



CAPITAL IDEAS

MARCH 2021

The Road to Reopening: Where we are and where we need to go to open up our schools and meet the needs of children

BY LANCE IZUMI

EXECUTIVE SUMMARY

- Recent studies by the Centers for Disease Control (CDC), the American Academy of Pediatrics, and Brown University have all found extremely low rates of COVID-19 transmission in schools that have stayed open during the pandemic, even in areas of high community transmission.
- The studies conclude that schools that have been closed can be reopened safely. The director of the CDC, Dr. Rochelle Walensky, has said that vaccinations for teachers are not a prerequisite for the safe reopening of schools, despite claims to the contrary by the teachers unions.
- School closures have resulted in huge learning losses in math and English for children, especially those from disadvantaged backgrounds. In California school districts, more students are receiving failing grades due to the pandemic and record numbers of students statewide are failing to enroll in school.
- New data show that school closures have had a devastating impact on children's mental and emotional health. Child suicides have skyrocketed in places like Clark County, Nevada and Pima County, Arizona. The CDC says that one in four young people have contemplated suicide and that emergency room visits by children for mental health problems have increased dramatically.
- School reopening guidance from the CDC and California's recently-enacted reopening law link reopening of schools to community transmission rates of COVID-19, despite scientific evidence showing that in-school transmission rates are much lower than community transmission rates. Thus, linking reopening of schools to community transmission rates will result in slowing the pace of school reopening.

- Besides reopening schools quickly, policymakers must address the lack of education options facing parents. With public schools closed, parents with means can send their children to private schools that have remained open. However, many cannot afford private school tuition. Various states have enacted or are proposing wider school-choice options for parents during the COVID-19 era. California leaders should do the same and give parents the ability to choose the learning option that best meets the needs of their children.

INTRODUCTION

There is perhaps no bigger issue preoccupying Americans today than reopening the country's schools. Yet, the road to reopening has been a rocky one, strewn with obstacles put up by the teachers unions and their political and bureaucratic allies. However, new empirical research demonstrates conclusively that schools can reopen safely and that failure to reopen them swiftly will result in catastrophic consequences for America's children.

This paper will examine the four key aspects of the school reopening issue: the recent research on COVID-19 and safe school reopening; research on COVID-19 and student learning; research on COVID-19 and student emotional and mental health; and, finally, the road forward.

RESEARCH ON COVID AND SAFE SCHOOLS

"Follow the science" has been the COVID-19-response mantra repeated by political leaders from President Joe Biden to California Governor Gavin Newsom on down. But what exactly is the current science on opening schools?

According to a January 2021 University of Washington Bothell study of a large sample of school districts from around the country, only a little more than four out of 10 were offering full in-person instruction. About three out of four urban districts were operating fully remote.¹ Even such figures, though, indicate that there are a chunk of schools in America that are offering in-person instruction for their students.

It turns out that there are important recently-released studies that show that schools offering in-person instruction have operated safely.

Take, for example, a key study issued by the Centers for Disease Control and Prevention at the end of January 2021.

The CDC study looked at nearly 5,000 students and more than 650 staff members at 17 schools in Wisconsin. The schools examined included both public and private schools and covered all grade levels.² Students and staff members at the schools wore masks and socially distanced when possible. All classes and lunch periods were held indoors.³

It turns out that there are important recently-released studies that show that schools offering in-person instruction have operated safely.

The results of the study were eye opening.

Out of the more than 5,500 students and staff who were studied, only seven cases of COVID being contracted due to in-school, person-to-person transmission were reported. All seven were between students. No adult staff person contracted COVID-19 through in-school transmission.⁴

Further, the CDC study noted that in the communities in which the schools were located there was widespread transmission of COVID-19.⁵

However, the study found, “Despite widespread community transmission, COVID-19 incidence in schools conducting in-person instruction was 37 percent lower than that in the surrounding community.”⁶

The researchers said the “absence of identified child-to-staff member transmission during the 13-week study period suggests in-school spread was uncommon.” This finding is consistent with previous research that shows a lower rate of transmission from children than from adults.⁷

In other words, children are not the main spreaders of the disease.

Further, if there is transmission from children, it almost always occurs outside of schools, not inside schools.⁸

In response to the CDC study, the director of the CDC, Dr. Rochelle Walensky, said that the findings demonstrate, “Vaccination of teachers is not a prerequisite for safe reopening of schools.”⁹

Dr. Walensky’s point is very important because the teachers unions claim that schools should not reopen until all teachers are vaccinated, which would hugely lengthen the time to reopen schools.¹⁰

In February 2021, the CDC followed up on its study by issuing new non-binding guidance to schools on safe ways to open up for in-person instruction. While the guidance is lengthy, Dr. Walensky said that the CDC was emphasizing mask wearing and social distancing. And as long as such mitigation strategies were followed, the CDC guidance did not recommend vaccination of school staff as a requirement for the safe reopening of schools.¹¹

According to the CDC guidance, there are five key mitigation strategies for delivering safe in-person instruction:

- Universal and correct use of masks
- Physical distancing of 6 feet to the greatest extent possible
- Handwashing and respiratory etiquette
- Cleaning and maintaining healthy facilities
- Contact tracing in combination with isolation and quarantine, in collaboration with the health department¹²

Also, the CDC guidance creates color-coded categories for community transmission rates: blue means low transmission (0-9 new cases per 100,000 population over the previous 7 days), yellow means moderate transmission (10-49 new cases per 100,000 population), orange means substantial transmission (50-99 new cases per 100,000 population), and red means high transmission (greater than 100 new cases per 100,000 population).¹³

Schools located in areas designated as blue or low transmission, and yellow or moderate transmission can open to full in-person instruction. Schools in orange or substantial transmission areas can open to hybrid learning or reduced physical attendance. In areas of red, meaning high transmission, elementary schools can open to hybrid learning or reduced attendance, while most middle and high schools should offer only virtual instruction.¹⁴

Key health researchers and experts have criticized the CDC guidelines for linking school reopening to the rates of community transmission of COVID-19.

For instance, Duke University professor of pediatrics Dr. Daniel Benjamin, who is the principal investigator and chair of the National Institute of Child Health and Human Development's Pediatric Trials, has said, "Community transmission has never been associated with success or failure [of in-person instruction] if mitigation measures are in place." Further, he said that preliminary data indicates that 3 feet, not the CDC's recommendation of 6 feet, is sufficient for social distancing between students in school.¹⁵

Dr. Benjamin said that he would send his children to school today if the school followed simple masking and distancing precautions.¹⁶

In an interview with National Public Radio, Dr. Joseph Allen, director of Harvard University's Healthy Buildings Program and associate professor of public health, stated:

We've seen examples where schools have stayed open and have been effectively open with very little in-school transmission, even in communities with high community spread. In fact, CDC's own report has shown that. We've also seen the opposite. We've seen low community spread, poor controls in school, and cases. So, the community spread metric idea sounds great, but the reality is, it doesn't really tell us what's happening in schools. 90% of the schools right now in the U.S. are in what CDC deems the red zone, even schools that have been open with no cases or very little to no transmission in the schools. So, essentially, reliance on community spread metrics means schools will stay closed, or they won't get back to full in-person learning any time soon.¹⁷

Dr. Allen said that the CDC's guidance should be a wake-up call to parents because "if schools start following this new guidance strictly, kids are not getting back to full-time school."¹⁸

Key health researchers and experts have criticized the CDC guidelines for linking school reopening to the rates of community transmission of COVID-19.

The CDC study was released in the wake of a huge January 2021 study authored by researchers from Duke University and the University of North Carolina, Chapel Hill, and put out by the American Academy of Pediatrics.

The AAP study looked at school districts in North Carolina that maintained some form of in-person instruction. Overall, the study examined nearly 100,000 students and staff members.¹⁹

Out of these nearly 100,000 individuals, there were only 32 cases of COVID-19 transmission.²⁰

As in the CDC study, all 32 of these COVID-19 transmission cases were from child to child. There were no instances of child-to-adult-staff-member transmission.²¹

Like in the Wisconsin communities in the CDC study, there was widespread transmission of COVID in the North Carolina communities in the AAP study.

The AAP researchers said that if transmission was as common in the schools as it was in the community, “we would anticipate 800-900 secondary infections within schools; however, only 32 within-school [COVID-19] transmissions occurred.”²²

The schools in the AAP study adhered to safety protocols including mask wearing, physical distancing, and hand hygiene.²³

Importantly, as Dr. Benjamin Linas, associate professor of epidemiology and an infectious disease physician at Boston University School of Medicine, pointed out, the North Carolina schools achieved their results with “no major capital improvement to HVAC systems or buildings.”²⁴

The AAP study concluded that if such protocols are followed, then there would be low rates of COVID-19 transmission.²⁵

The bottom line, according to the study’s authors, is that data support the concept that schools can stay open safely in communities with widespread community transmission.²⁶

Based on the findings of this study, in February 2021, the California chapters of the American Academy of Pediatrics issued letters calling for the prompt reopening of schools.

These California chapters represent 5,500 pediatricians in the state. In their statement, they said, “Evidence has shown that safe in-person education for grades TK-12th can be accomplished with properly implemented safety protocols even in areas of high community spread of (COVID-19).”²⁷

Dr. Kenneth Zangwill, a pediatric infectious diseases specialist at Harbor-UCLA Hospital said pointedly: “We know how to keep teachers, staff, and children safe on school campuses. Hundreds of schools and school districts have been able to do this in other parts of the country.”²⁸

The bottom line, according to the study’s authors, is that data support the concept that schools can stay open safely in communities with widespread community transmission.

Brown University also released an important study in fall 2020.

The Brown study looked at 20,000 kids in 47 states. According to the data collected, the rates of COVID-19 infection were an extremely low one-tenth to two-tenths of a percent for students and staff.²⁹

Even in high-risk areas of the country, the student rates were well under half of a percent. The study said that schools are not major spreaders of COVID-19.³⁰

Perhaps as important as the findings of the Brown University study are the observations and perspectives offered by the study's author, Emily Oster.

Writing in *The Atlantic*, Professor Oster said: "One might argue, again, that any risk is too great, and that schools must be completely safe before local governments move to reopen them. But this approach ignores the enormous costs to children from closed schools."³¹

Specifically, she pointed out: "The children affected by school closures are disproportionately low-income students of color. Schools are already unequal; the unequal closures make them more so."³²

Further, she observed: "Parents are struggling as well, not just children. Cities have recognized the need for child care for parents who cannot afford to quit their jobs to supervise their kids, but this has led to a haphazard network of options."³³

The bottom line, according to Professor Oster, is if some kids are in school in person, while others are not, why is it safe for these students and why is it not safe for everyone?³⁴

University of Virginia Children's Hospital pediatric cardiologist Dr. Douglas Allen sums it up well when he wrote that numerous peer-reviewed studies "document the essentially zero risk schools pose in spreading this illness to teachers, parents, or other adults in the school setting," meaning the "science and data are clear—our children can return to school without risk to the students or the teachers."³⁵

But as Professor Oster underscored, the debate should not be just about COVID-19 transmission rates.

A full discussion of reopening schools must, for public policy purposes, include and weigh other costs such as the cost of school closures on the learning and emotional and mental health of children.

RESEARCH ON COVID-19 AND STUDENT ACHIEVEMENT

Most people have heard anecdotal horror stories about how the regular public school system has failed to transition effectively to a distance-learning model.

Individual parents have recounted how their children have been left basically without any meaningful instruction since schools closed. Now, almost a year after the schools have closed, there is actual data to back up these anecdotes.

It has been shown, for instance, that regular public school districts have not done as well as charter-school networks in switching to remote or distance learning.

A study by the Center for the Reinvention of Public Education at the University of Washington Bothell examined 82 regular public school districts across the country and 18 networks of charter schools.³⁶

According to the study, charter schools exhibited “rapid leaps from the classroom to the cloud,” while such practices remained rare in the regular school districts.³⁷

Specifically, charter schools quickly brought groups of students together virtually to receive instruction at the same time, as well as tracking students’ attendance and grading their work.³⁸

Also, “Compared with the districts we have examined, the charter school networks were far more likely to monitor student progress,” and they did this by “holding frequent one-on-one check-ins between students and adults, assigning and grading student work, and using digital platforms that enable real-time monitoring and attendance tracking.”³⁹

The inability of many regular school districts to transition effectively to the COVID-19 reality has led to huge negative impacts on student learning.

An October 2020 study by the Center for Research on Education Outcomes at Stanford University looked at students in 19 states and estimated a loss of 57 to 183 days of learning in reading and a shocking 136 to 232 days of learning in math.⁴⁰

Such learning deficits have led to rising numbers of failing grades by students in states such as California.

For example, according to data from the Los Angeles Unified School District, the number of failing grades has increased significantly during the pandemic:

- A comparison of the Fall 2020 15-week marks to the prior Fall 2019 15-week marks demonstrate an increase in the number of “D” and “F” marks occurring at the secondary level especially for high-need students.
- Latino, African American, English learners, students with disabilities, foster youth, and those experiencing homelessness had higher rates of Ds and Fs at the Fall 15-week mark and had double digit increases in the percent of Ds and Fs from the previous year at the same time.
- For example, 25 percent of Latino students in grades 9-12 received an F in Fall 2020, which was a nearly 11 percent increase over Fall 2019.⁴¹

Given that California has a high proportion of students who come from low-income family backgrounds, it is especially troubling that school closures have had a disproportionate impact on low-income children.

One of the first comprehensive studies on the state of student learning in California in the COVID-19 era was released in January 2021 by the research organization PACE, which is sponsored by the University of California at Los Angeles, the University of Southern California, the University of California at Davis, Stanford University, and the University of California at Berkeley.

The PACE study examined 18 school districts across California and analyzed English and math test scores of students.⁴²

The study found that there was significant learning loss in both English and math in the early grades among students, which is very concerning since early learning is the foundation for later educational success.⁴³

Given that California has a high proportion of students who come from low-income family backgrounds, it is especially troubling that school closures have had a disproportionate impact on low-income children.

According to the study, there was significantly more learning loss from Fall 2019 to Fall 2020 compared to previous years for students from socio-economically disadvantaged backgrounds, particularly in English.⁴⁴

Further, given the high proportion of non-English-fluent children in California, it is also very troubling to see large learning losses among these English-language-learner students as well.

These non-English-fluent children lost learning in English in nearly every grade and in the early grades in math. The loss was particularly severe in some grades.⁴⁵

For example, in the fifth grade, non-English-fluent children lost roughly 30 percent of a year in typical growth in English performance.⁴⁶

The PACE study said that the poor performance of non-English-fluent children are “likely due to the substantial challenges with supporting students who are learning English in a virtual setting.”⁴⁷

The study authors concluded: “Average learning loss estimates mask the reality that some students in California are suffering much more during this time than others. Without aggressive and bold actions, these students may never catch up.”⁴⁸

So, if students are learning so little, then what is one of the things one would also expect to see as a consequence? Answer: lower enrollment because students either drop out or take advantage of another education option.

Students who are not learning get frustrated, so they do not see why they should stay in school when they cannot actually go to school and learn.

California is seeing a huge wave of what amounts to students voting with their feet to leave the regular public schools.

According to state data released in January 2021, California has experienced a record one-year enrollment nosedive of 155,000 students. For comparison, that drop-off is more than five times greater than California's usual annual rate of enrollment decline.⁴⁹

Los Angeles Unified saw an enrollment drop of 6,000 students in kindergarten alone, which is a 14 percent decline over the previous year.⁵⁰

Again, many of the students who dropped out are from the most at-risk populations, such as foster children.

Megan Stanton-Trehan, the director the Youth Justice Clinic at Loyola Law School, said that she has had at-risk students tell her they cannot do “Zoom school” because it is either too hard for them or they have other priorities.⁵¹

“Overall,” she warned, “it’s just really putting those students who are far behind [even] farther behind.”⁵²

The bottom-line question for policymakers should be: even for those who remain enrolled, if so many students have lost so much learning, will they ever be able to catch up?

In fact, the learning loss is so bad for many students that some parents are saying that they want their children to be held back a year because they are not prepared to advance to the next grade level.

One mother of two kindergartners, who are being forced to distance learn, wants both her kids held back. She said that during this academic year, a year that is fundamental for young children to learn how to be in school, they have not learned much of anything at all.⁵³

She lamented, “Kindergarten is an important year for them to learn how to learn, but they’ve basically not really had much education since March 2020.”⁵⁴

During the COVID-19 pandemic, California Governor Gavin Newsom has issued various orders that have kept schools closed to in-person instruction.⁵⁵ The state’s teachers unions have used Newsom’s edicts to bludgeon school districts to keep schools closed.

For example, in a January 2021 letter to Yuba Unified School District superintendent and school board, the California Teachers Association said, “Governor Gavin Newsom has issued several Executive Orders requiring all Californians to heed and follow public health directives,” including a directive that prevents the reopening of schools to in-person instruction if there are certain rates of community transmission of COVID-19.⁵⁶

The bottom-line question for policymakers should be: even for those who remain enrolled, if so many students have lost so much learning, will they ever be able to catch up?

Under the California Department of Public Health’s “COVID-19 and Reopening In-Person Instruction Framework and Public Health Guidance for K-12 Schools in California, 2020-2021 School Year” plan (revised March 12, 2021), schools may reopen at all grades if they are located in counties in the red (4–10 new cases over a 7-day average per 100,000 population, among other required metrics), orange, (1–3.9 new cases per 100,000 population) or yellow (less than 1 new case per 100,000 population) tiers. Schools in the purple-tier counties (above 10 new cases per 100,000 population) may open for limited grades if the number of cases is below 25 new cases per 100,000 population but may not open for any grades if the rate is above 25 new cases per 100,000 population.⁵⁷ It should be noted that these rates are much stricter than the CDC’s color-coded categories.

Recall, however, that research shows that COVID transmission in schools is much lower than transmission in communities at large and that the CDC director says that community transmission increases if schools are not open for in-person learning.

University of California at San Francisco professor of medicine Dr. Monica Gandhi, an expert in infectious diseases, has pointed out that CDC data shows that schools can open safely separate from transmission rates in the surrounding community.⁵⁸

Assemblyman James Gallagher, who represents the Yuba area, reacted to the union’s tactics saying:

The Governor got big headlines recently after claiming to be in favor of re-opening California schools. But despite all the bluster and political maneuvering, Newsom’s hardline rules keeping schools closed appear to remain in place and are being exploited by the powerful California Teachers Association.

It’s an inside job. The Governor talks publicly about re-opening schools but his policies actively prevent them from opening. And his allies in the CTA work in conjunction with those policies to keep them closed. That is what is really going on. What’s happening in my neighborhood school district is indicative of what is happening throughout California.⁵⁹

Governor Newsom realizes that keeping schools closed has resulted in massive learning losses for children. When the governor released his proposed budget in January 2021, he included \$4.6 billion to address student-learning losses. But even before the pandemic, less than a third of the state’s eighth graders scored at the proficient level on the 2019 National Assessment of Educational Progress math and reading tests.⁶⁰ A public school system that was so ineffective prior to the pandemic cannot be relied upon to fill-in student learning losses caused by the COVID-19 school shutdowns.

Sadly, it seems more likely than ever that poor policy decisions by Governor Newsom and others to keep the schools closed for so long may have permanently derailed the learning for a great many students in California.

RESEARCH ON COVID-19 AND STUDENT EMOTIONAL AND MENTAL HEALTH

Beyond academic and learning deficits created by the school shutdowns, there is the tragic emotional and mental toll that the shutdowns are producing in children.

Across the country, there have been disturbing spikes in suicides among children.

In Clark County, Nevada, *The New York Times* reported that 18 students committed suicide in the nine months of the school closures in the Las Vegas area. The youngest suicide victim was just nine years old.⁶¹

One student left a note saying he had nothing to which to look forward.⁶²

Compare these 18 suicides in just one county in the United States where schools were kept closed to the zero deaths of students and staff in the CDC study and the American Academy of Pediatrics study mentioned earlier.

If the goal is to maximize the health and safety of children and adult school staff members, then why are policymakers not doing cost-benefit analyses of keeping schools closed versus keeping them open. Eighteen versus zero, for instance, is a big difference.

But, it is not just Clark County where suicides are rising. In Pima County, Arizona, suicides among children ages 12 to 17 rose by an appalling 67 percent in 2020.⁶³

According to the CDC, in 2020 there was a 24 percent increase in emergency room mental health visits for children ages 5 to 11 compared to 2019. Among children 12 to 17, that increase was 31 percent.⁶⁴

The CDC has also reported that a staggering one in four young people had contemplated suicide in the previous month.⁶⁵

These numbers have names and faces. Spencer Smith, a Maine high-school football player, committed suicide in December. He left a note saying that he felt locked in his house and that the separation from his peers was too much for him to bear.⁶⁶

His father Jay Smith has said children need face-to-face contact so they can let their emotions out.⁶⁷ What Spencer had bottled up inside of him caused him to end his life.

Indeed, while some school districts are allowing or are contemplating allowing elementary-age children to return to school, these districts often keep middle-school and high-school students in distance learning. Yet, it is older children that often have the most serious issues with mental and emotional problems stemming from the school shutdowns.

According to Dr. Jeanne Noble, associate professor of emergency medicine and director of the University of California at San Francisco emergency department's COVID-19 response, "Middle and high school students (are) where we're seeing the worst outcomes from social isolation and the worst metrics in mental health harms."⁶⁸

One San Francisco mother, Allison Arieff reported finding her teenage daughter curled up in a fetal position and crying next to her laptop computer. According to Ariel, her daughter has lost faith in the school district and the world, and often cried in the middle of the day.⁶⁹

Dr. Noble emphasized that school districts like her own local San Francisco Unified School District, which has kept its schools closed while 15,000 students in the city's private schools are back in the classroom with only five cases of in-school COVID-19 transmission reported, have ignored "mounting evidence across the world about schools being able to reopen safely." "It's like the death of expertise," she lamented, with such ignorance "hurting our children."⁷⁰

UCSF Benioff Children's Hospital in San Francisco has seen a 66 percent increase in the number of suicidal children in the emergency room, a doubling of children hospitalized for eating disorders, and a 75 percent increase in youth seeking mental health services requiring immediate hospitalizations.⁷¹

"The medical evidence is clear that keeping public schools closed is catalyzing a mental health crisis among school-aged children in San Francisco," warned Dr. Noble.⁷²

What is also ominous is the estimation by experts that the raised level of child suicides will probably continue even after the COVID-19 crisis subsides.

An international medical journal noted: "Mental health consequences of the COVID-19 crisis including suicidal behavior are likely to be present for a long time and peak later than the actual pandemic."⁷³

Harvard University biostatistician Martin Kulldorff has warned that "you can't just look at (COVID-19), you have to look holistically at health and consider collateral damage."⁷⁴

Further, Kulldorff also noted, "You can't just look short term."⁷⁵ In other words, policymakers cannot simply look at today's infection and hospitalization rates.

Christine Atha, who lives near Sacramento, is a mother of two teenagers. She initially supported distance learning for safety reasons, but now wants it to end.

Her kids are suffering from depression and anxiety. She observed:

These kids don't need any more videos to watch from behind their desk sitting alone in their room. The only thing they need is to return to in-person school. The science says you go back to school when it's time. And it is high time.⁷⁶

Also, it is not just separation from friends and lack of social interaction that may be driving children to depression and suicide.

Policymakers too often forget that schools act as a refuge from domestic abuse in the home.

Orange County District Attorney Todd Spitzer has made the critical observation that "one of the things we're going to learn after this pandemic is over is that by having people sheltered at home, we have put children and elderly people closer to their abusers."⁷⁷

Kerry McDonald, senior education fellow at the Foundation for Economic Education, makes the important point that there are tradeoffs to any policy.

She says that the platitude, “If it saves just one life,” which has been repeated constantly by politicians, school officials, and teachers unions during COVID-19 to justify the school lockdowns, “fails to acknowledge the lives damaged or lost due to these lockdown policies.”⁷⁸

She has warned, “Lockdown harms and deaths are as real as COVID-19 harms and deaths and should be taken seriously when considering a holistic pandemic response.”⁷⁹

Antony Davies, an economist at Duquesne University, and James Harrigan, an economist at the University of Arizona, have emphasized: “Regardless of whether we acknowledge them, tradeoffs exist. And acknowledging tradeoffs is an important part of constructing sound policy.”⁸⁰

This realization that tradeoffs exist, has been recognized in Las Vegas. After the report on the number of student suicides, the schools have opened back up.

McDonald advises: “The justification for the widespread lockdowns and pandemic restrictions enacted since last spring was to save lives, but it’s becoming increasingly clear that these mandatory measures are costing lives and may be ineffective at slowing the spread of the coronavirus.”⁸¹

Crucially, McDonald concludes: “There is no perfect policy to a pandemic, but acknowledging tradeoffs, examining the consequences across groups and over time, advocating for a more voluntary, decentralized approach can minimize human costs and maximize overall health and well-being.”⁸²

GETTING CHILDREN BACK TO SCHOOL

So, where do we go from here?

In the short term, decision makers need to reopen schools as quickly as possible. As the research of medical experts have proven and as the experience of both public and private schools have shown, it is possible to open schools safely for both students and for staff members.

How do schools open safely? To answer that question is not as difficult as the teachers unions would have Americans believe. The teachers unions claim they want schools to open, but their workplace demands are often so extreme that there is no realistic reopening date in sight.⁸³

Maxford Nelson, director of labor policy for the Freedom Foundation, has observed:

Many teachers unions are approaching the COVID-19 pandemic as a strike that they didn’t have to call. The teachers are out of school now, and the teachers unions have a lot of leverage to control the discussion about when and how and under what circumstances teachers come back to the classroom.⁸⁴

But as the student suicide data shows, children do not have time to wait.

Instead of the unions' wish list, policymakers should look at schools that have stayed open and which have experienced little or no outbreaks of COVID-19.

There is the experience of the schools in Wisconsin and North Carolina that were the subjects of the CDC and the American Academy of Pediatrics studies. They had precise protocols regarding safety and hygiene that were easily followed by students and staff. And the result was extremely small rates of in-school transmission.

Michael Osterholm, the director of the Center for Infectious Disease Research and Policy at the University of Minnesota, observed: "Everyone had a fear there would be an explosive outbreak of transmissions in the schools [that opened] . . . We have to say that, to date, we have not seen those [outbreaks in K-12 kids] and that is a really important observation."⁸⁵

Also, more aggressive tactics by some local governments are worth considering.

For instance, San Francisco City Attorney Dennis Herrera has sued the city school board and school district in order to open up schools.⁸⁶

In February 2021, Herrera amended his lawsuit to add new allegations including violations of various provisions of the state constitution such as the equal protection clause.⁸⁷ Herrera has said:

Our public school families are dealing with mental health and education crises on top of a pandemic. It's not sustainable. That's why we have gone to court. . . . Just sticking with the status quo and hoping the district came up with an effective plan wasn't working. Hopefully the prospect of court scrutiny will focus the district's attention like nothing else could have.⁸⁸

Despite the scientific evidence and the actions of some local officials, the sad fact remains that any move to reopen public schools in California and other states is stuck because of failed policymaking.

Even though Governor Newsom and the State Legislature have approved a deal to create a fund to incentivize schools to reopen, the legislation, AB 86 does not actually require schools to reopen.⁸⁹

Rather, as the respected education publication *EdSource* noted, AB 86 "provides \$2 billion as an incentive for schools that have not already done so to offer in-person instruction beginning April 1, starting with the earliest grades."⁹⁰

However, AB 86 ties the ability of schools to reopen to community transmission rates. As *EdSource* pointed out:

For schools in counties in the state's "purple" tier, where the COVID-19 infection rate is still high, schools would receive extra funding if they open for students in kindergarten through second grade beginning on April 1. But in order to do so the daily rate of new COVID-19 cases in their counties would need to be less than 25 per 100,000 residents.⁹¹

Schools in red-tier counties would be incentivized to open to all elementary grades plus one grade of either middle or high school by April 1. Schools would lose 1 percent of the incentive funding for every day they fail to meet the requirement from April 1 to May 15.

AB 86, like the CDC's guidance, links school reopening to community transmission rates even though there is no correlation between community transmission rates of COVID-19 and in-school transmission rates. The plan, therefore, not only fails to require schools to reopen, but is built on the scientifically faulty assumption that community transmission rates determine in-school transmission rates.

Because it does not mandate the reopening of schools, but uses the carrot of state tax dollars to incentivize reopening, it will be up to local decision-makers to craft reopening plans. As one news report noted, "the decision of when and how to bring students and teachers back to class will now be decided in hundreds of local school districts across the state." Further, "school boards will still have to come to terms with the local teachers unions on the reopening standards and a schedule of classroom instruction."⁹²

In other words, as *Politico* observed, "While the Capitol deal may propel districts toward reopening, local school boards and labor unions still have final say."⁹³

With the teachers unions having a potential veto over school reopening, it is important to note that key teachers unions in California have reacted negatively to AB 86.

For example, Cecily Myart-Cruz, the head of the United Teachers of Los Angeles, which is the largest local teachers union in California, blasted AB 86 as "a recipe for propagating structural racism."⁹⁴

Myart-Cruz charged that wealthy white parents were "driving the push behind a rushed return."⁹⁵

Yet, the CDC has said, "The absence of in-person educational options may disadvantage children from low-resourced communities, which may include large representation of racial and ethnic minorities."⁹⁶

Renee Bailey, a South Los Angeles African-American mother of two, reacted to Myart-Cruz's claim saying, "It's almost like minority families want the schools to reopen more than anyone else, and the reason why I say that is education, for us is a stairway out of poverty, so every day that our kids aren't in school, that's just a day closer to poverty for them."⁹⁷

However, despite the pleas of minority parents like Renee Bailey, it will be powerful local unions like the UTLA that will dictate the pace of school reopening in California.

So, beyond simply reopening schools, policymakers and the public should take this opportunity to think about how education is being delivered in California.

Dennis Herrera says that the 54,000 public school students in San Francisco are suffering.⁹⁸ Part of the reason they are suffering is that they have no other options. Many parents frustrated by school closures have no alternatives from which to choose.

President Biden’s recent plan to funnel \$130 billion into schools to get them to reopen fails to offer parents and their children added learning alternatives. Instead, the proposal includes large pots of money to pay for current school staff and to hire more, with smaller amounts for things such as personal protective equipment and digital equipment.⁹⁹

Key components of President Biden’s plan include:

- \$60 billion to prevent layoffs of school personnel
- \$50 billion for social distancing, which will increase staffing levels
- \$3 billion for additional health staff
- \$9.5 billion for personal protective equipment¹⁰⁰

Beyond how much and where federal dollars will be spent is the issue of exactly when those funds will be spent. As the *Washington Examiner* noted, Biden’s plan “would spend only \$6.4 billion of [the \$130 billion] in fiscal 2021—less than 5% of the total.” Thus, “It is evident that 95% of the money being programmed for ‘reopening’ is not going to be used for that purpose unless Biden doesn’t intend for schools to reopen until November or even next January.”¹⁰¹

Harvard education professor Martin West has said that Biden’s \$130 billion proposal amounts to \$2,300 per student.¹⁰²

Professor West says that as a condition to receive this money, school districts should be required to provide all students with the option to attend school in person. If school districts cannot or will not reopen schools, then “Parents could be given their share of the funds directly, to use as they choose to help their children catch up.”¹⁰³

A federal bill entitled the “Put Students First Act of 2021” would implement essentially what Professor West recommends. Introduced in February 2021 by U.S. Senator Marco Rubio (R-FL) and a group of his fellow Republican senators, the bill would prohibit federal funds from going to K-12 schools that do not reopen; require schools that have not reopened to return federal COVID-19 relief dollars; and require states where schools are closed for in-person learning to submit plans for school-choice options for students.¹⁰⁴

In a statement, Senator Rubio said that research has shown “that K-12 schools are not significant drivers of COVID -19 transmission when reasonable measures such as masking and social distancing are practiced.”¹⁰⁵

Further, Rubio singled out the teachers unions as the key obstacle to school reopening:

Despite strong evidence indicating that schools can and should reopen safely, a number of teachers’ unions are pushing back with unreasonable timeline requests. Notably, certain unions are demanding conditions be met that would not allow schools to be reopened until 2022, if ever.¹⁰⁶

Specifically, the “Put Students First Act” would set a school reopening cutoff date of April 30, 2021, which is the 100-day mark that President Biden has set for schools to reopen to in-person instruction. While it is unclear what actually qualifies as “in-person instruction” for the Biden administration and what, if any, consequences will befall schools that fail to open, Sen. Rubio makes clear what would happen to schools under his co-authored bill.¹⁰⁷

“I propose,” Rubio has written, “that if a school refuses to offer students in-person option by April 30, 2021, 100 days into the Biden administration, that funding should be rescinded and directed to school choice and the reopening plans of schools that are prioritizing their students’ needs.”¹⁰⁸

At the state level, some states are looking to give wider school-choice opportunities to parents to work around COVID-19 school shutdowns.

Given that more private schools than public schools have stayed open, lawmakers in New Hampshire have proposed a school choice bill that would create state-funded education savings accounts for all parents, which would allow them to pay for private school tuition or homeschool expenses.¹⁰⁹

Sherm Packard, the Republican speaker of the New Hampshire House of Representatives, who is the lead sponsor of the bill, has said: “Under this horrible disease, COVID-19, I firmly believe this is a good solution for families of New Hampshire to help them in the best way to educate their children.”¹¹⁰

It is true that the political landscape in a state like California is very different than in New Hampshire. However, the devastation being felt by parents and their children because of school closures is bipartisan.

Susan Ortega, who lives outside of Sacramento, is a mother of two children. Ortega is a Democrat and voted for Gavin Newsom, but she is now fed up with his handling of the pandemic.¹¹¹

Regarding the distance learning in the public schools, she said: “It’s been horrendous. These kids have given up hope. They can’t get out of bed. They see no point in anything because there is nothing to strive for.”¹¹²

Ortega switched her son to a private school last spring, but she kept her 14-year-old daughter in public school. However, her daughter’s emotional state deteriorated so much that by early 2021 she decided to send her to a private school that was open to in-person instruction.

After just a few days back in the classroom, Ortega said that her daughter was “almost who she was before all this.”¹¹³

So it may be that the COVID crisis could spur new coalitions when it comes to supporting increased options for parents to get in-person instruction for their children.

Susan Ortega could afford to send her kids to private schools that have remained open. But many parents do not have the means to do so.

The devastation being felt by parents and their children because of school closures is bipartisan.

Those parents and their children must be given the same opportunity that Susan Ortega and her children had.

To give parents that opportunity will require facing down and overcoming the teachers unions. “You won’t find union officers calling for schools to be opened in the next 100 days,” noted education analyst Mike Antonucci. In school districts that have not reopened schools, the unions are most likely calling the shots, but Antonucci has written that this power and intransigence may backfire on the unions:

Parents who want to send their kids back to school are naturally baffled. It seems no combination of politicians, health experts and working teachers is affecting the views or actions of those resistant unions.

No one should be forced back to work, and thankfully in this nation no one *can* be forced back to work. But when a monopoly fails to provide a contracted service, eventually people seek alternative sources. It would be ironic if the unions caused the very breakup of the public education system they always claim to be preventing.¹¹⁴

The collapse of both the learning and the emotional and mental wellbeing of children that have resulted from COVID school shutdowns illuminates the larger systemic problem in education—lack of educational choice for parents and children. Therefore, the real solution to the school closures is not just a narrow reopening of schools, as important as that is, but must encompass giving parents the opportunity to choose the learning option that best meets the needs of their children.

ABOUT THE AUTHOR

Lance Izumi is Senior Director of the Center for Education at the Pacific Research Institute. He has written and produced books, studies and films on a wide variety of education topics. Most recently, he co-authored the 2020 book *A Kite in a Hurricane No More: One Woman's Journey Overcoming Learning Disabilities through Science and Educational Choice*.

He is a two-term president of the Board of Governors of the California Community Colleges, the largest system of higher education in the nation, and served as a member of the Board from 2004 to 2015.

From 2015 to 2018, Lance chaired the board of directors of the Foundation for California Community Colleges, the official non-profit that supports the community college system, and remains a member of the board.

Lance served as a commissioner on the California Postsecondary Education Commission and as a member of the United States Civil Rights Commission's California Advisory Committee.

Lance received his Juris Doctorate from the University of Southern California School of Law, his Master of Arts in political science from the University of California at Davis, and his Bachelor of Arts in economics and history from the University of California at Los Angeles.

ENDNOTES

- 1 Betheny Gross, Alice Opalka, and Padma Gundapaneni, “U-Turn: Surge of COVID Cases Reverses Reopening Progress in America’s School Districts,” Center on Reinventing Public Education, University of Washington Bothell, January 2021, pp. 1-2, available at https://www.crpe.org/sites/default/files/u_turn_brief_jan_2020_0.pdf
- 2 Amy Falk, Alison Benda, Peter Falk, Sarah Steffen, Zachary Wallace, and Tracy Beth Hoeg, “COVID-19 Cases and Transmission in 17 K-12 Schools—Wood County, Wisconsin, August 31–November 29, 2020,” *Morbidity and Mortality Weekly Report*, Centers for Disease Control and Prevention, January 29, 2021, 70(4); 136-140, available at <https://www.cdc.gov/mmwr/volumes/70/wr/mm7004e3.htm>
- 3 Ibid.
- 4 Ibid.
- 5 Ibid.
- 6 Ibid.
- 7 Ibid.
- 8 Ibid.
- 9 “CDC: Schools can safely reopen even if teachers aren’t vaccinated for COVID-19,” Associated Press, February 3, 2021, available at <https://www.baltimoresun.com/coronavirus/ct-nw-coronavirus-vaccine-updates-20210203-74alr7tpxnaydpemym44cpyp4a-story.html>
- 10 Cassidy Morrison, “Teachers unions at war with districts over plans to return amid vaccination drive,” *Washington Examiner*, January 27, 2021, available at <https://www.washingtonexaminer.com/news/teachers-unions-districts-vaccination-drive>
- 11 Lauren Camera, “CDC Issues Guidance for Safely Reopening Schools,” *U.S. News and World Report*, February 12, 2021, available at <https://www.usnews.com/news/education-news/articles/2021-02-12/cdc-issues-guidance-for-safely-reopening-schools>
- 12 “Operational Strategy for K-12 School through Phased Mitigation,” Centers for Disease Control and Prevention, February 26, 2021, available at <https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/operation-strategy.html>
- 13 Ibid.
- 14 Ibid.
- 15 Peter Sullivan, “New CDC guidance ends up deepening debate over reopening schools,” *The Hill*, February 16, 2021, available at <https://thehill.com/policy/healthcare/539093-new-cdc-guidance-ends-up-deepening-debate-over-reopening-schools>
- 16 Ibid.
- 17 “CDC’s New Guidance for Reopening Schools May Not Be Effective” (transcript of interview with Dr. Joseph Allen), Morning Edition, National Public Radio, February 19, 2021, available at <https://www.npr.org/2021/02/19/969351662/cdcs-new-guidance-for-reopening-schools-may-not-be-effective>
- 18 Ibid.
- 19 Kanecia Zimmerman, Ibukunoluwa Akinboyo, Alan Brookhart, Angelique Boutzoukas, Kathleen McGann, Michael Smith, Gabriella Maradiaga Panayotti, Sarah Armstrong, Helen Bristow, Donna Parker, Sabrina Zadrozny, David Weber, and Daniel Benjamin, “Incidence and Secondary Transmission of SARS-CoV-2 Infections in Schools,” *Pediatrics*, The American Academy of Pediatrics, January 2021, available at https://pediatrics.aappublications.org/content/pediatrics/early/2021/01/06/peds.2020-048090.full.pdf?fbclid=IwAR0a2xOSCp_9QjKjL53-OAxQJBNaVKybJ-8-5HKaDCN8zFBVhbAo7x-ysZkU

- 20 Ibid.
- 21 Ibid.
- 22 Ibid.
- 23 Ibid.
- 24 Benjamin Linas, “I’m an epidemiologist and a father. Here’s why I’m losing patience with our teachers’ unions,” *Vox*, February 15, 2021, available at <https://www.vox.com/2021/2/15/22280763/kids-covid-vaccine-teachers-unions-schools-reopening-cdc>
- 25 Ibid.
- 26 Ibid.
- 27 “Pediatricians Across California Unite to Call for Urgent and Safe Reopening of Schools,” American Academy of Pediatrics California Chapters 1,2, 3, and 4, February 9, 2021, available at <https://aap-ca.org/cases-measures/pediatricians-across-california-unite-to-call-for-urgent-and-safe-reopening-of-schools/>
- 28 Ibid.
- 29 Emily Oster, “Schools Aren’t Super-Spreaders,” *The Atlantic*, October 9, 2020, available at <https://www.theatlantic.com/ideas/archive/2020/10/schools-arent-superspreaders/616669/>
- 30 Ibid.
- 31 Ibid.
- 32 Ibid.
- 33 Ibid.
- 34 Ibid.
- 35 Available at https://www.facebook.com/permalink.php?story_fbid=971881916606651&id=100013545545036
- 36 Robin Lake and Bree Dusseault, “How 18 Top Charter School Networks Are Adapting to Online Education, and What Other Schools Can Learn From Them,” *The 74*, April 7, 2020, available at <https://www.the74million.org/article/analysis-how-18-top-charter-school-networks-are-adapting-to-online-education-and-what-other-schools-can-learn-from-them/>
- 37 Ibid.
- 38 Ibid.
- 39 Ibid.
- 40 “CREDO at Stanford University Presents Estimates of Learning Loss in the 2019-2020 School Year,” CREDO at Stanford University, October 1, 2020, available at <https://www.prnewswire.com/news-releases/credo-at-stanford-university-presents-estimates-of-learning-loss-in-the-2019-2020-school-year-301144363.html>
- 41 Alison Yoshimoto-Towery and Pedro Garcia, “Additional Time for Students to Increase Proficiency—Fall 2020 Grades,” Los Angeles Unified School District Division of Instruction, Interoffice Correspondence, available at <https://assets.documentcloud.org/documents/20424082/20-12-14-additional-time-to-reach-proficiency.pdf>
- 42 Libby Pier, Heather Hough, Michael Christian, Noah Bookman, Britt Wilkenfield, and Rick Miller, “COVID-19 and the Educational Equity Crisis,” Policy Analysis for California Education (PACE), January 25, 2021, available at <https://edpolicyinca.org/newsroom/covid-19-and-educational-equity-crisis>
- 43 Ibid.
- 44 Ibid.
- 45 Ibid.

- 46 Ibid.
- 47 Ibid.
- 48 Ibid.
- 49 Richard Cano, “California public schools suffer record enrollment drop,” *CalMatters*, January 26, 2021, available at <https://calmatters.org/education/2021/01/california-schools-record-enrollment-drop/>
- 50 Ibid.
- 51 Ibid.
- 52 Ibid.
- 53 Rebecca Klein, “Parents Plead: Hold Them Back A Year, They Haven’t Learned A Thing,” *Huffington Post*, January 30, 2021, available at https://www.huffpost.com/entry/children-disabilities-school-grade-retention-covid-19_n_601451e8c5b622df90f3322c
- 54 Ibid.
- 55 See Jill Cowan, “Newsom Order Would Keep Most Schools Online,” *The New York Times*, July 7, 2020, available at <https://www.nytimes.com/2020/07/17/us/california-schools-reopening-newsom.html>
- 56 “Yuba Unified School District Planned February 1, 2021 Hybrid In-Person Instruction Reopening for Grades 6-12,” California Teachers Association Legal Department, January 15, 2021, available at https://ad03.asmc.org/sites/default/files/files-uploaded/Cease_and_Desist_to_Yuba_City_USD.pdf?fbclid=IwAR22ULF-eBFb0TT1aCJXdw8yRg6R4mMJF9u4PdQDzqHiMmOtiDHihDMXoY
- 57 “COVID-19 and Reopening In-Person Instruction Framework and Public Health Guidance for K-12 Schools in California, 2020-2021 School Year,” California Department of Public Health, January 14, 2021, p. 8, available at https://www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/COVID-19/Consolidated_Schools_Guidance.pdf?TSPD_101_R0=087ed344cfab2000e36e59d-c32e64016ba5c5655e40ce629c57a78559f5b00c7d8b9f19907f0e46e086270c1311430009b900a5e23dde596a5a75b10bf7e7cf9f24bdfe05ddc6a0af734b9315fc2a1d030b5e200c40a361e4580b877cd35ecb3
- 58 Peter Sullivan, “New CDC guidance ends up deepening debate over reopening schools,” op. cit.
- 59 “Assemblyman Gallagher Says Teachers Union and Newsom Partner to Keep Schools Closed,” *East County Today*, January 19, 2021, available at <https://eastcountytoday.net/assemblyman-gallagher-says-teachers-union-and-newsom-partner-to-keep-schools-closed/>
- 60 Andrew Reed, “In the right direction? Perspectives on Gov. Newsom’s education budget,” *EdSource*, January 13, 2021, available at <https://edsources.org/2021/california-voices-budget-reactions-2021-22/646524>
- 61 Erica L. Green, “Surge of Student Suicides Pushes Las Vegas Schools to Reopen,” *The New York Times*, January 24, 2021, available at <https://www.nytimes.com/2021/01/24/us/politics/student-suicides-nevada-coronavirus.html>
- 62 Ibid.
- 63 Kerry McDonald, “Youth Depression, Suicide Increasing During Pandemic Response,” Foundation for Economic Education, January 27, 2021, available at <https://fee.org/articles/youth-depression-suicide-increasing-during-pandemic-response/>
- 64 Ibid.
- 65 Ibid.
- 66 Ibid.
- 67 Ibid.
- 68 Tatiana Sanchez and Jill Tucker, “S.F. school district, unions reach tentative deal to reopen classrooms,” *San Francisco Chronicle*, February 8, 2021, available at <https://www.sfchronicle.com/bayarea/article/San-Francisco-school-district-and-unions-reach-a-15931626.php>

- 69 City and County of San Francisco v. San Francisco Board of Education, San Francisco Unified School District, and Vincent Matthews, Superior Court of the State of California, Case No. CPF-21-517352, available at https://mcusercontent.com/561c7fcf27d46702f57bdf30b/files/9c645248-e22e-496b-99a3-7ac66ed2f370/SFUSD_PL.pdf
- 70 Ibid.
- 71 Marlo Safi, “San Francisco Sues Its Own Schools For Creating Mental Health Crisis Among Students By Remaining Closed,” op. cit.
- 72 Ibid.
- 73 Leo Sher, “The impact of the COVID-19 pandemic on suicide rates,” *QJM: An International Journal of Medicine*, June 30, 2020, available at <https://academic.oup.com/qjmed/article/113/10/707/5857612?login=true>
- 74 Tunku Varadarajan, “Epidemiologists Stray From the Covid Herd,” *The Wall Street Journal*, October 23, 2020, available at <https://www.wsj.com/articles/epidemiologists-stray-from-the-covid-herd-11603477330>
- 75 Ibid.
- 76 Jocelyn Gecker, “California Governor and Unions Clash Over School Openings,” Associated Press, February 1, 2021, available at <https://hosted.ap.org/clevelandbanner/article/6c64b0c63102b341cf-7ba3ff467df330/california-governor-and-unions-clash-over-school-openings>
- 77 “Special Community Forum on ‘Reopening Schools in Orange County,’” Orange County Board of Education, July 13, 2020, p. 3, available at <https://ocde.us/Board/Documents/2020%20Minutes%20and%20Transcripts/OCBE%20White%20Paper%20-%20Opening%20Schools.pdf>
- 78 Kerry McDonald, “Youth Depression, Suicide Increasing During Pandemic Response,” op. cit.
- 79 Ibid.
- 80 Antony Davies and James Harrigan, “No Policy Can Save Lives; It Can Only Trade Lives,” Foundation for Economic Education, April 28, 2020, available at <https://fee.org/articles/no-policy-can-save-lives-it-can-only-trade-lives/>
- 81 Kerry McDonald, “Youth Depression, Suicide Increasing During Pandemic Response,” op. cit.
- 82 Ibid.
- 83 See Valerie Richardson, “Closed Classrooms Put Democrats in Bind as Teachers Unions Resist Opening,” *The Washington Times*, February 8, 2021, available at <https://www.washingtontimes.com/news/2021/feb/8/democrats-torn-between-teachers-unions-parents/>
- 84 Ibid.
- 85 Derek Thompson, “The Truth About Kids, School, and COVID-19,” *The Atlantic*, January 28, 2021, available at <https://www.theatlantic.com/ideas/archive/2021/01/just-open-schools-already/617849/>
- 86 “Herrera expands lawsuit, adds constitutional violations against SF school district,” Office of the City Attorney of San Francisco, February 9, 2021, available at <https://www.sfcityattorney.org/2021/02/09/herrera-expands-lawsuit-adds-constitutional-violations-against-sf-school-district/>
- 87 Ibid.
- 88 Ibid.
- 89 See https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB86
- 90 Louis Freedberg, “California Legislature approves plan to encourage schools to reopen for in-person instruction,” *EdSource*, March 4, 2021, available at <https://edsources.org/2021/california-legislature-approves-plan-to-encourage-schools-to-reopen-for-in-person-instruction/650493>
- 91 Ibid.

- 92 Guy Marzorati, “California Legislature Approves Plan to Reopen In-Person Schooling,” KQED, March 4, 2021, available at <https://www.kqed.org/news/11863208/california-legislature-approves-plan-to-reopen-schools>
- 93 Mackenzie Mays, “Newsom strikes school reopening deal with California lawmakers,” *Politico*, March 1, 2021, available at <https://www.politico.com/states/california/story/2021/03/01/newsom-strikes-school-reopening-deal-with-california-lawmakers-1366270>
- 94 Mackenzie Mays, “LA teachers union slams California schools plan as ‘propagating structural racism,’” *Politico*, March 2, 2021, available at <https://www.politico.com/states/california/story/2021/03/02/la-teachers-union-slams-state-plan-as-propagating-structural-racism-1366367>
- 95 Ibid.
- 96 “Operational Strategy for K-12 School through Phased Mitigation,” Centers for Disease Control and Prevention, op. cit.
- 97 Bill Melugin, “South LA parents say they want schools to reopen, disagree with UTLA president’s remarks,” Fox 11, March 3, 2021, available at <https://www.foxla.com/news/south-la-families-say-minorities-want-schools-to-reopen-disagree-with-utla-presidents-remarks>
- 98 “Herrera expands lawsuit, adds constitutional violations against SF school district,” op. cit.
- 99 “Just In—See the Full Details of Biden’s \$130 Billion Schools Proposal: Top 12 Line Items Include Social Distancing, Avoiding Layoffs, Supporting Learning Via Tutors & Summer School,” *The 74*, February 5, 2021, available at <https://www.the74million.org/just-in-see-the-full-details-of-bidens-130-billion-schools-proposal-top-12-line-items-include-social-distancing-avoiding-layoffs-supporting-learning-via-tutors-summer-school/>
- 100 Ibid.
- 101 “The lie at the center of Biden’s school funding proposal,” *Washington Examiner*, February 17, 2021, available at <https://www.washingtonexaminer.com/opinion/editorials/the-lie-at-the-center-of-bidens-school-funding-proposal>
- 102 Martin West, “Conditioning Covid Aid on Opening Schools,” *Education Next*, Winter 2021, available at <https://www.educationnext.org/condition-covid-aid-on-opening-schools-or-else-let-funding-flow-directly-to-parents/>
- 103 Ibid.
- 104 See <https://www.thethinkingconservative.com/wp-content/uploads/2021/02/C52E-2C77419F8EDD1DA75783F7FE596C.put-students-first-act-one-pager.pdf>
- 105 Ibid.
- 106 Ibid.
- 107 For an account of the Biden administration’s school reopening policies, see Valerie Richardson, “‘Unacceptable’: Biden accused of backtracking on school reopenings with one-day-a-week plan,” *Washington Times*, February 9, 2021, available at <https://www.washingtontimes.com/news/2021/feb/9/joe-biden-accused-backtracking-school-reopenings-o/>
- 108 Marco Rubio, “Put students first and open schools—here’s what we should do if teacher unions refuse,” Fox News, February 2, 2021, available at <https://www.foxnews.com/opinion/students-first-open-schools-teacher-unions-marco-rubio>
- 109 “NH GOP Lawmakers Propose School Choice Bill, Saying Parents Are Frustrated During Pandemic,” CBS Boston, February 3, 2021, available at <https://boston.cbslocal.com/2021/02/03/new-hampshire-school-choice-proposal/>
- 110 Ibid.
- 111 “California Governor and Unions Clash Over School Openings,” op. cit.
- 112 Ibid.

113 Ibid.

114 Mike Antonucci, “Biden Set a Goal of Returning Students to Classrooms in 100 Days, But It’s Not the President (Nor Any Governor or Mayor) Who Holds the Real Power to Reopen Schools,” *The 74*, February 10, 2021, available at <https://www.the74million.org/article/biden-100-days-president-mayor-teachers-unions/>