

# **Ethical Considerations in Deciding When to Re-open Schools<sup>i</sup>**

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## **The Decision to Reopen**

As many as 1.3 billion primary and secondary school children remained at home between March and May of 2020, the result of schools closing across the globe in a preventive health measure during the COVID-19 pandemic. Many states, communities and parents agonize over how and when to reopen schools, some urging immediate reopening while others support delay. Decision makers, vexed by excruciatingly complex public health, education, and logistical nightmares, quickly bog down in numbers, statistics, and variables. We propose a modest ethical reasoning strategy – asking Eight Key Questions<sup>iii</sup> – as a way to sift through complicated issues by focusing on the underlying moral values that are at stake.

Uncertainty clouds the decision to reopen schools or to keep them closed – how do children experience and spread the coronavirus? What are the health risks of having students in the classroom? How should we navigate the educational and psychosocial effects of keeping children out of school? How do we weigh the socioeconomic consequences to families, communities and society of continuing school closures? The school reopening dilemma cannot be delayed until all unknowns are resolved; for many communities, the decision to reopen schools or provide a virtual education will be made in the context of politically polarized uncertainty.

Some hold that schools should not be opened until a reduced COVID-19 threat is assured (e.g., elimination of the virus, development of immunity, discovery of treatment or a vaccine, or serious reduction in the rate of transmission). Others argue that schools should be opened, a position justified on the low COVID-19 morbidity and mortality rates in young children, and that, overall, the “invisible” consequences of remote learning are so severe for so many that schools should be reopened in the “best interests” of children and their families. Still others seek solutions through some hybrid form of schooling, aiming to reduce health risks while providing some learning activities; many of these adapted approaches are questioned on effectiveness, feasibility and cost. All courses of action offer some benefits while also posing risks and potentially serious consequences for children and their communities.

When it comes to deciding whether or not to reopen schools during a global pandemic, there are no easy answers. Many factors should be considered – virus threat levels, risk factors by age, geographical differences, direct and secondary benefits, the needs of children, the capacities of families, the wishes of parents, and the concerns of teachers, to name a few. But juggling all these variables can lead to an inability to judge which factors to weigh most heavily and thus, a decision paralysis.

## **Using the Eight Key Questions**

The purposeful consideration of a wide range of ethical factors can enhance the quality of decision-making. Focusing first on important underlying moral values may, unexpectedly, guide priorities for making decisions about non-moral considerations. Because decision-making tends to rely on quick

assessments and intuition, using biases accumulated through previous experience, we often overlook critical factors concealed in moral “blind spots.” Exploring decisions through a structured ethical reasoning process can help illuminate concerns that might otherwise be missed and highlight the core values of securing well-being not only for children but for the entire community.

Our suggested strategy for reaching a decision on school opening during the pandemic is to apply common ethical values through the test of Eight Key Questions (8KQs). The 8KQs place the shared ethical values of fairness, outcomes, responsibilities, character, liberty, empathy, authority and rights at the front and center of the process. Asking each question openly (i.e., attempting to withhold prior commitments and curtailing biases), exposes the complexity of the issues at hand but also situates the issues in a moral context, helping to identify *relevant* factual elements, and increasing confidence that the decision reached is well-informed and aligns with shared values. Asking and thoroughly considering the Eight Key Questions provokes debate that is intended to lead to a broader understanding. The Eight Key Questions are as follows:

- Fairness: Is the decision fair – just, equitable, does it balance all interests?
- Outcomes: What actions achieve the best outcomes (short- and long-term) for everyone?
- Responsibilities: What responsibilities (duties or obligations) apply?
- Character: What actions express a personal or corporate ideal?
- Liberty: What actions best respect the autonomy, integrity, dignity and choice of all involved?
- Empathy: Do the actions reflect empathy and care for all parties?
- Authority: What *legitimate* authority should be considered?
- Rights: What rights, if any, apply?

It merits emphasis that asking the Eight Key Questions to inform decision-making is recommended for whomever (e.g., parents, teachers, school administrators and policymakers) wrestles with the question of whether or not to reopen schools. Using this ethical framework to explore issues surrounding the dilemma does not make the decision-making process *easier* but it can improve the quality of decision-making. When each of the eight ethical considerations are explicitly considered, it ensures that we are not overlooking important ethical values.

### **Application**

The following demonstrates some considerations that emerge by asking the Eight Key Questions when faced with the decision of whether to open schools:

**1. Fairness - what course of action is most “fair” – just, equitable and balances all interests?** What variable weight should be given to the interests of children, their parents and families, teachers and school support staff and their communities? Asking *fairness* questions should recognize existing or anticipated disparities – for example, the variable health risks, the range of children’s needs, the capacities of schools, the differing circumstances of families and the differences in communities and economic realities. Most agree that children are profoundly affected when schools close and their formal education is disrupted. Therefore, exploring and identifying what is “fair” for the children, what action is in their “best interests”

must be a paramount consideration. However, the fairness to others must also be contemplated. In balancing these interests there are inherent trade-offs – for example, between children’s risk of sickness versus their losses from not going to school, or between the health and welfare of school children and that of school personnel, or their families and communities.

When asking about fairness it is important to consider the effects upon the least advantaged before coming to a settled conclusion. A course of action may not be considered “fair” if only a portion of the children have disproportionate benefits – for example, if actions to employ remote learning or hybrid learning benefit children in better resourced families and communities but disadvantage children in poorer families and schools. Do corrective actions benefit the more educationally advanced children? Are many children who require special support left without necessary assistance? How should we consider the potential consequence of an increase in child neglect, labor exploitation, early marriage, child recruitment, and physical or sexual abuse? Asking fairness questions in the school reopening dilemma demands attention to a broad array of educational, health, economic, social, psychological, family and community factors and calls for innovation and creativity in finding the right answer.

**2. Outcomes - what actions achieve the best outcomes (short- and long-term) for everyone?** Perhaps the clearest justification for reopening educational institutions lies in improving the academic performance of children. However, non-educational outcomes for schools reopening include, for example, public health, psychological and social well-being of the community and the economic vitality, to list a few. Both the short- and long-term consequences for all stakeholders (e.g., children, teachers, school staff, families, the community, and even society as a whole) should be considered throughout the decision-making process.

In a pandemic, possible **outcomes** must be anticipated and evaluated for either keeping schools closed or reopening them. One should consider outcome questions such as: What is the likelihood of increasing infection rates, not only among schoolchildren and their families, but also among school faculty, staff, their families and eventually within the broader society at large? How can children, who have missed in-person instruction and opportunity, "catch-up" on lost learning, especially when even temporary school closures can place at risk the entire educational trajectories of some children and increase dropout rates? How might the school district increase access to social and psychological assistance, as well as the ancillary services that the school environment normally provides (e.g., routines, social interaction, meals, water and sanitation, counselling, access to trusted adults outside the home, etc.)?

Decision-makers could also ask outcomes questions such as: Does keeping schools closed in fact contribute to stemming the spread of the virus? Might children in overcrowded, informal urban settings, who are out of school, be at increased risk of contracting the coronavirus as they roam around an unsanitary environment with minimal or no supervision? Because much of family and social life, living and work arrangements centre around the school experience for children, consideration of short- and long-term outcomes must also take into account the consequences for families. For example, some families are able to support teaching functions and increased daily care for their children, but many families organize their lives and work arrangements around children being in school. Children being out of school has innumerable consequences for families, including disrupting livelihoods and impacting relationships.

Asking multiple outcome questions should be thought of not only in terms of the next 10 days, but also 10 months, and even 10 years.

**3. Responsibilities - what responsibilities (duties or obligations) apply?** The duties and obligations of those implicated by and involved in school closing and reopening efforts – parents, school administrators, teachers, staff and state authorities – must be considered. With regard to parents, we should be asking questions such as: What are the duties and obligations of parents with regard to the education of their children during a pandemic? If indeed it is society’s responsibility to ensure the educational and social development of children, how must society balance this obligation against a parent’s responsibilities to protect the health of their children and the rest of the family while the numbers of COVID-19 cases continue to rise? A decision-maker should also ask questions such as: What duties and obligations do school administrations carry for maintaining open schools and functional education? What duties and/or obligations do teachers and staff have to remain on the job despite a potentially life-threatening health risk? If society considers school personnel to be “essential workers” and requires them to show up for work during a pandemic, do school administrators have an obligation to take appropriate measures to ensure personal safety (such as social distancing measures, additional compensation and health insurance)?

**4. Character - What actions express a personal or corporate ideal character?** The *character* question turns, in large measure, on the value placed on safety and education. Are we the kind of leaders who ensure education is maintained even in adversity? Is the safety of children and adults in the education system ensured? Do all children have equal access to education? It may not reflect our common ideals, for example, if the decision to close or reopen schools is made without consideration of the impact on children and their families, or made autocratically without broad consultation, or decided in ways that benefit some but not other children. We should ask questions such as: Is the *beau ideal* of a society that all children have equal access to quality education or that all citizens are best protected from disease? There may indeed be a different trade-off between the safety of children versus the health of adults. We should remember that the decisions we make signal to ourselves (and all others) the kind of persons and leaders we are, as well as the ideals we hold.

**5. Liberty - what actions best respect autonomy, integrity, dignity and choice of others?** Considerations of *liberty* in this context raise the issue of how differences of opinion between those involved are considered and dealt with – differences of opinion about whether or not to send children to school where safety is uncertain, whether or not to teach or work at school if there is a chance of illness or injury, or differences of opinion about reopening versus keeping schools closed, or some hybrid arrangement. Inquiries into liberty may also indicate the need for consultative decision-making processes, the extent to which students, teachers and families are consulted, their voices heard, and alternatives considered. Liberty considerations include asking questions such as: Should school leaders consult those most affected by reopening schools (students, teachers and families)? Should the decision of “schooling vs. safety” rest on the shoulders of parents? Do schools need to provide reasonable alternatives? Does remote or hybrid learning deprive children of the liberty to thrive in a quality educational environment, creating a “new normal” of socially inferior home-schooling? Do instructors and staff deserve to be heard in the school opening decision? Liberty questions demand that we respect the voices of those involved in the school reopening process.

**6. Empathy - do the actions reflect empathy and care for all parties?** The issue of *empathy* invokes sensitivity to those affected by keeping schools closed or reopening them. How might decision-makers show adequate concern and care for the wellbeing of children, parents, teachers and the wider community, each with their divergent needs and experiences (e.g., a normal educational environment, the burden of home schooling, being brought back onto the job, etc.)?

If schools are kept closed, empathy questions may be raised by asking about issues such as: the loss of social contact for children marooned alone, concern for children with special needs, concern for the disappointments of youth missing critical benchmarks, concern for parents who may be forced to leave work to care for children at home, or consideration of the exceptional demands the various hybrid educational arrangements impose on teachers. Conversely, empathy for the health of those placed at risk by reopening—the elderly, the sick, those with pre-existing conditions, and teachers on the frontlines of education—should come to the forefront. How do we, as school leaders, really care about those involved? What is it like to stand in their shoes?

**7. Authority - what *legitimate* authority should be taken into account in decision-making?** The dimension of *authority* encourages a decision-maker to seek and balance the views and expectations of experts regarding the ultimate safety and value of reopening schools. The decision depends upon an open discussion and analysis of questions such as: Does reopening schools conform to international, national and local laws, norms, and guidelines? Does delaying the reopening of schools violate laws, norms or guidelines? What actions do public health, education and psychosocial experts advise? Are there deeply held religious beliefs and practices that will be touched by the school opening decision?

**8. Rights - what *rights* apply?** The most obvious *rights* to be considered in this decision-making process are the right to life and to health, the right to education, and other rights enshrined in local and national law, the Convention on the Rights of the Child<sup>iv</sup>, and other applicable codes. Further to be considered are parents' right to make decisions in their children's best interests, including on education, protection, and safety, and the rights of children to participate in decisions that affect them according to their evolving capacities. The rights of school personnel to receive legitimate guarantees of safety (or, at a minimum, informed consent of risks) during the pandemic are likewise to be considered, as are the rights to health of elderly or immuno-compromised relatives and neighbours. Before addressing the school reopening dilemma, leaders should ask, what rights are implicated and at stake in our context?

### **Authors' Conclusion**

Ethical decision-making involves a deep consideration of options, actions and potential benefits and harms to self and others. After weighing the important points of discussion and drawing the strands together, a decision-maker wants to be able to say that the decision is the “right” or “the best possible action to take.” To be able to say this, it is critical to begin by asking the right ethical questions, thereby situating the decision in a moral context. The Eight Key Questions raise awareness of shared moral values. Establishing those values provides a guide to analysing the issues of relevance during a time of crisis (e.g., considering when and how to reopen schools in light of a global pandemic).

The examples above are just that – examples. Likewise, the conclusion we seek to highlight is not the specific suggestions that follow but rather the importance of facing the school reopening dilemma by using a question-asking ethical strategy. Again, we advocate for decision-makers to use the Eight Key Questions strategy in their own context to generate the best-informed decisions and gain confidence in the choices they make.

In this dilemma, we know that societies everywhere agree on the importance of education, for “the best interest of the child,” for the family and for society. The disruption of schooling due to the COVID-19 pandemic, and deciding when and how to restart, creates ripple effects across all aspects of society. The current coronavirus pandemic constitutes the worst global health emergency in over a century, responsible for 22 million cases of infection and over three quarters of a million deaths in 192 countries and territories as of this writing, and the rates of infection continue to rise. Accordingly, extreme or unorthodox measures may be justified in some cases. For this reason, decision-makers must include consideration of potential effects on all involved by the closing and reopening of schools.

Bearing these considerations in mind, the default position should be that reopening schools is in “the best interests of the child.” However, health considerations may overrule this default position, depending on the degree of risk within the local context. Considerations of fairness, empathy and character argue for an open consultation at the community level for any decision about a dilemma of this magnitude. Liberty considerations may suggest the reservation of a personal household option on compliance; each family situation is different, and each should have the choice to send children back to school or not at their own discretion after an analysis of risk. School reopenings must be undertaken safely and consistent with each country’s overall COVID-19 health response, targeted to the local context, and carried out with due consultation and all reasonable measures to protect students, staff, teachers and their families.

In the best of times, effectively operating schools presents daunting challenges to decision-makers. Children depend on the informed decisions of those whose responsibility it is to see that they are cared for and prepared for productive and meaningful futures. The COVID-19 pandemic compounds the challenges by injecting life or death dilemmas into issues of curriculum, teaching, and child well-being and development. Because school systems differ, resources and assets vary, and COVID-19 is shrouded in uncertainty and unpredictability, there is no one right answer to the question of school openings or closings everywhere. Context matters.

Not surprisingly, school leaders are often overwhelmed, attempting to grapple with so many variables and contradictory contingencies. COVID-19 creates health risks that are best understood as part of broader moral dilemmas in societies. Beginning with an inquiry into moral issues—for example, using the 8KQs strategy— can help leaders and school administrators make well-informed decisions about when to open schools and how to serve the best interests of children who learn there.

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<sup>iii</sup> The Eight Key Questions (8KQ)<sup>iii</sup> for ethical reasoning, developed at James Madison University, is a strategy to explore decision-making considerations using an ethical framework. For a fuller description, see: [www.jmu.edu/ethicalreasoning](http://www.jmu.edu/ethicalreasoning).

<sup>iv</sup> The Convention on the Rights of the Child (1989) remains the single most widely ratified human rights treaty in history.