Educational Ethics
During a Pandemic

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Abstract

Over 55 million children and their families have been affected by physical school closures in the United States since early March. Schools in all but two states will remain closed at least through the end of the school year. This raises basic questions about schools and educational ethics. What do we value schools for? Which of schools' many services do we rush to recover as schools switch to "remote" operations, versus treat as expendable until the pandemic recedes? Second, what principles drive our choices around distributing educational opportunities in a pandemic? *Whom* do we believe remote schools ought to serve and how, and what are we willing to do to ensure that a just distribution is achieved?

This paper examines districts' and states' distributive choices during March and April 2020 to explore the ethics of educating in a pandemic. Section 2 investigates our revealed preferences around the aims of schooling, concluding that we value schools as providers of care before and even above their roles as deliverers of learning opportunities. Section 3 shifts to policy makers' decisions about schools specifically as providers of academic learning. It finds that school closures under COVID-19 *intensify* existing ethical dilemmas in education policy and practice, but they generally have not posed novel ethical challenges. In contrast to public health ethics in emergency contexts of scarcity, however, egalitarian rather than utilitarian principles seem to motivate policy makers and educators. This led many districts and states to decide initially to offer no educational services to anyone rather than violate substantive equality of educational opportunity. Section 4 finds similar motivations at work in more recent decisions to eliminate high-stakes grading through adoption of mandatory pass/no credit approaches. The paper concludes that while the pandemic has not changed the nature of existing ethical challenges, it has raised the stakes if we fail to realize our ethical commitments—and demonstrated our capacity to have realized them all along.

To read more about the decisions facing school, district, and state leaders during the pandemic, see white paper 20, "Schools During the COVID-19 Pandemic: Sites and Sources of Community Resilience."

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At the height of school closures worldwide in mid-April 2020, over 1.5 billion students, representing 91% of the global population of enrolled students from preschool through higher education, were prevented from attending school in person due to COVID-19–related school closures.[2] Most countries (188 as of April 10) had instituted nationwide school closures, many with no determinate restart date. The United States was one of only six countries—the others being Australia, Greenland, Canada, Brazil, and Russia—that were allowing local (state, provincial, or city/district) decision-making about school closures,[3] although in practice virtually all public and private schools in the U.S. closed due to gubernatorial mandates.[4] According to *EdWeek*, "School closures due to coronavirus have impacted at least 124,000 U.S. public and private schools and affected at least 55.1 million students" enrolled in grades K through 12.[5] College and university closures forced an additional 20 million college and graduate school students online.[6] As of May 12, 2020, forty-eight states plus Washington, D.C., the Department of Defense, and four U.S. territories had closed schools for the remainder of the academic year—and a number of districts, universities, and states are already anticipating physical closures this coming academic year, as well.[7]

These closures have prompted educators, policy makers, parents, and students to confront some basic questions about schools and educational ethics. Most fundamentally: What do we value schools for? Consider the many functions that schools serve, including feeding children breakfast, teaching trigonometry, fielding baseball teams, assigning grades and course credits, connecting kids with speech and occupational therapists, providing a refuge from home, enabling gossip and pick-up soccer games,

[2] UNESCO, "COVID-19 Educational Disruption and Response."
[3] UNESCO, "COVID-19 Educational Disruption and Response."
[4] "Map: Coronavirus and School Closures."
[5] "Map: Coronavirus and School Closures."
[6] NCES, "Fact Facts."
[7] "Map: Coronavirus and School Closures."

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and giving parents and guardians a break so they can go to work or get some housecleaning done. Which of schools' services do we rush to recover as schools switch to "remote" operations? Which do we treat as expendable until the pandemic recedes? Are our priorities specific to living in a pandemic, or might our choices reveal our aims for schooling even in non-COVID times? Second, what principles drive our choices around distributing educational opportunities in a pandemic? Whom do we believe remote schools ought to serve and how, and what are we willing to do to ensure that a just distribution is achieved?

In this paper, I examine districts' and states' distributive choices during March and April 2020 to explore the ethics of educating in a pandemic.[8] I begin by investigating our revealed preferences around the aims of schooling, concluding that we value schools as providers of care before and even above their roles as deliverers of learning opportunities. Next, I focus on policy makers' decisions about schools specifically as providers of academic learning. I find that school closures under COVID-19 intensify existing ethical dilemmas in education policy and practice, but they generally have not posed novel ethical challenges. I also find that in contrast to public health ethics in emergency contexts of scarcity, egalitarian rather than utilitarian principles remain at the fore for educational policy makers and teachers.[9]

[8] My examination draws on a wide-ranging but certainly not comprehensive examination of public data sources: journalistic outlets, school district websites, and real-time policy analyses from the American Enterprise Institute, Brookings, CCSSO, and the Teaching Systems Lab at MIT. I tried to read or skim all Chalkbeat articles about how schools, districts, states, and the US Department of Education are responding to coronavirus from early March through early May. Chalkbeat focuses on public schools in Newark, New York, Indiana, Colorado, Detroit, Chicago, and Tennessee. I also read all articles I could find about schools and district, state, federal, and global education policy in the New York Times and Washington Post, as well as frequently reading the74.com, Education Week, and Politico. AEI has been producing a biweekly series of outstanding quick reports on a nationally representative sample of 250 school districts across the United States; EdWeek has kept a daily-updated log of state school closure policies, and UNESCO has provided a similarly up-to-date map of school closures in every country around the world.

[9] Many public health providers and ethicists have also emphasized egalitarian concerns particularly in light of the unjust concentration of disadvantage. Non-Whites and people living in poverty, for instance, suffer co-morbidities such as hypertension and diabetes at higher rates than White and wealthy people in the United States, and also are more likely to work essential jobs that increase their daily risk of exposure. It would be unfair to allocate potentially scarce resources such as ventilators and dialysis machines solely to patients who are most likely to recover and to have the longest post-infection life span, since this would systematically discriminate against low-income people of color, and would do so on the basis of past and present unjust discriminatory practices and policies. At the same time, however, virtually every guidance document around public health and medical triage does take utility into account to some degree, attempting to maximize life-years, disability- and/or quality-adjusted life-years, and even sometimes social utility (e.g., of treating first responders) within certain parameters. As we will see below, schools have systematically not segmented student populations for different levels or degrees of educational service provision.

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This has led many districts and states to make some rather surprising choices, including their original decision to level down to offer no educational services to anyone rather than violate principles of equity as policy-makers understood them, and more recently to eliminate high-stakes grading through adoption of optional or even mandatory pass/no credit approaches. I conclude with a few short considerations about implications for educational policy and ethics.

02 What Do We Value Schools For?

The physical shuttering of schools has provided a stark reminder of how many services schools provide beyond academic teaching and learning. Across the United States and globally, school districts uniformly focused initially on how to provide meals and other life-sustaining non-educational services such as shelter, childcare, physical and mental health care, therapeutic services, and even laundry facilities to vulnerable students and families. As New York Mayor Bill de Blasio explained his resistance to closing New York City's public schools, which serve 1.1 million students, including 114,000 homeless children, "The kids, not only do they need an education, they need a place with meals. They need adult supervision."[10] Seattle Public Schools similarly explained that "closing schools is a last resort" since families "rely on our schools and staff for basic needs, including regular meals, health care, and child care."[11] These concerns resonate nationwide. Over half of all children in the U.S. are eligible for free or reduced-price school meals,[12] with approximately 30 million children receiving breakfast and lunch each day through the National School Lunch Program[13] and 1.3 million children receiving afterschool suppers and snacks as well.[14] Both the number of families experiencing nutritional vulnerability, and the depth or intensity of their vulnerability, are also increasing significantly in the wake of massive job and income losses as communities have shut down to enable social distancing. In light of these concerns, school districts in every state have been working to institutionalize food production and distribution. Some districts have reassigned idled school bus drivers to drive buses of food to strategic locations throughout the city for food distribution. Other districts have organized drive-up service for any adult with children in their car—no questions asked about school district attendance or free meal eligibility. Many schools are continuing to provide free and reduced-price lunches for pick-up from school cafeterias, or are partnering with local food pantries to make multiple meals available at once in order to

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[10] Winter, "Coronavirus Outbreak: NYC Teachers 'Furious" over de Blasio's Policy to Keep Schools Open."
[11] Seattle Public Schools, "March 5 Video and Letter to Families."
[12] NCES, "Digest of Education Statistics." Table 204.10.
[13] FRAC, "Educational School Lunch Program."
[14] FRAC, "Educational School Lunch Program."

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to reduce regular contact and transmission. As of March 27, over 80% of public schools were providing meal services to students—almost twice the percentage that were providing any educational services.[15] By mid-April, about 80% of school districts had teaching plans in place, and 57 to 61% of districts had organized to distribute digital devices or Internet access—but a full 94% were distributing meals to students and families.[16]

Furthermore, as districts and states transitioned from the initial shock of sudden closure to planning for weeks or months of remote operation, state guidance documents continued to emphasize the importance of meeting students' basic needs. Illinois School Board's *Remote Learning Recommendations During Covid-19 Emergency cautions*, "A focus on keeping children emotionally and physically safe, fed, and engaged in learning should be our first priority during this unprecedented time."[17] Massachusetts similarly reinforces, **"The safety and well-being of students, families, and staff has been and must continue to be our top priority as an educational community.** We are focused not only on physical health, safety, and nutrition, but also on social-emotional and mental health needs, which could intensify during this time."[18] New Mexico affirms, "The physical and emotional well-being of students, educators, families, and communities are the priority at this time."[19] West Virginia is blunt: "Feeding children is our number one priority," though emotional connection matters too: "the ongoing engagement by teachers who have been a consistent presence in the lives of our children for the past year is not only comforting to them but also necessary."[20] Individual districts and schools have similarly been emphasizing the importance of teachers' roles in providing emotional stability and a sense of connection with trusted

[15] AEI, "School District Responses to the COVID-19 Pandemic: Round 1, Districts' Initial Responses."
[16] AEI, "School District Responses to the COVID-19 Pandemic: Round 3, Plans for a Remote Finish." See also Reiley, "California Wants to Feed Students' Families: The USDA Says No. Some States Are Doing it Anyway."
[17] IL State Board of Education, "Remote Learning Recommendations during COVID-19 Emergency."
[18] MA DESE, "On the Desktop, March 26, 2020: Remote Learning Recommendations during COVID-19 School Closures."
[19] NM Public Education Dept., "Supporting Students' Learning During COVID-19 School Closures with Distance Learning."
[20] WV Dept. of Education, "Coronavirus Information."

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adults and familiar classroom communities and routines. In Colorado, for example, school districts uniformly identified student emotional support as their top concern in mid-April, above Internet access, technical support, or instructional needs.[21]

What should we conclude from this? Despite U.S. education reformers' virtually single-minded focus over the past thirty years on raising and equalizing academic achievement, I would argue that districts' and states' responses in March and April demonstrate that schools' value lies in providing care first (physical, mental, emotional), and learning second. This is important. Too often we justify the "extra" services we provide children—free and reduced-price school meals, counseling, nurses, family outreach coordinators, playing fields—in terms of their demonstrated effect on academic learning. But this gets the relationship backward. At a minimum, society should make sure that all children are well fed, feel safe, have adults they trust and can turn to for help, receive appropriate medical care, and have the opportunity to develop positive peer relationships and to play. *Then* schools can (and should) also ensure that all children have the opportunity to learn important knowledge, skills, and dispositions that will help them grow and thrive both now and in the future as adults. It is possible that when we are finally able to put these pandemic end-times behind us, policy makers will return to focusing even more myopically on the overriding goals of recovering lost academic learning and closing the academic achievement gaps. These goals will clearly be important. But we should also remember our revealed preferences in the first two months of massive school closures: schools' essential value is in providing care even when they cannot provide academics; it is not in providing academics in the absence of care.[22]

One final note in this regard: Many may question why *schools* should be the institutions providing care,

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[21] Meltzer, "Emotional Needs, Instructional Support Top Concerns for Colorado School Districts Doing Remote Learning."

[22] A hashtag that has recently been trending on Twitter, #MaslowBeforeBloom (referring to Maslow's Hierarchy of Needs taking precedence over Bloom's Taxonomy), echoes this argument, although it still potentially justifies caring for students' needs on the basis of promoting students' learning, rather than as a good in itself.

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rather than other social service institutions or a social service net that strengthens families to provide care themselves (through a living minimum wage, guaranteed health care, housing security initiatives, etc.). Only because the United States lacks a robust welfare state, one might think, do schools end up taking on responsibilities as remote from education as food provision, mental health services, or laundry facilities. But while vulnerable children's and families' needs are often both more diverse and more acute in the United States than in other developed economies because of our lack of a robust welfare state, it is important to note that many schools around the world function as sites of care. Depending on the local context, they may provide food, vaccinations, social services, nursing, condoms, dental and vision checkups, physical and occupational therapy, and many other services. This is in large part a matter of efficiency: schools are the one (almost always public) institution that reach virtually every child, particularly in elementary and middle school. They are thus incredibly powerful sites through which to distribute universal or public goods to children and their families. If one defines schools solely as educational institutions whose value lies in distributing learning, then one may worry in all of these settings that efficient school-based provision of care is a distraction from schools' core mission. I would argue, however, that this fails to recognize schools' roles as community institutions. Rather than trying to define and confine schools solely as distributors of learning opportunities, in other words, we should recognize that schools are an integral part of an ecosystem for supporting children's and communities' current and future welfare broadly speaking, with both care and learning as core components. Learning may be a distinctive goal of schools, but it is not their only institutional value.

03 What (if Anything) Should Schools Teach?

After the initial scrum of organizing meal provision and other basic services, schools, districts, and states began belatedly but firmly turning their attention to academic teaching and learning—and in particular, to the questions of *whether* they should be teaching at all, what they should teach if they do move forward with educational provision, and *how* students, teachers, and schools should be assessed, if at all, for the work they are doing (or failing to do) this spring.

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It may be surprising that districts and states questioned whether to teach at all, but there were both legal and principled reasons, in addition to practical ones, that policy makers took this stance particularly in the first three to four weeks of school closures. On the practical side, of course, were questions of capacity: teachers' capacities to shift to novel means of instruction, particularly when they may be thrust into full-time caregiving roles for their own children or other vulnerable household members; districts' capacities to organize, provide, and assess instruction at scale in entirely new modalities; students' capacities to attend to learning during a period of immense stress and disruption; and parents' capacities to assist children with formal learning tasks. Given these formidable challenges, and given that districts and states often assumed initially that they were closing only for a few weeks to help flatten the curve, it made sense for many districts initially to opt out of formal instruction.

Their decisions to shut schools down completely also had statutory motivation, as it remains unclear if districts and states are legally permitted to provide remote education to any students if they are unable to provide a "free and appropriate public education" to all students, including those receiving special education services. Under the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act, local educational authorities that "continue to provide educational opportunities to

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the general student population during a school closure…must ensure that students with disabilities also have equal access to the same opportunities."[23] As districts and states grimly assessed their capacities to offer special education services to students remotely, many asserted they would need to forgo offering education altogether rather than face legal liability for being out of compliance with federal civil rights laws.[24] In response, Education Secretary Betsy DeVos issued revised federal guidance in late March to suggest that schools should not decline to offer online or remote education to students simply because they were worried about being out of compliance w/IDEA or Section 504.[25] "'We need schools to educate all students out of principle, rather than educate no students out of fear,'" DeVos declared.[26] But district and state leaders remained unsure about their legal liability in the face of likely lawsuits by parents.[27] As the American Association of School Superintendents cautioned in late March,

> They [the U.S. Education Department (USED)] write that USED "understands that schools may not be able to provide all services in the same manner they are typically provided…and it may be unfeasible or unsafe…to provide hands-on physical therapy, occupational therapy, or tactile sign language educational services." That said, it's one thing for ED to understand this but another for Courts to understand this is the case. The law is still the law, and ED's suggestion that districts are responsible for "still meet[ing] their legal obligations by providing children with disabilities equally effective alternate access to the curriculum or services provided to other students" will be an insurmountable challenge for some districts.[28]

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[23] US Dept. of Education, "Questions and Answers on Providing Services to Children with Disabilities during the Coronavirus Disease 2019 Outbreak."
[24] Belsha, "'Am I Doing Enough?' As Districts Try Remote Learning for Students with Disabilities, These Challenges Lie Ahead."
[25] US Dept. of Education, "Supplemental Fact Sheet: Addressing the Risk of COVID-19 in Preschool, Elementary and Secondary Schools While Serving Children with Disabilities."
[26] Darville, "DeVos to School Districts: Don't Let Disability Law Concerns Stop You from Educating Kids."
[27] Green, "DeVos Weighs Waivers for Special Education: Parents Are Worried."
[28] AASA, "ED Issues Guidance on FAPE during COVID-19."

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A number of district and state policy makers felt vindicated about their concerns—but also unsure what steps to take next—when Secretary DeVos declared at the end of April that she would not seek any congressionally-permitted special education waivers as a result of the pandemic. "While the department has provided extensive flexibility to help schools transition, there is no reason for Congress to waive any provision designed to keep students learning," she declared. "With ingenuity, innovation and grit, I know this nation's educators and schools can continue to faithfully educate every one of its students."[29] Disability rights advocates and many parents hailed the (unexpected) decision, while states and districts have braced for lawsuits.

Setting aside both legal liability and practical considerations, however, what is particularly striking is the number of districts and states that initially made principled arguments against school-provided instruction on grounds of equality of opportunity. This is one of the only instances of which I am aware in which mainstream policy makers made leveling down arguments at broad scale. Leveling down is an approach to equality that claims if the least advantaged cannot be raised (or leveled up) to the same level as the most advantaged, then instead resources or opportunities should be taken away from the most advantaged so they are brought down to the same level as the least advantaged. This is a rare stance for policy-makers to take, as not only does it tend to draw the ire of the more advantaged—who also tend to have disproportionate levels of sociocultural and political power—but it also decreases overall utility. In this respect, the moral basis for initial policy decisions about distribution of scarce and imperfect educational resources in a pandemic is at significant odds with the moral basis for distribution of medical resources. While most hospitals, states, and bioethicists are taking a utilitarian stance inflected by egalitarianism, districts and states at least initially took a strongly egalitarian and decidedly anti-utilitarian stance, preferring to reduce overall utility in service of an equity-inflected ideal (by leveling down and providing no academic instruction).

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[29] Green, "DeVos Decides Against Special Education Waivers during the Pandemic."

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When the first US hotspot of community transmission of COVID-19 was identified outside Seattle, Washington, for example, nearby Northshore School District was the first in the nation to voluntarily chose to close all schools (on March 5) and shift to a remote learning model. A well-resourced district that was able quickly to provide hardware and broadband connections to its relatively few students who lacked reliable Internet connection, Northside moved its education "from classroom to cloud" over a period of five days.[30] That next week, Northshore students and teachers generally moved ahead with the curriculum, engaging in daily synchronous classes and completing and grading classwork and homework. When the governor then ordered school closures first county- and then statewide, however, Northshore faced a new challenge. The governor's order and the Office of Superintendent of Public Instruction (OSPI) cautioned,

> It is important to note that if educational services are being delivered to students in any form, in order for the district to remain open, those services must be provided to **all** students, including students who don't have access to technology at home and students receiving special education services. OSPI believes that for most districts, it will make more sense to cancel school altogether than to organize a learning model that cannot be accessed equitably by all students."[31]

In its subsequent memo to parents, Northshore admitted that "issues of equity have, appropriately, come to the forefront; specifically involving special education services, food and nutrition, English learner services, and childcare….[W]hile we have been able to mitigate several of these challenges, we have not yet been able to mitigate all of them and meet the strict guidelines outlined in federal and state regulations."[32] The district thus judged it was obligated to shut down entirely—a decision that unsurprisingly was not well received by most parents in the district.

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[30] Northshore School District. "Letter to Families: All School Sites Closing March 5."
[31] WA Office of Superintendent of Public Instruction, "Novel Coronavirus (COVID-19) in K–12 Schools: A Parent Guide." North Dakota adopted identical language when it closed schools later that week.
[32] Northshore School District, "Letter to Families: Gov. Inslee's Announcement."

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Other districts reached similar judgments about the ethical costs of providing services to only some students while knowingly leaving other students behind. Urban districts in particular were concerned about their many students who lacked computers or tablets, Internet access, or stable home lives that would enable them to engage with academic instruction. Philadelphia Public Schools, for instance, explicitly directed educators in a March 17 letter, "To ensure equity, remote instruction should not be provided to students, including through the internet, technology at home, by phone, or otherwise."[33] The district then drove home the point, specifying, "Schools may not make independent decisions to offer remote instruction at this time." This led at least one teacher to call journalists in a "panic" asking not to be named in an article about how she and her colleagues were continuing to support students, fearing that "the school would be penalized for its work to keep students engaged."[34] Other teachers actively embraced leveling-down approaches. An April 8 *Chalkbeat* article, for instance, began with Chicago Public Schools biology teacher Bryan Meeker, who "had planned a photosynthesis experiment he would conduct at his kitchen table, with students watching via videoconference. But only a portion of Meeker's students have the technology to tune in. Going forward with the demonstration would not be fair to the rest, he decided, and threw away the perishable kit."[35]

Researchers in education and technology also argued in the early weeks for "Shutting Schools Down Instead of Moving Classes Online,"[36] as MIT professor Justin Reich put it. Invoking egalitarian concerns in favor of the least advantaged, Reich suggested that "the number one question is not: 'What tech to use to teach online?' It should be: 'How will you support your most struggling students?'"[37]

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[33] Wolfman-Arent and Mezzacappa, "Philly Schools Forbid Graded 'Remote Instruction' During Shutdown for Equity Concerns."

[34] Wolfman-Arent and Mezzacappa, "Philly Schools Forbid Graded 'Remote Instruction' During Shutdown for Equity Concerns."

[35] Koumpilova, "As Remote Learning Ramps Up in Chicago, a High-Stakes Question: Should Students be Learning Anything New?"

[36] Reich, "The Case for Shutting Schools Down Instead of Moving Classes Online."

[37] Reich, "The Case for Shutting Schools Down Instead of Moving Classes Online."

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The *least* effective way to support struggling students, he then argued, is to conduct academic instruction online.

First, many struggling students can't even get online. A 2018 Pew study found that one-third of low- and moderate-income households (earning under $30,000 per year) with school-aged children lacked high-speed Internet; unsurprisingly, one-quarter of teens in these households reported at the time that they were sometimes or often unable to complete homework assignments as a result.[38] Furthermore, many students who may have been using a shared device may now be competing for access with parents, siblings, and other household members who also need it for work or school. As of early April, approximately 115,000 students in Chicago Public Schools lacked a laptop or tablet to access the Internet;[39] in Los Angeles only two-thirds of students were accessing the Internet even *before* the current pandemic, and thousands still lack connectivity;[40] and as of mid-April the New York City Department of Education was still early in the process of distributing 300,000 iPads to students, a full month after schools were shuttered.[41] Students also struggle to access the Internet even if they do have devices: shelters and transitional housing serving the 114,000 homeless children in NYC public schools, for instance, rarely provide public WiFi;[42] only slightly over half (56%) of all NYC families living in poverty had broadband access in 2017;[43] and many families who thought they would be able to access free broadband services during the pandemic have been denied service due to prior unpaid bills.[44] Students in rural areas

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[38] Anderson and Perrin, "Nearly One-in-Five Teens Can't Always Finish Their Homework Because of the Digital Divide."
[39] Burke, "Chicago Plans to Give 100,000 Tech Devices to Students. Here Are the Rules."
[40] Reston, "Pandemic Underscores Digital Divide Facing Students and Educators."
[41] Reston, "Pandemic Underscores Digital Divide Facing Students and Educators." Shockingly, this has led to some families being reported for child neglect or abuse on the grounds of chronic absenteeism. Without an Internet-enabled device or WiFi access, children can't "show up" for digital school, and educators have apparently felt bound as mandatory reporters to contact the state hotline. See Grench, "As Students Awaited Devices for Online Learning, NYC Schools Reported Some No-Shows to Child Neglect Hotline."
[42] Stewart, "She's 10, Homeless and Eager to Learn. But She Has No Internet."
[43] Amin, "Internet Service Providers Blocked NYC Families with Unpaid Bills from Remote Learning Deals. De Blasio Plans to Crack Down."
[44] Amin, "Internet Service Providers Blocked NYC Families with Unpaid Bills from Remote Learning Deals. De Blasio Plans to Crack Down."

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face similar challenges. A 2017 congressional committee report found that a majority of rural residents in fifteen states lacked broadband access,[45] and it is much harder quickly to extend wireless hotspots to rural than to urban students. It is also important to note that while these data are primarily about digital access by income rather than by educational attainment, class and academic achievement are so highly correlated in U.S. schools that these income-based findings are unfortunately strong proxies for struggling students overall.

Even if students had equal access to digital learning opportunities, struggling learners tend to struggle even more, and struggle disproportionately to more advantaged learners, when learning is solely online. Reich et al. offer a compelling summary of the evidence:

> [A] growing body of research suggests that online schooling can come with an "online penalty" for struggling and vulnerable learners (Dynarski, 2018). Recent research from large-scale community colleges (Xu & Jaggars, 2014), massive open online courses (Hansen & Reich, 2015), and full-time K-12 virtual schools (J. Ahn & McEachin, 2017; Fitzpatrick et al., 2020), suggests that many students earn lower grades and fail more often in online learning settings compared to on-campus learning experiences. Research from Florida, with a well-established statewide virtual school, shows more mixed outcomes, with positive effects for online modalities on course grades but negative effects on longer term outcomes like follow-on course grades and graduation readiness (Hart et al., 2019). High-achieving learners tend to be minimally affected by online schooling; students who do fine anywhere tend to do fine online. But the online penalty is more severe for vulnerable and struggling students—students with low prior achievement or from disenfranchised ethnic and racial groups. There are good reasons to believe that a pivot to online learning could most negatively affect students

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[45] Gaudiano, "Coronavirus Quarantines Could Rob Poor, Rural Students of Access to Education."

living in households that are also most vulnerable to negative effects of recession, food and housing insecurity, and limited access to healthcare in a pandemic.[46]

As Reich et al. point out, struggling learners are disproportionately poor, and hence most likely also at this time to be experiencing food and housing insecurity, the stressors of parental furlough or unemployment, increased responsibility for taking care of younger siblings or other vulnerable family members, and for teens, pressure to get a job in a low-paid, low-skill essential service (such as food or delivery services) in order to supplement family income rather than attending virtual school. While younger students may not be skipping online classes in order to find paid work, they depend on parental or other close adult support in order to learn. There are no virtual elementary schools that try to teach students in the absence of a highly involved caregiver.[47] Younger children need caring adults on site to guide, motivate, and support them through cognitively challenging materials. Given all of this, Reich concluded early on in the pandemic, "You should only try to shift to digital learning, if you really think you can support all of your students; all of your students in the most rural areas, all of the students with the most difficult home life, all of the students with special education needs and individualized education plans."[48]

Yes, Schools Should Teach

While the empirical evidence is incontrovertible that students will both access and benefit from remote learning opportunities in highly unequal ways that further reinforce already unjust inequities, I contend that it was wrong to conclude that schools should level down to providing no formal academic instruction. More importantly (given that most districts in fact started providing educational services by late

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[46] Reich et al., "Remote Learning Guidance from State Education Agencies during the COVID-19 Pandemic: A First Look," 1–2.
[47] Reich & Pershan, "Math Teaching during COVID-19 School Closures."
[48] WBUR Newsroom, "Schools Around the Region Shut Doors, Move Classes Online to Combat Coronavirus."

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April), the reasons that eliminating academic instruction is wrong reveal both the importance of adopting an expansive understanding of educational equity, and the limits of adopting equity as the sole principle by which to evaluate education policy.

First, given the concentration of disadvantage, low-income and academically-struggling children are most likely to experience absence of schooling as absence of school-relevant learning, as they may have few other opportunities to engage in rich academic learning experiences. Even if they have the motivation to pursue academic interests on their own, we saw above that low-income children often lack of reliable Internet access through which to develop their passions and skills while schools and libraries are closed and social distancing is in force. Their parents are also more likely to have lower levels of formal education and to be employed in essential jobs that require on-site work (home health aide, grocery store clerk, etc.), leaving them less available to structure and supervise learning opportunities for their children—particularly if they are heading single-parent households, as is also disproportionately true for families of low-income and struggling students. Higher-achieving children, by contrast, are more likely to be middle-class or wealthy, to have two-parent–headed households, to have parents with higher levels of education who are also more often able to telework, and to have access to online resources. They are thus more likely to have adults at home who can provide at least some academic guidance or engage in school-relevant collaborative activities such as reading, researching a shared interest, or observing the natural world. These children are also more likely to feel capable and competent navigating learning opportunities on their own. Given all of this, any educational policy is likely to significantly exacerbate inequality during the pandemic, but providing academic education at least offers the prospect of raising the floor of educational opportunity for the least advantaged, which eliminating instruction fails to do.

Second and relatedly, even the most vulnerable and struggling students generally want the opportunity

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to learn and move forward. Even if they risk learning less from remote formal instruction than their peers will, they nonetheless appreciate getting something rather than nothing. This point was driven home by a recent article featuring twelve-year-old Boston Public Schools student Malaiki Solo. He was longing for more contact with his teachers and more opportunities to learn. While Malaiki was eagerly completing every assignment he found on Google Classroom, he was frustrated by getting partial or no feedback from his teachers about how he could improve his work. "It would be better if I just had [all the teachers'] phone numbers," Malaiki was quoted as saying. "I could call them."[49] Malaiki's struggles are particularly heartbreaking because his three siblings' schools (also Boston Public Schools, one a regular district middle school and the other an in-district charter) are both doing much more to reach out to students and support their ongoing learning.

This illuminates the third reason that schools and districts should not try to level down: within-school and within-district concerns for equity will quickly be overwhelmed by between-school and between-district differences. Wealthier districts that have already had 1:1 student:device programs, can afford to distribute additional laptops and free hotspots as needed, have already been using collaborative tools on Google Classroom and Flipgrid, and so forth will go ahead and educate anyway. Consider Northshore School District—the one that "paused" online teaching on March 12 in response to the governor's order to cease schooling on equity grounds. After two weeks of frequent meetings with state and federal officials, as well as intensive planning at the district level to redesign its "Classroom to Cloud" initiative, Northshore unveiled "Northshore Learns v2.0," featuring a district-wide common instructional schedule for core and elective classes, special education supports, and related services. It kicked off March 30. As of April 12, by contrast, Seattle Public Schools (SPS) had posted links on its website to SPS TV broadcasting schedules and generic "packets for home learning" designed to help parents educate their children. The district—whose

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[49] Globe Staff, "Online, but Off-Kilter: A Day in the Life of a Boston Sixth-Grader."
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student body is 33% low-income, as opposed to 14% at Northshore[50]—was clear about its comparatively low expectations for learning: "During school closures, our hope is that learning will continue (particularly in the core academic areas). This is not a replacement for classroom instruction. These activities are not required nor will be graded."[51] Chicago Public Schools, similarly, launched their districtwide remote learning plan on April 13, a full month after suburban Evanston/Skokie School District 65 launched its March 16 e-learning initiative.[52] While the urban-suburban divide is not wholly predictive, of course, these differences align with findings from a nationally representative survey of 1,165 school and district leaders, conducted on March 9-10 by *EdWeek*. In response to the prompt, "If/when we closed our schools due to coronavirus, we could/can productively provide every child in the district with e-learning/remote learning opportunities," over half of respondents from low-income schools responded "Not at all," while one-third of high-income district and school leaders responded, "As long as necessary."[53]

In sum, if districts such as New York, Los Angeles, and Chicago were to throw in the towel on remote learning, equity would not be achieved. Even if there were somewhat equitable leveling down within the district (although middle-class families within the district would likely still find ways to educate their children), between-district inequities would be further and likely irremediably exacerbated. Consider the implications for even a (formerly) high-achieving student from Chicago who is denied four months of remote education in eighth grade, and who then takes PSATs and SATs and state achievement tests, applies for summer programs, enrolls in honors or AP courses, and writes college essays in subsequent years. Now compare her with a student from Evanston or Palo Alto or Wellesley who was provided

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[50] WA Office of Superintendent of Public Instruction, "Report Card: Seattle School District No. 1" and "Report Card: Northshore School District."

[51] Seattle Public Schools, "Learning Resources: Learning at Home Examples, Resources, and Activities."

[52] On Evanston, see Evanston/Skokie School District 65, "D65 School Closures/e-Learning begins March 16." On Chicago, see Koumpilova and Burke, "Chicago Starts a New Remote Learning Plan Monday. Here Are 10 Parent Questions, Answered."

[53] Sawchuk, "It's Not Just a 'Digital Divide': Survey Shows Variations in Districts' Coronavirus Response."

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remote education those same months in eighth grade. Inequities are not remediated by leveling down. Nor, I hasten to add, will they be remediated by schools' providing academic instruction; inequities will expand regardless. But again, therefore, the standard should be one of benefitting the least advantaged by enabling them to access education as an absolute good-in-itself, even if it (inevitably) leaves students positionally disadvantaged in the competition for educational credentials.

Finally, supporting the most vulnerable students versus providing widespread academic learning opportunities is not zero-sum. Districts, schools, and teachers can provide a ton of outreach to and support for vulnerable children and still offer quality educational opportunities for all students. As the Minnesota Department of Education put it in their guidance for districts, "Prioritize outreach to families who need the most support. These are the students that may need more services than others. If we prepare distance learning for our *most vulnerable students*, we will have met the needs for the rest of the students."[54] Consider, for example, a remote learning approach that offers a choice of "low floor/high ceiling" assignments, each addressing the same core learning objectives but achievable through various modes of engagement (reading, writing, speaking, creating a video, working alone, collaborating with others, etc.); biweekly check-ins with every student augmented by more frequent phone calls plus motivational text messages particularly for struggling students; and designated office hours during which both students and parents can call, group or individual text, e-mail, or post questions on a shared class forum to which the teacher as well as other students and parents can respond. These practices may be essential for students and families facing complex challenges during a pandemic; they are also highly likely to benefit (and certainly not to harm) students and families in more stable circumstances. In this respect, such an approach aligns with core Universal Design for Learning (UDL) principles. UDL, which is an educational approach modeled after Universal Design principles in architecture and city planning, "aims to change the design of the environment rather than to change the learner. When

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[54] MN Dept. of Education, "Minnesota Distance Teaching and Learning Implementation Guidance."

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environments are intentionally designed to reduce barriers, all learners can engage in rigorous, meaningful learning."[55] As districts, schools, and educators design for their most vulnerable learners, they are likely to reach all students with meaningful learning opportunities.

What Should Schools Teach?

By the end of March, as it became clear to many that school closures were likely to extend through the end of the 2019/20 school year and potentially even recur in fall 2020, states and districts changed tack and committed to delivering remote educational services of some sort to all students. In his April 6 order closing Washington's schools through the rest of the year, for instance, Governor Jay Inslee specifically declared, "I strongly encourage school districts, and the exclusive representatives of school employees, to continue to work together to ensure distance learning opportunities for all students during the duration of the school closure."[56] By March 31, forty other states had also issued guidance that districts should begin providing academic educational services in some way via remote means: radio or television, printed packets, online resource links, or direct synchronous and/or asynchronous teaching.[57]

States and districts thus shifted to second-order questions: *What* should schools teach? What should students be expected to learn given the conditions we are all living and working under? and *How* should students, teachers, and schools be assessed, if at all, for the work they are doing (or failing to do) this spring? There have been three main contenders for what schools should be providing: (1) continued teaching of new material that is aligned with state or district standards or already included in the curriculum, sometimes in a stripped-down or "key concepts" form; (2) review and deepening of already-taught

[55] CAST, Inc., "UDL Guidelines: Frequently Asked Questions."
[56] Inslee, "Proclamation by the Governor Extending Proclamations 20-08 and 20-09."
[57] Reich et al., "Remote Learning Guidance from State Education Agencies during the COVID-19 Pandemic: A First Look," p. vii.[58] vvv

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material linked to state or district standards; or (3) "enrichment" opportunities that are not tied to the standards, but instead favor student-driven inquiry, place-based learning (i.e., exploring whatever is present at home), or prompts for parent-child interactions such as exploring family history or doing math while baking.

Unsurprisingly, many private schools quickly moved full-steam ahead with teaching curriculum-aligned new material.[58] This may in part have been a strategic choice to stave off the kinds of demands for tuition reimbursement that many colleges are facing; Miami and Drexel university students, for instance, filed class action lawsuits to receive tuition refunds on the grounds that their online courses are a diminished experience as compared to the value of an on-campus education.[59] It is easy to imagine that many private school families would demand similar tuition mitigation if their schools ceased teaching new materials. But it is likely also that private schools are moving ahead with the regular curriculum because they are generally smaller and more homogeneous than public schools, have mechanisms already in place for communicating with each family on a regular basis, have lower student-teacher ratios, and are facing fewer competing demands (such as organizing meal deliveries) that would prevent them from focusing on new curriculum delivery.

Some states have also directed districts to focus on teaching new, curriculum-aligned content. Texas' "District Instructional Continuity Planning Overview" advises districts to create "'**at-home schools**' that maximize the amount of instructional time for students this school year and **support student mastery of grade level standards**."[60] Virginia similarly directs schools to focus on the core curriculum that had not been taught by the time schools were closed and to develop clear learning plans to "incorporate the missing content in core content areas into the curriculum for all students. This will require additional

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[58] Mann, "Coronavirus (COVID-19) Guidance for Schools."
[59] Seltzer, "Students File Class Action Seeking Tuition Reimbursement."
[60] TX Education Agency, "District Instructional Continuity Planning Overview."
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instructional time and/or an adjustment to grade-level curricula and pacing. School divisions should also provide instruction addressing missing content in non-core content areas as much as possible."[61] Kansas, Arkansas, Alabama, and Iowa also direct schools to teach new material, though with a "less is more" approach that hones in on a limited number of key concepts rather than trying to cover everything in the normal school curriculum.[62]

By contrast, a large number of districts and at least a few states have taken the stance that schools will most effectively and most equitably support their students' learning by reinforcing knowledge and skills that had already been taught earlier in the year, rather than by forging ahead with new curricular materials. (The College Board has taken a similar stance, declaring that Advanced Placement tests this year will assess only material that would likely have been covered by early March.) Tennessee, for instance, notes in its "School Closure Toolkit for Districts: Academics and Instruction" that "Considerations for learning activities that are based upon content and skills already experienced by students will be most appropriate at this time, given the anxiousness that many students and adults are facing."[63] Massachusetts likewise recommends "that districts and schools focus on reinforcing skills already taught this school year and applying and deepening those skills."[64] It is notable, however, that neither state explicitly prohibits schools or districts from pressing forward with new material, though Massachusetts cautions that schools that do so should "consider equity of access and support for all students."[65] States' flexibility in this regard is rather different from many districts, which expressly prohibited teachers from teaching new material—again, often on equity grounds—and directed them to review and reinforce old concepts instead. Meeker, the Chicago Public Schools (CPS) biology teacher quoted above, affirmed CPS's directives in this regard despite some of his students' pressing him for new materials so they

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[61] VA Dept. of Education, "Guidance on Graduation Requirements, Awarding of Credits, and Continuity of Learning."
[62] Reich et al., "COVID-19 State Education Agency Remote Learning Guidance."
[63] TN Dept. of Education, "School Closure Toolkit for Districts: Academics and Instruction," updated March 24, 2020
[64] MA DESE, Letter to Parents and Guardians about Remote Learning, March 30, 2020.
[65] MA DESE, Letter to Parents and Guardians about Remote Learning, March 30, 2020.

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can prepare for college-level classes in the fall. "This pandemic can't be punitive toward our students. If that means no new biology concepts for the rest of the school year, so be it."[66]

Most frequently, this direction to review prior material is accompanied by an invitation to offer "extensions" or other "enrichment" opportunities. It is a bit unclear what distinguishes "enrichment" from "new material," since one hopes that enrichment also prompts new learning. But I presume that what is meant is that the latter is aligned with the school or district's existing curriculum while the former is more student-driven or even opportunistic with respect to what the family happens to be doing or have available. Lexington (MA) Public Schools captured this distinction in a positive light in their communication of remote learning plans to parents: "The purpose of remote learning is best expressed by our mission statement: 'joy in learning, curiosity in life, and compassion in all we do.' In the days, weeks, and months ahead, we have encouraged our educators to take this mission to heart. Teachers will no longer be expected to focus on mastery of content for students; instead, the purpose of remote learning in the Lexington Public Schools will be to engage students in deeper learning."[67] New Mexico also advises schools to distinguish "home-based learning" from normal practices of "doing school," and to favor the former over doing the latter: "**Leveraging the assets of home-based learning, rather than trying to recreate school, can provide meaningful learning experiences that connect to students' home lives, interests, and identities.** Trying to support school-like learning in a home setting may frustrate teachers, students, and families. Educators should consider how to give students agency to pursue learning that is relevant to them via resources that are available at home and with meaningful family engagement as possible."[68] Examples might include interviewing family members to create and illustrate a family history, practicing math while baking, or conducting a daily observation study of a patch of the

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[66] Koumpilova, "As Remote Learning Ramps Up in Chicago, a High-Stakes Question: Should Students Be Learning Anything New?"

[67] Lexington Public Schools, Julie Hackett, Letter to Lexington Parents and Caregivers, March 23, 2020.

[68] NM Public Education Dept., "Supporting Students' Learning During COVID-19 School Closures with Distance Learning."

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backyard. It is worth noting how distinct this approach to "home-based learning" is philosophically from Texas's vision of "at-home schools" in which students can master grade-level curriculum standards.

How should we think about the relative merits of these different approaches? There is little evidence that any one approach is intrinsically superior to any other on either pedagogical or ethical grounds. It mostly feels like a pragmatic question: In a given context, what are parents capable of overseeing, teachers capable of providing, and the school or district capable of supporting? It is also likely that states, districts, and schools will shift their judgments over time, as they contend with ever-increasing estimates of the number of weeks (and now months) that they must operate remotely. Schools or districts that began by closing entirely and then moved to "review + enrichment" are likely to shift toward teaching new material as remote education extends into a third or fourth month—and certainly if physical school closures continue into the fall. Where things get normatively complex, however, is in how teaching and learning *expectations* intersect with *assessment*—in particular since what parents are capable of supporting at home varies wildly from family to family and even child to child.

04 How Should Remote Teaching and Learning Be Assessed?

As I discussed above, educators and policy makers at all levels have elevated equity—by which most seem to mean something like *substantive equality of educational opportunity*—as the normative principle to guide their decision-making about educating in a pandemic. Policy makers' strict interpretations of equity, and of what districts were required to do if they were unable to guarantee substantive equality of educational opportunity, guided their initial judgments about what I described as the "first-order question" of whether to provide any educational services to students at all. Once they decided that schools should begin educating remotely, they then shifted their equity analysis to address second-order questions about what schools should teach and how teaching and learning should be assessed. One might ask why assessment is necessary at all under current conditions—in short: grades, and in particular, the utterly unique practices of assigning and calculating grades in K-12 schools in the United States.

In virtually no other country do teachers in every subject assign grades for virtually every piece of student work and then determine end-of-term grades according to a totally non-standardized and often obscure alchemy mixing demonstrated curricular mastery, perceived effort, improvement, and sometimes comparative ranking with other students in the same class. Rather, grades (or usually "marks") exist only as interim assessments of mastery of state- or national-level curriculum standards, and are assigned only for major assessments or as occasional indicators of predicted performance on high-stakes examinations near the end of middle and high school. Because of the exceptionally localized nature of school governance and curriculum provision in the United States, however—where even two schools in the same district may adopt different textbooks, offer different course options, set independent course requirements, and assess mastery in very different ways—teachers use grades not to signal mastery of externally-set requirements but instead to assess and usually to motivate students' daily performance on teacher-determined assignments: classwork, homework, quizzes, projects, and the like. Furthermore, even if teachers intend students' grades to communicate information about their learning and

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growth to students and their parents, these grades are then used for many other purposes: to decide whether to promote or retain students in grade, award scholarships, determine athletic eligibility, assign graduation honors, and resolutely sort students into rank-ordered categories of admit, hire, waitlist, or reject. At all times, this complex educultural practice is highly susceptible to differences among families, communities, schools; it has turned out to be a distinctively contentious site of deliberation over how to realize educational equity in an era of COVID-19.

As with the initial decision about whether to teach at all, policy makers have invoked strict interpretations of equity (again, understood roughly as substantive equality of educational opportunity) in recommend-ing grading policies during the pandemic. Middletown City (OH) School Board member Michelle Novak, for instance, raised concerns that "If we want to give our kids grades during this time, we're really going to be grading what their home life looks like. And I don't think it's fair to do that to anyone."[69] With similar concerns in mind, California has directed that districts and schools "should weigh their [grading] policies with the lens of equity and with the primary goal of first, doing no harm to students."[70] The state further advises that grading policies during the pandemic should "take the needs of all students into account, including those of English Learners, homeless and foster youth, and those with differing access to digi-tal learning and other tools or materials."[71]

In light of such considerations, numerous schools and districts have also adopted "hold harmless" poli-cies that allow students to improve their grades by completing work remotely but not penalize them if they fail to complete assignments.[72] Seattle Public Schools have gone even further, mandating that all high school courses be graded on an A/Incomplete scale so as to "minimize harm for students furthest

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[69] Sawchuk, "Grading Students during the Coronavirus Crisis: What's the Right Call?"

[70] CA Dept. of Education, "FAQs on Grading and Graduation."

[71] CA Dept. of Education, "FAQs on Grading and Graduation."

[72] Sawchuk, "Grading Students during the Coronavirus Crisis: What's the Right Call?" See also Asmar, "Denver Students Can Earn Credits, but not Grades, for Remote Work"; and KIPP: New Orleans Schools, "Coronavirus Updates."

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away from educational justice."[73] Incompletes are designed to be rare:

> To receive an "A," students will engage to the extent possible in activities or learn-
> ing provided. SPS students will receive "A's" in their second semester high school
> courses in nearly all cases. When in doubt about whether a student had the ability
> to engage in learning or activities, a student should receive an "A." For example, if
> a teacher is unable to communicate with a student during school closure and it is
> unclear whether the student had the ability to engage in learning, the student should
> still receive an "A" grade.[74]

More frequently, districts and schools have shifted to pass/fail only for the spring semester in order to avoid the more finely calibrated assessment and ranking that accompanies letter grades. San Francisco Unified School District, for instance, initially considered a universal-"A" policy such as Seattle's but instead adopted a credit/no credit approach.[75] This is also the approach being taken by a number of colleges and universities; in some cases students are given the option of switching to pass/fail versus taking the class for a grade, but in many other cases universities have shifted to mandatory pass-/fail policies—again, almost always on grounds of equity. Harvard Dean of Undergraduate Education Amanda J. Claybaugh explained why she rejected an opt-in system in favor of mandatory credit/no-credit: "Students who have good access to internet, who do not have a sick family member quarantined with them, who are not in a time zone 12 hours away, who do not have a mother working as a doctor and are worried about that—those students can be described as free to make a choice about whether they want a grade or a pass. Other students don't have that choice.'"[76]

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[73] Seattle Public Schools, "Grades During School Closure."
[74] Seattle Public Schools, "Grades During School Closure."
[75] KBIX, "Coronavirus Update: San Francisco School District Opts for Credit/No Credit Grading."
[76] Isselbacher and Su, "'A Grade You Could Be Proud Of.'" Students at some elite colleges, including Harvard, have advocated that colleges should award automatic passes for their spring 2020 classes on grounds of equity. One student explained his reasoning as follows: "'Many parts of students' lives have been put in complete jeopardy, and a SAT-UNSAT system still creates a hierarchy that I think in these times simply should not exist. Students should not be failing in a national emergency.' But other students have pointed out that this could exacerbate between-institution inequities. As Samyra C. Miller put it, "If someone really cares about educational equity, that should also extend outside the realm of Harvard, considering that all these other universities had already announced their policies and none of them had done universal pass." See Su, "Harvard College Announced a New Grading Policy Friday."

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Other education providers have used equity arguments, however, to take the opposite approach. San Diego Unified School District (SDUSD) started grading all students at the end of April, for instance, with the potential that students' grades may drop as readily as they might rise. SDUSD School Board Vice President Richard Barrera explained, "Our belief is that without any expectations of student learning, you're just gonna see an incredibly inequitable result, which is some students with resources will move ahead and most students will not."[77] This approach sees grades not only as a means of assessment and communication but also of motivation—or even more strikingly, as tantamount to and even indistinguishable from holding "expectations of student learning." In the absence of grades, Barrera seems to be suggesting, students will recognize that the district's expectations for learning are hollow and respond in ways that will increase inequities. Success Academy Charter Schools founder Eva Moskowitz also invoked equity in condemning both Seattle's A/Inc policy and New York's decision to assign pass/fail grades:

> These decisions are made in the name of equity, but the outcomes for children will be far from fair. True equity honors the integrity of learning. It ensures accountability for students and educators alike…. At Success, we believe it would be an abdication of our responsibility to treat grades like candy and to have no standards for ourselves or your children…. The pain and suffering brought on by coronavirus are real, and the hardships families have endured cannot be overstated. Despite this, we cannot wave a magic wand and declare all children achieved mastery. That would cheat students with real gaps of the education they deserve.[78]

What is striking about both Moskowitz's and Barrera's arguments are that they are each consistent in their pre-pandemic and within-pandemic understanding of equity as realized through grading practices. Given that grades have historically been used in the United States to motivate students to do

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[77] Taketa, "How Should Schools Give Grades during the COVID-19 Closures?"
[78] Moskowitz, letter to SA Families, no date.

daily work that they would otherwise dismiss as too hard, boring, or irrelevant, Barrera's arguments are potentially quite pragmatic. Similarly, if Success Academy constructs grades as communication mechanisms about students' mastery of specific standards, then there is no reason to adjust grades when learning shifts from in-person to remote. The quality of students' home lives is always highly correlated with their grades, and some students always have more agency over their learning and educational participation than others do. In this respect, there is no difference between grading during a pandemic and grading during normal times. If schools (and universities) are truly committed to developing grading practices that reduce rather than reinforce substantive inequalities in educational opportunities, then they would all disavow letter grades, go pass/fail, or shift to providing solely holistic comments.[79] As Professor Adam Rosenblatt argued in the campus newspaper after Duke declared that spring 2020 grades would default to a satisfactory/unsatisfactory system, "Radically changing our grading systems because of COVID-19 is an example of what theorist Elaine Scarry calls 'emergency thinking.' It casts grades as a temporary inconvenience, something we should let go of when conditions are not ideal— when they don't allow for the fairness or objectivity that usually goes into grading procedures. The problem is that the fairness and objectivity never existed, and there is a perverse way in which abandoning grading in an emergency reinforces the myth that they did."[80]

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[79] Though see Levinson and Fay, eds., *Dilemmas of Educational Ethics*, chap. 4, for some normative and practical challenges to these grading approaches, as well.
[80] Rosenblatt, "Committing to Ungrading, in an Emergency and After."

05 Conclusion

Crises can reveal disturbing sites of fragility and hidden reservoirs of strength. School closures during this pandemic have revealed both. Former Massachusetts Secretary of Education Paul Reville uses a powerful metaphor in explaining how the pandemic has brought long-standing fissures into focus: "The widespread, long-term closing of schools has now revealed to the nation the gross inequities that have always existed in the lives of impoverished families and children. Suddenly, we see front page stories and lead editorials on topics like uneven Internet and technology access, food insecurity, and limited access to physical and mental health services. It's as though a tidal wave has pulled back the ocean to reveal the ocean floor and the uncomfortable realities of life beneath the surface."[81] At the same time, districts' and states' responses to this all-too-persistent evidence of massive educational inequity and the concentration of disadvantage—namely, their assertion that *care* and *equity* are core values that should drive school policy—provides a powerful lever of change not only now but also in a pandemic-resilient world. Equity has long been a core value propounded by schools of education and large urban districts, both of which tend to skew progressive-left in their politics, and by education reform organiza-tions, which tend to skew neo-liberal-left. With traditionally conservative states and state policymakers also treating equity and care as *the* core values in education, however, a new post–COVID-19 consen-sus seems to be emerging that has powerful implications for educational policy and practice.

Consider, for example, that while the pandemic has brought existing inadequacies in U.S. education practice and policy into focus, it has also, more surprisingly, revealed U.S. schools' capacities to com-bat these inadequacies under emergency conditions—which means that they should do so under nor-mal conditions as well. In the past two months alone, districts around the country have collectively pur-chased and distributed over a million computers, tablets, and WiFi hot spots to students and families in need. On the one hand, this represents an important commitment by districts to enable equitable

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[81] Reville, "Coronavirus gives us an opportunity to rethink K-12 education."
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distribution of learning opportunities at a time when all education must be conducted remotely. On the other hand, one might well ask why it took a pandemic to get districts to ensure that all of their students have unfettered access to an Internet-enabled device and unlimited WiFi. The equity-oriented arguments that have led to this massive expansion of WiFi access for low-income students should clearly continue to drive policy well after this pandemic is over.

Grading practices are another domain in which the choices we make during a pandemic reveal core values that we ought to press further, not back away from, in ordinary times. Furthermore, schools' curricular choices during this pandemic also suggestively reveal our core values rather than rewrite them. As districts winnow their curricula to focus on truly core concepts, take time to reinforce already-taught concepts in hopes especially of shoring up vulnerable students' knowledge and skills, or share rich enrichment activities that invite students to engage in "passion projects" rather than rote learning, they are taking stances about what constitutes equitable and even high-quality teaching that are worth retaining even once COVID-19 is a comparatively distant memory.

The pandemic has intensified and broadened the sociopolitical and economic challenges to achieving substantive equality of educational opportunity in a deeply inequitable and unjust system such as the United States. But it has neither posed truly new dilemmas nor changed the nature (as opposed to the degree) of existing challenges. Rather, it has simply raised the stakes if we fail to realize our ethical commitments—and demonstrated our capacity to have realized them all along. As Spencer Foundation President Na'ilah Suad Nasir put it in an open letter in mid-March, "We are seeing a rapid-scale institutional response that just a month ago was discursively impossible. As our daily lives are rapidly reconfiguring, how can we be self-determining in the reconfiguration?…. What if we recognized this moment as also a possibility to reconfigure life towards the world we want? What kinds of new questions would we ask, what kinds of reimagining might we do together?"[82] Or as Bettina Love wrote at the end of

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[82] Nasir and Bang, "An Open Letter to Our Community: COVID-19."

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April, "What was said to be impossible in education is now here, and we must act for it to stay our reality."[83]

Educational ethicists have an important role to play, in collaboration with educators, policy makers, parents, citizens, and students to help make a more ethical system our long-term educational reality. As the dilemmas surveyed in this white paper make clear, even those who are strongly committed to equity may falter or disagree about the right path forward. Equity by itself is often an insufficient guide to ethical educational practice or policy, both because the concept is underdetermined and because other values such as utility, care, and democratic transparency also have weight. But it is also an essential value to hold as we strive to create ethical, caring, and learning-oriented school systems that serve all students and families in service of equity and justice.

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[83] Love, "Schools Were Failing Students Even before the Pandemic."

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