closing that gap. And, unfortunately, the current laws do not provide great opportunities to do that, which is one of the reasons for quite a while I've been focused on the need for children to have a federal right to education.

So what we see in the conversations now are we see a focus on the needs of teachers, for them to stay healthy, which is critical, of course. We see a focus on the shortcomings in the budgets at the state and local level, but we don't see that third leg. If we think of it as a three legged stool, we're missing a leg for the rights of children to get an excellent education. And so that is something that I think needs to be brought to the forefront more as we think about these issues. How do we make up for the gaps that were created and how do we start to address the gaps that even preexisted before this pandemic.

So these are all critical issues to think about on reopening.

MR. HANSEN: Thank you, Professor Robinson. These are excellent, excellent points.

And so let's just piggyback on those comments about equity and these inequalities that have been simmering under the surface, but now have been revealed even more so during the pandemic. How do you see school reopening decisions interacting with those inequalities? Do you feel like what's happened in the spring is just going to become even further exacerbated or do you know whether schools are making any substantive efforts to remediate those changes?

First, let's put that to you, Professor Robinson, and then we'll go around to the others.

MS. ROBINSON: Yeah, so because we don't have a national education system, what we have is something all over the map, right. So, for example, you have some states who are saying let's put equity first. So let's get our highest need students back first. So that would be special education students and children who are learning English. These are students for whom in person instruction may be the most critical.

So some states are focusing on those issues, whereas others I think are having a much more localized approach. And so then it really depends on the district to prioritize the needs of the students with the greatest needs over other students. And, unfortunately, these are difficult choices in part because we have for too long under invested in education. And so we don't really have — we're not returning to what was already a robust system, what we're trying to return to is a system that was already

broken, and now the pandemic is really stressing an already really not always robust system.

And so what I aim to do in my work is just really try to encourage states to focus on the needs of the most vulnerable populations. And that also includes low income children who depend on schools for things like school lunches, access to social services. So those are the students with the greatest needs, but unfortunately, across the country, what you see is a wide array. Some states are beginning to prioritize those students and others are not.

MR. HANSEN: Thank you.

Let's go to Dr. Spence. How have you approached these questions with simmering inequalities under the surface?

DR. SPENCE: Yes, thank you. And so I think I would speak for my colleagues and say we are certainly sort of keenly aware of the issues. And faced with the challenges that Dr. Robinson described with really the kind of significant gaps in unified guidance that happen either at the federal or the state level. And so, you know, in Virginia, just to give you an example, there's really some significant good guidance that exists from the state DOE, but concurrent to that was some kind of guidance from the state that said it's just guidance and every local school board is expected to make its own reopening decisions.

And so you can look at this stuff, but locally you have to make that call which makes it more complicated, because then you have to deal with the local politics. And I'll say — I do want to say like, for example, at the federal level, very inconsistent guidance as well in these issues around equity. So, for example, the USDA gave significant waivers for schools to be able to provide food to their communities, to children in their communities when we closed in March and all the way through the summer, and then essentially said but as of the first day of the reopening of schools, all of those waivers and flexibility disappear and you have to go back to the way you normally do lunch, which is to certify that every child is eligible for a free or reduced lunch and to make sure that then they show up and they have that number and everything else. And, of course, that's not workable really in a virtual environment. So that's an example of sort of federal guidance that's a little confusing and we could talk more about special education guidance. That's also very confusing as well, or at least not consistent with the realities on the ground.

Specific to what we are doing, and what I think many of my colleagues are doing, we are taking all of the lessons learned from the closing of schools. And I think that it means addressing things like access to learning. And that doesn't mean just WiFi, but that's certainly a big part of access to learning, but also how do children have devices, how do they have a stable home learning environment that enables them to use those devices in a way that's productive. How do we make sure again we're addressing food insecurity, how do we make sure that we're addressing mental health issues that many of our children are facing to make sure that they can be successful and continue to stay focused on learning, which is the most important thing.

And so I think you will see sort of similar to a more robust learning experience for children, a far more robust reaching out to communities and making sure that we're trying to address those needs. But I will say, and I've said this over and over again in our community, this will not be the same. No matter how good our efforts, it will not be the same as if we have children with us. It's very difficult to provide that same set of services.

MR. HANSEN: Thank you, Aaron.

Let's go to Robin. Robin, are you seeing a lot of districts across the country prioritizing the most disadvantaged students first? What does this look like in terms of remediating learning, tutoring, those kinds of things?

MS. LAKE: I mean the will is certainly there, right. You know, districts notice that this is a huge challenge that they've got to solve and we saw that reflected in their reopening plans. Most had some effort to think about prioritizing vulnerable populations, especially when it came to kids with special needs, English language learners, less so when it came to students experiencing homelessness, foster youth, some of those kind of hidden vulnerable kids. So the will is there.

I think that the challenge is that the well laid plans that were kind of the hybrid plans that assumed some kids at least would be able to come back into buildings, often prioritized those kids, had, you know, a little bit extra time dedicated to them. But now that folks are moving back into a virtual kind of dynamic, all those plans are thrown out the window and they're starting from scratch to some degree.

And the bigger issue here I think, Mike, is that what we're grappling with is a public education system that really isn't designed to meet every individual need, it's really designed to teach to a

mean. And that's the way that our classrooms and our structures and our programs are set up. And so when faced with this kind of on line virtual setting, the question that a lot of folks are grappling with is okay, how do we innovate here, how do we reach every kid, how do we quickly diagnose where the child is, figure out a strategy for that individual child. Some districts are thinking about doing learning pods in response to what advantaged families are doing, but doing them for more vulnerable populations. How do we play with our staffing models and the way that we set up funding so that we can reach every kid?

I think bottom line is I think most districts are finding this — if they take the challenge of vulnerable populations seriously right now, that's got to press every assumption we've ever built into how public education is set up. And then we get into some political dynamics that are worth mentioning that, you know, as union contracts are being renegotiated and memorandum of understanding and new contracts are being built for virtual learning, we're seeing this tension play out around, you know, how do we prioritize adult needs in this moment or do we prioritize student needs. And if the contracts can't flex, if the way that districts are oriented around their funding models can't flex, then we won't be able to meet those students' needs.

MR. HANSEN: Thank you for those insights, Robin.

Here's a related question from Tara in the audience. Many children with special needs and behavioral challenges need in person support. Both Professor Robinson and Aaron mentioned special education students. Should we be — can anything be done for those who need in person support but the district is going remote?

And maybe, Aaron, why don't you take this one first?

DR. SPENCE: Absolutely. I mean I think the answer to that is yes. So as, for example, this summer even though most of our instruction that we were offering to kids was virtual, we did offer extended school year services in person. And we were able to do that because, you know, those are much smaller classes, right. And so you can bring in fewer children and more adults and really do appropriate physical distancing and health mitigations. And we found that by and large to be very successful as a model and one that we will I think likely carry into the fall as we go all virtual by targeting different students and designating different students as needing to be face to face and finding the opportunity to do that and to do that safely and to do that with teachers who are willing to come in and be

a part of those programs. And I feel fortunate in Virginia Beach that we are able to do that through resources that we have. I think there are going to be many communities that are going to find that difficult to do.

And, you know, we were able in the spring to address many of the special education needs of our students. And all of that comes down to an individual case by case conversation, right. So you meet with the IEP team, you meet with the student and the parents and the instructors who work with them, and you figure out if, okay, if your child is going to be virtual, what are the accommodations that we can provide. And you try to come to some agreement.

But there are students — I mean we have students who require one on one with paraprofessionals to hand over hand manipulation for learning. And, you know, that can't be don virtually. And so unless we can find ways to accommodate those in person, it's going to be very challenging.

And one of the sort of really significant and interesting pieces of guidance from the Federal Government on this that came out in the spring, because we were all asking, was take that example that I just gave, we can't provide those services, are we going to have any flexibility to do things differently in the virtual environment and the Federal Government basically came back, the U.S. DOE, and said, you know, we're not going to let students with disabilities and their needs be the reason you shouldn't keep teaching, but we're also not going to give you any flexibility in not meeting their needs and no changes to the guidance that we would normally provide under IDEA.

And so if remains a very complex topic and has to be handled I think on a case by case basis, but also a willingness to bring students in in small settings where we're able to, just like we're seeing in some of the childcare providers and other places.

MR. HANSEN: Thank you.

Maybe we should turn this to Professor Robinson. Similar question, what about students who are mandated to get some kind of special needs support? Is there a potential liability issue if the district isn't able to do that during this time?

MS. ROBINSON: Yes, so certainly there would be liability issues and there are already lawsuits that are starting around the right to special education children who were not served in the spring and who the districts aren't able to meet their needs in the fall.

And so I think the question will be whether the courts will be willing to sort of order relief in the midst of a pandemic. I mean so what you see in times — some lessons you can draw from school finance litigation is that when states are under — in a recession, you do see a reluctance of courts to order robust remedies. And so the question is will that be true in a pandemic as well. So we not only have a recession, but now we have health concerns. How much will courts be willing to hold districts accountable for what has to happen and how will they balance the needs to keep teachers safe versus the needs of children?

And so those are questions that have yet to be answered. I think possibilities for reform in this area are can we extend the rights of special education children? In other words, if the case — you know, if the pandemic and the spread of the virus is too dangerous for a teacher to meet with a child, can that child's sort of rights be extended. So you sort of age out of special education. And so the question is can those rights simply continue to remain until the child's needs are met that would have been otherwise service?

But I think that we're going to have to have some really creative remedies to address this unprecedented situation.

MR. HANSEN: Thank you, Professor Robinson.

Robin, can you tell me a little bit about what's happening in Indianapolis on this?

MS. LAKE: Yes. Indianapolis Public Schools, and a couple of other districts, are playing with this notion of bringing small groups of kids back into buildings, even if they're going all virtual for the rest of the student population. So sort of learning pods for all, if you will. They'll bring groups of students with disabilities and homeless students into district buildings and they'll use central office staff to support those kids in person with tutoring and with food and other supports. I think social services and things.

This is a really interesting arena I think because, one, it just makes sense, right. If you've got school buildings, if you've got staff who have some time, let's pull it all together on behalf of these kids. I think it's also a really interesting time to consider ways to innovate around special education services, social services, for kids. And so I'm excited about the opportunity that some districts are moving on, and they're often doing it in real partnership with community based organizations.

And we're also seeing some communities just take it on themselves if the districts are not

game. Oakland REACH, a parent advocacy organization in Oakland, is pulling together virtual learning hubs for students and just moving forward and trying to find ways to build something better right now.

MR. HANSEN: Great.

Aaron, did you want to piggyback on with something you're doing there in Virginia Beach?

DR. SPENCE: Well, yeah. And I think a lot of us are trying to figure this out. But, for example, we're working through something that we're calling safe learning centers where we could bring back students in small numbers, starting with particular groups. And then we're also thinking about this childcare issue, because it's a huge issue. And so partnering, as was mentioned by Robin, with our parks and recreation, with our public libraries, with our faith organizations and other community partners, to provide as many spaces as we can for children to be in stable learning environments that we can either staff or have volunteer staff to do some tutoring, but also just to make sure, for example, that they can get on line and that they have followed the schedule that's been set for them and answer the questions that they might have about what their teacher is asking them to do. And the for certain populations, certainly do that with our own staff so that we can make sure we're providing the appropriate accommodations and other services that they need. But in other places, just have it be more community based and community oriented, like with our parks and recreation program.

But also, you know, importantly, make sure that they get a meal and make sure that they get a chance to stand up and go outside and stretch their legs and play, because they're still children and there are a lot of kids who if mom and dad aren't home don't get to go outside. And so the opportunity to do those things are important as well.

So I think every — you know, what Robin said at the beginning, there's a lot of will to do this and every school district is trying to figure out how to meet the needs of kids in these kind of unique ways in this unprecedented place.

MR. HANSEN: Great. Thank you.

We have a listener question from Peggy Sands (phonetic) that I want to read here. What health metrics should drive the decision to either reopen schools or close? Should it be based on numbers only or should we look at the increases in rates of infection or mortality rates in the area?

I know, Aaron, that you mentioned your physician panel that you brought together. Can you tell us a little bit more about the specific metrics that you're looking at?

DR. SPENCE: Yes, I can. And interestingly, when I mentioned at the outset that this is where the information changes all the time and where we're not getting as consistent a set of guidance as we ought to. For example, local public health or state public health aren't putting out metrics. The metrics that we have seen have come from the World Health Organization. The CDC — not officially — but the director of the CDC in an interview said 5 percent positivity test rates would be a green light. So, for us, what we used was test positivity rates. We also used number of cases per day per percentage of the population. And then there has been some recent discussion — it's not in our metrics, but I've also seen people looking at another — Dr. Fauci was talking about this in an interview the other day, about the importance of also considering the turnaround time on getting test results as another metric in a community because it helps you make faster decisions in terms of contact tracing.

You know, so just, for example, in our red, yellow, green, so green for us would be lower than 5 percent test positivity rate in our community and less than 10 per 100,000 cases per day in terms of our population in our eastern region here in Virginia, which would equate to about 26 1/2 cases a day. So less than 26 cases a day. That would be a green light for us; that's all students come back to school. And then between that there's a big yellow zone, between 10 and 100 cases per 100,000, to be between 26 and 265 cases a day was our yellow. And then above 265 cases a day and greater than 10 percent test positivity would be red for us. So we wouldn't come back in any way if it remained in red in either of those metrics.

And so that was our physicians' research driven way to provide us with some latitude to bring students back. And, of course, in yellow it's not bring everybody back. It is bring back designated student groups and some of our younger kids who are at greatest risk for learning loss and have a more difficult time frankly with virtual learning in what we're seeing in the research. So that's an example of how you can use metrics to drive.

But to answer the attendee's question, nobody is providing this metrics consistently. School districts are really being asked to do this on our own, and the only clear guidance is that school leadership should work with local health experts. And so that's what we tried to do, but if you can imagine

that as a consistent response. I mean there are thousands of school districts in the country and if every one of them work with local health experts, you're going to have 1,000 different opinions on what those metrics might be.

MR. HANSEN: Yes, thank you. Thank you, that's very insightful.

So here's a question from Julie Whitman (phonetic). Parents who work and whose students are compelled to do remote learning are going to be sending them to YMCAs, churches, neighbor's homes, et cetera, for supervised remote learning from those locations. How is this safer than sending them to school? And is there really much of a difference here than sending them to school? Are we just sort of putting off the liability onto a different organization in this instance?

Just kind of curious on people's responses. Maybe let's go to Professor Robinson first.

MS. ROBINSON: Yeah, so this is a great question.

I think that's a very locality specific question, right. So is that different from sending them to school. So the challenge for the schools is they have to serve large numbers of kids. And so what they're finding is that it's very difficult to bring back large numbers of kids and follow CDC guidance of six feet apart, even with masks. You know, consistent social distancing.

And so I do think it can be different when you have children in these settings. However, I think that it's important to understand that when we think about these settings, you know, they're really simply filling a gap that the district should be providing. And so for districts who can't bring all students back, I think part of what's really come across from this panel is that we need to focus on bringing the most vulnerable students back in a safe way, so following all the CDC guidelines. And then, unfortunately, because we don't have the — most districts don't have the space, the physical facility capacity to bring everyone back. You know, this is a we're all in this together kind of approach. We need partners to be able to step up, to help districts have places that children can go for working families. You know, you can't leave children unattended all day.

So it's simply basically an all hands on deck. And, unfortunately, having community partners to have kids there all day is not ideal, but it is certainly better than having children at home unsupervised all day. And so we're sort of looking at sort of making the best of a really awful situation. But I do think that prioritizing the needs of special education students, the English language learners, and

the lowest income students are sort of the right parties for the use of school buildings. And then, additionally, meeting the needs of other students in other ways.

MR. HANSEN: Thank you for that, Professor Robinson.

Now, we're moving to the audience Q&A portion of the discussion here and just as a reminder to the listening audience, please use #COVIDReopening on social media, and you can also send questions using the Twitter handle @BrookingsEd or also by sending questions directly via email to Events@Brookings.edu.

Here's a question from Christina. And I'm going to direct this to you, Robin. Robin, can you speak more to the benefits and risks of the hybrid models, you know, where we have say two days of in person learning and three days remote? And what does that option bring to the table and how can this model thread the needle between public health concerns inequity? Does it make sense to have a teacher lead both remote students and the in person students in the same class?

Basically, to the extent that you can, can you talk about that and the evidence there?

MS. LAKE: Sure. The hybrid model I think I the one I mentioned in my opening comments that most districts have planned for, thought about, and I think want. Because they know students are eager to get back into classrooms, to see their friends, to feel a sense of normalcy, it's a way to see the kids, check in with them. It's hard to replace that kind of in person presence in an on line setting. It's just very, very difficult to do.

So we've seen a lot of really creative approaches to hybrid models. Some are prioritizing the most vulnerable kids and so often times schedules that we've seen will build in a day of tutoring, individualized support for kids. And so while they're in person and really getting some time to sit down with them and go over what's holding them back, what's problematic for them, where they want to go next.

So there's a lot of potential for the hybrid and that's an approach that most other countries have used when they're reopening, but it's tricky. As Kristina points out, from a teaching and learning perspective, how do you engage the kids that are home while some are in the classroom? But we're seeing some amazing educators develop some strategies for that. A lot of the private schools have set up cameras in the classroom so that while half the class is in person, the other portion of the class

that is at home can really feel like they're engaged and really part of the community.

So it's tricky. I think in some ways it's one of the most costly models because it's so complex. But it's one that I think most schools are still aiming for, even though they're opening remotely to the start of the year, they're hoping to start getting kids back in classes as soon as possible.

MS. ROBINSON: Can I just add something here, Mike?

MR. HANSEN: Yes, please.

MS. ROBINSON: So the other thing to think about with the hybrid model in terms of best practices is just making sure we're getting kids outside a lot. So we know that transmission is far less outside. And so when kids are in person, you know, districts and schools really need to think about can we utilize our outside space in a new way. So, for example, can we put on the supply list one of those kid camping chairs that everybody brings back, can you get those lap desks and you have kids work outside? And so in this way that protects both the teacher and the kids who are getting some space. Now, obviously, that's subject to can the district afford things like tents to help cover kids, do we need fans, all kinds of things. But even just having a break from the indoor space where we know transmission is the highest, to increasing the amount of time that students are outside is really, really critical for keeping transmission low while still allowing kids' social and emotional needs to be met. And, for the youngest kids, their academic needs just can't be met online. You know, you can put a kindergartner in front of a screen all day. Even though I know it's happening some places, it's not an optimal learning environment.

So I do think — I agree with Robin. I really have tried to sort of see some positive things from this whole thing, and I think innovation can really happen. And definitely learning outside is one of those things that could really be something that comes out of this. And I think there are a lot of benefits from it. And perhaps at the end of this pandemic we will see more learning still happening outside, because we realized that there were some great benefits that were happening when kids are outside. You know, as it gets colder, like if you can keep the kids outside, like cold and flu season will be less — we'll have less transmission because of it.

So thinking along those lines, there's a lot of room for creativity.

MR. HANSEN: I appreciate your optimism, Professor Robinson. Thank you.

Here's a listener question from Desiree, and I'm going to direct this to Aaron.

What are some of the incentives — and this sounds like it is coming from a parent perspective — what are some incentives for parents to keep students engaged during online learning and programming? Can you offer anything — I think this is particular challenge for young kids. I have a couple of elementary school kids at home myself, and that's definitely a challenge.

So, if you could, we're all ears.

DR. SPENCE: So I have six children, four of whom are in my school system at the moment, and so I would say really it's an issue for kids at all age levels, because I've got them in elementary, middle, and high, and all of them had some challenges during our spring learning that was on line.

But what I typically saw — so I think I'll just base on my own second grader's experience just to be really candid. Where I typically saw him really struggle was when the learning was asynchronous and he was kind of expected to click around and find it and sit there and do it on his own quietly. And when I saw him be very engaged was when he was able to get onto — in this case Zoom was the platform we'd chosen to use — and when he would get on that with his teachers and all of his classmates were there and she would host a morning meeting, which is based on this notion of responsive classroom, where you're building community and these are conversations where the kids are really being candid with each other and sharing and it's all about social and emotional learning. And so she would host and start with that and then she would really explain the day and what would be expected from her students that day. And then she would have a check in a little bit later and they'd get back on and then he would be able to talk about what he had done. And if he had questions he would ask those questions. And so kind of the in between of that he was able to focus on the learning because he was clear on what it was and he knew he was going to come back and he was going to check in with his peers and with his teacher.

And so to that more robust learning environment that we're talking about, we are expecting that from our staff, right. So the morning check in with an overview of the assignments and then some synchronous instruction where the teacher is teaching the content. And that can look a lot of different ways.

So Robin was talking about in some cases we're going to have teachers who are simply

going to have to have a camera and a mic and as they're teaching in person, for example, when we get there, then there will be other students who will be having to listen remotely. And then just like we do in a normal classroom setting, then have the students go on and do independent work knowing that there's going to be some checking back in later with the teacher.

And so I think what matters work to incentivize children to learn is (a) don't expect them to sit in front of a screen for five to eight hours a day, because they won't, (b) make sure that there's a starting point with the teacher and the student and that there's check ins throughout the day, just like there would be in a normal classroom setting, and that they're not just academic conversations, but they're social and emotional learning conversations that are just about building community and building relationships.

One key takeaway from for me through all of this — and I view it as a real positive — is that this has really highlighted not just some of the negatives, but the positives around relationships and how important they are. For my entire career in public education I have heard children say I don't like school. And, you know what, I don't hear children say that anymore. They want to go back to school. They miss their friends, they miss their teachers, they miss those relationships, and they're understanding the power of those relationships -- and so are parents.

And so making sure that part of what's woven into the day is those relationship building opportunities between teachers and their peers. And I think that will incentivize students to want to continue to participate.

But just real clarity of expectation, opportunities for check in, and not expecting kids to sit in front of a screen all day long.

MS. ROBINSON: Can I add something to this, Mike, just as a parent? What we're doing?

MR. HANSEN: Please.

MS. ROBINSON: So we have one daughter who is going back in person, another who is going to be on line. And so our head of home school gave us some really good advice about on line learning, which was sit with your child and ask them what opportunities do we have that are new now that you're going to be on line. You know, what can you do. So, for example, my daughter did some coding

and gaming camps this summer that virtual. So we've talked about her — she loves gaming and so she's going to do an on line gaming camp this fall, as well as a book club with other girls on sort of graphic novels with girl power, girl centered characters. And so she's going to engage in those two things in addition to school as kind of — these are just fun additional opportunities that we have, because we are on line this year. And so trying to find those — there's quite a few platforms that are offering some free on line classes. Thinking about like what have you always wanted to learn about. Does your kid love the ocean, then do an on line class about oceanography. You can access like oceans around the world now from your house.

And so thinking about those opportunities can be exciting. Like tell me what you want to learn about. If it's space, we're going to do line, you know, a six-week space class and just have that be something that's sort of a reward after doing the school work, the on line work.

So that's just sort of how can we find a win in the midst of being on line.

MR. HANSEN: Thank you for that, Professor Robinson.

Here's another question coming in from Julia. How are districts addressing the facilities that are not as well positioned in terms of other facility quality questions? So Julia gives examples of operable windows, sufficient ventilation, bathrooms and sinks in working condition. And what is the evidence on the disproportionality of high quality or "well" school buildings — I'm just using quotes there? Is this an issue and how is this being layered into questions about the pandemic.

I also have a little bit of a soap box here. I'll just sort of elaborate for a moment. I've been working on writing a piece myself that does document that there is a general presence of inadequate access to school facilities. And it's not just school facilities, it's public facilities writ large. And this is something that has been documented from as early as the '70s and '80s and is part of a broader pattern of what some scholars refer to as environmental racism. And it often falls along familiar racialized lines, but not exclusively.

But let me first turn this to Robin. Robin, are different schools in different positions to go back to school safely and is this an equity concern that we need to be thinking about?

MS. LAKE: Well, like everything else in this pandemic, it's exposed inequities that were already there. You know, early on I heard people wringing their hands about access to connectivity and

devices. It's really important that we address inequities and connectivity and devices, right. I mean that's a ground level infrastructure for virtual learning. And it's important that we address all the other inequities that have already existed. You know, the facilities, infrastructure, the basics like high quality teaching and high quality leaders, distributed to the kids who need it most.

So all of that is in play here. I mean certainly we're seeing that play out just looking at the reopening plans. Not only are the facilities in very different places in terms of what can be done health and safety wise, but the resources that districts have to be able to cope with the needs right now are very, very different from district to district. So it's not new to anybody in this discussion, but the question before us is what are we going to do. Are we going to finally address this craziness?

So, yeah, it's an issue.

And the last point I'll make on this is that aside from the resource challenge, we're seeing a lot of variation in just how different districts and schools are responding to the health and safety. So we've seen a number of districts not require masks for kids while they're at school, while the majority are requiring masks. So we have many, many layers of dynamics that are going to play out, unfortunately, in kids' lives over the next few years.

MR. HANSEN: Thanks.

Dr. Spence, can we get you to piggyback onto this question of school facility inequalities and whether that translates to readiness to bring students back safely?

DR. SPENCE: I mean I think it will and I think where I would layer on from the local perspective is just simply to say I'm deeply concerned that these continue to be thought of as local issues. You know, I'll speak specifically to a soap box I've been on for a while about WiFi access that Robin just mentioned. But I think it also applies to infrastructure, like school buildings, right. And that is that in the '40s we decided as a country that everybody ought to have electricity, that electricity was an important thing. And I'm thinking in 2020 we probably should have the same conversation about WiFi access, internet access. And then if you sort of layer that kind of thinking on, why is it that local funding, that the availability of local resources — and I'm thinking in particular about my, for example, rural colleagues in the State of Virginia, which is the large proportion of our districts — who struggle with revenue. Should those children have to be in older buildings with less acceptable ventilation and

windows that work and all of those other things? Is that a local issue? Should it be a local issue?

And so prior to the recession in Virginia each school district used to receive funding for school construction. It wasn't adequate, but it was certainly more than it is today, which is — it doesn't exist. And at what point does that also then become a federal infrastructure issue? And so I know there's been some conversation at the federal level about schools as infrastructure, but that so far has not gained any traction — at least in my 25 year career in education. And I think it's probably a conversation worth having. And maybe one of the positives that can come out of this unfortunate situation is that it highlights the need for that conversation.

MR. HANSEN: Thank you for that.

Here's a question from John. Do we have any information about private or charter schools and how they compare to traditional public schools on their reopening decisions?

Maybe let's give this to Professor Robinson. And, specifically, do private schools have different incentives and different obligations, liabilities, in thinking about reopening?

MR. ROBINSON: Definitely. So let's go with the private schools, because charter schools are public schools. And so I'm going to talk specifically about private. So private schools definitely have sort of a different model they're working on. Because they depend on tuition dollars to stay open, they are facing significant demand to invest in changes that are necessary to reopen in person.

And so that's certainly — what you're seeing is definitely even more places where the public schools are closed, private schools are reopening. The difference is that they have the — often times, not all of them, but many of them have the resources to invest in the infrastructure to make reopening safe.

So, for example, they already had things like working windows and working sinks in the bathrooms so kids can wash their hands. But now, for example, they can do things like put up tents and fans and heaters outside to get kids more ventilation. And so what you're seeing is some really creative uses of — real creativity at private schools for making sure that they are able to reopen in person because the population who is paying tuition is pretty much demanding it.

Those schools are also able, as Robin mentioned, to offer on line. So for parents who

don't feel safe sending their kids, a camera in the classroom often is how the kids are connecting, perhaps with the help and support of an on line learning coordinator to make sure that kids who are on line are staying connected.

So certainly that's a different — they're facing a different set of incentives that they — you know, particularly when you're in an area where some private schools are open and others are closed, you can definitely seem some shifts happen if schools don't offer what the public seems — you know, the tuition paying public seems to be wanting.

MR. HANSEN: Thank you, Professor —

MS. ROBINSON: So, unfortunately — sorry.

MR. HANSEN: No, go ahead.

MS. ROBINSON: Unfortunately, that's just going to widen though — it's going to continue to widen the opportunity gap that we talked about at the beginning. That's one of the challenges.

MR. HANSEN: Yeah, absolutely. Thank you, Professor Robinson.

So we are out of time. I really appreciate all the panelists for their participation and for offering your perspectives, your insight, and your expertise into the conversation here. And we appreciate the audience questions and your participation as well. And thank you, everyone, for your participation. And please stay in touch with us on @BrookingsEd and also feel free to share this with friends.

Thanks, everyone, for tuning in. Take care.

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