

## The Ethics of Reopening Arkansas Schools

### *Shabbat Eikev 5780*

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Moses frequently promises that the Israelites will be rewarded for observing divine commandments. In this week's portion, one of the offered blessings strikes awfully close to home in 2020: "Adonai will ward off all sickness from you."<sup>i</sup>

Few among us believe that faithful Jewish observance guarantees our health. Still, we know that the Torah isn't all wrong: Our own actions can make us sick. Even if failing to observe Shabbat doesn't cause disease, we know that unhealthy behaviors do.

In the midst of a global pandemic, though, we are acutely aware that none of us individually can completely protect our own health. Picking up takeout in a restaurant doorway last week, I found an unmasked dine-in patron in my face, and I had no place to retreat. On a larger scale, our government leaders, through their action and inaction, have sometimes controlled the virus, but have more often permitted it to spread. A pandemic comes with its own "commandments," and our good health requires that our entire society abide by those laws.

This month, Arkansas school children are scheduled to return to class. Just this week, Secretary of Education Johnny Key announced that all of our state's school districts are required to offer an in-person education to all students whose parents choose that, every day that classes would be held if there were no pandemic.<sup>ii</sup>

The case for reopening in-person school is strong. The Centers for Disease Control argues: "Extended school closure is harmful to children. It can lead to severe learning loss...Disparities in educational outcome caused by school closure are a particular concern for low-income and minority students and students with disabilities. Many low-income families do not have the capacity to facilitate distance learning...Extended school closures are [also] harmful to children's development of social and emotional skills...Additionally, extended closures can be harmful to children's mental health and increase the likelihood that children engage in unhealthy behaviors...[Moreover, e]xtended school closures can be harmful to the nutritional health of children...[M]ore than 30 million children participate in the National School Lunch Program and nearly 15 million participate in the School Breakfast Program."<sup>iii</sup> From my own experience trying to provide meals to this same population of children during the summer, I know that only a minority access free meals when school is not in session.

Parents of young children are among the hardest hit by pandemic stress, particularly in households where every adult—in many cases, a single parent—works. Child care has been harder to access during the pandemic, particularly for poor families.<sup>iv</sup> Where parents work at home, they may lose income because they're unable to devote themselves fully to their work. By the time school is scheduled to start August 24, children will have been at home over five full months. The pain associated with not reopening schools in-person, at least for those who choose it, would be real.

The Centers for Disease Control and Prevention report doesn't dwell on health risks of reopening in-person school. A hint, though, may be found in one sentence: "The best available evidence from countries that have reopened schools indicates that COVID-19 poses low risks **to school-aged children**, at least **in areas with low community transmission**, and suggests that **children** are unlikely to be major drivers of the spread of the virus."<sup>v</sup> A close reading of this passage reveals that the CDC does not address threats to the health of teachers and other adults who work in our schools—some of them older, many with preexisting conditions that make them particularly vulnerable. Notably, even in claiming that the threat to children's health is modest, the CDC says that's true "in areas with low community transmission."

And that's the catch, as the Arkansas chapter of the American Academy of Pediatrics emphasized in announcing that it "cannot support a statewide return-to-school decision in Arkansas in August. While some counties may have extremely low rates of spread, others have growing numbers of positive cases or consistent positive test rates hovering around 30%, indicating that community spread is uncontrolled and testing is not sufficiently reaching all infected people. Additionally, safety policies and resources are not standardized across the state, leading to inequitable protection for children, teachers, and families. These disparities are especially detrimental to Black, Latinx, Marshallese, and other minority and low-income individuals who have been disproportionately impacted by COVID-19 in Arkansas."<sup>vi</sup>

As much as this question impacts parents, teachers and their families are also on the front lines. Several have authorized me to share their fears and rage. Central High's Rosie Valdez, the National Debate Coaches Association's Educator of the Year, posted a photograph of what she fears may be her grave marker: "Valdez, 1987-2020, Loved your children to DEATH."<sup>vii</sup> Earlier this week, Alyce Zottoli, a Central High teacher who was confirmed at our Temple, wrote, "This weekend was filled with hard conversations. Conversations I've avoided, but had to take place because I will return to my school campus in 10 days. I will join 200+

colleagues inside a building widely known for being a maze of classrooms inside of classrooms. I showed my family where my documents and papers are located. We made plans for what to do if I become ill, or hospitalized, or worse. We cried a lot. I felt ashamed that I was relieved that my mother wasn't here to worry over me.”<sup>viii</sup> Her mother was our Sisterhood President, Naomi Zottoli, of blessed memory. Alex Handfinger, son of our Temple Vice-President Joy Figarsky, is worried and outraged, because his immunocompromised partner must return to the classroom. He wrote, “I’m so ... mad that our educators and children are being forced to literally put their lives on the line by being crowded into buildings together in the middle of the worst public health crisis in a hundred years...”<sup>ix</sup>

We face a conundrum: Opening the schools in person is required for Arkansans’ education and wellbeing. Keeping the schools closed is necessary to preserve public health. Opening the schools is a *mitzvah*, but keeping them closed is also a *mitzvah*. Our sages were no strangers to competing *mitzvot*, frequently articulating how to choose when two obligations are in conflict. In every case, if saving a life is an option, that *mitzvah* takes priority<sup>x</sup>—incest, idolatry, and sexual violations being the only exceptions.<sup>xi</sup>

Arkansas leaders have good reason to open school in-person. Children and families are suffering, a calamity that will continue, whether schools open in person or not. Arkansas pediatricians and educators have very strong cases for keeping school online for now. The commandment, the *mitzvah* of which Moses speaks in Deuteronomy, is ultimately the obligation to save life—in this case, not opening school in-person until we see a marked decline in new infections and positive test results. Let us urge Arkansas to follow this moral law, praying that, if we do, the promise of this week’s Torah portion will be fulfilled: “Adonai will ward off illness.”<sup>xii</sup>

Amen.

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<sup>i</sup> Deuteronomy 7:15.

<sup>ii</sup> Andrew Demillo, “Arkansas: Schools must be open 5 days a week despite virus,” *AP*, August 5, 2020.

<sup>iii</sup> “The Importance of Reopening America’s Schools this Fall,” Centers for Disease Control and Prevention,” Updated July 23, 2020, accessed August 7, 2020 at <https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/reopening-schools.html>.

<sup>iv</sup> Rsheed Malik, Katie Hamm, Won F. Lee, Elizabeth E. Davis, and Aaron Sojourner, “The Coronavirus Will Make Child Care Deserts Worse and Exacerbate Inequality,” *Center for American Progress*, June 22, 2020.

<sup>v</sup> “The Importance of Reopening Schools.” Emphasis mine.

<sup>vi</sup> Max Brantley, “Arkansas pediatrician can’t support reopening school,” *Arkansas Times*, July 21, 2020. The entire quoted section is an internal quote from the Arkansas chapter of the American Academy of Pediatrics.

<sup>vii</sup> Rosie Valdez Block, Facebook pos, August 4, 2020.

<sup>viii</sup> Alyce Zottoli, Facebook post, August 3, 2020.

<sup>ix</sup> Alex Michael Handfinger, Facebook post, August 6, 2020.

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<sup>x</sup> Yoma 85a-b, *inter alia*.

<sup>xi</sup> Tosefta Shabbat Chapter 15.

<sup>xii</sup> Deuteronomy 7:15.