

“They are putting our children in a big petri dish and seeing what happens”

## Seattle, Washington parents speak out on their fight for remote learning for their child

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Seattle, Washington, parents Justin and Korine have been waging a nearly two year-long battle to keep their daughter safe from COVID-19 by learning from home. Their fight for remote-schooling highlights the challenges that millions of parents have faced all over the world in striving to keep their families safe while navigating economic, social and legal pressures.

“They are putting our children in a big petri dish and seeing what happens,” Korine and Justin told the *World Socialist Web Site*. “Four hundred children have died already. Eradication is possible if we implement the closures and other measures. But it doesn’t feel like that is happening. They keep saying ‘you’re wrong, it’s safe for her to be here.’ Kids get sick. But there are kids just like ours—healthy and wearing masks in schools—who are dying.”

As across the country, the reopening of schools in Washington has been a public health and education disaster. Between August 1 and September 30, there were 189 reported COVID-19 outbreaks at K-12 schools across the state involving 1,284 positive cases among students and staff. These figures only account for official reports when public health officials can link two positive cases through contact tracing. Washington state, like the US as a whole, lacks the mass testing or personnel to carry out competent contact tracing.

The Washington Department of Health (DOH) reported an average case rate of 425.8 infections per 100,000 youth under 19, even as vaccines roll out for kids aged 5 to 11. King County health officer Dr. Jeff Duchin recently stated, “Compared to where we were, before our summertime surge with Delta, cases today remain three times higher, hospitalizations two times higher and deaths three to six times higher. So, although we’re coming down from that serious surge, we’re still much higher with respect to cases, hospitalizations and deaths.”

Justin and Korine have been very concerned about the dangers of COVID-19 since March 2020 when they began remote learning. Their daughter has autism and online instruction was a success for her. But in January 2021, when Seattle Public Schools proposed to move to fully in-person

learning, Justin and Korine were shocked. The case rate was well above recommended levels and Multi-System Inflammatory Syndrome in Children (MIS-C) was showing up more frequently. They felt that it was too dangerous for a child of seven who could not be vaccinated. Additionally, it endangered their two-year-old at home.

Their daughter’s biological mother, on the other hand, supported the return to in-person learning. As Justin splits custody with the biological mother, disagreements must go through an arbitration process, costing “no less than \$2,000 each time.” The couple has now spent over \$8,000 in legal arbitration in their battle to maintain virtual instruction for their child in 2021.

“We disagreed that it was safe. The arbitrator said that it would only be safe to have two days in-person, the rest of time should be at home.” Korine explained. “We were told originally that because of the metrics, it was in the child’s interest to limit in-person activity. The Department of Health considered risk of transmission high.” The arbitrator also agreed to not allow extra-curricular activities until King County reached a “low risk” transmission rating.

In December, at a time when there were 420 cases per 100,000 in King County, nearly double the “highest risk” level according to the CDC guidelines, Korine and Justin kept their daughter at home while she was with them, every other week. As non-compliance issues continued to arise in their shared-custody agreements, they contacted a King County commissioner to find out that he denied the ruling on the basis of dismissing the father’s safety concerns. A commissioner sent them back to arbitration with a new arbiter on May 28. Throughout the summer until August 11 they were ordered to arbitration four times for summer activities and school enrollment plans for the fall semester, which began on September 1.

“The return to school in the spring was optional, and the arbitrator granted our right to stay remote. After a summer of legal battles, the new arbitrator ignored COVID metrics and

referred to the CDC website, which acknowledged that teachers should be vaccinated, and safety materials provided.” The couple went on, “No longer were the metrics concerning the level of transmission a part of the arbitration. Ultimately, the science was no longer a consideration but rather the individual school and the school district. The arbitrator deferred to the district, and the district said that students are expected to be in-person full-time.”

“There was a Virtual Option Pilot Program offered to SPS students, but with only 300 spots out of 56,000 students total,” they explained. Split-custody families were allegedly denied admission if they held differing views, so Justin and Korine did not have that option. Revealingly, SPS stated, “We recognize that students under the age of 12 are unable to receive the vaccine and are focusing our services on high-quality virtual learning for our youngest learners,” effectively admitting that in-person learning was unsafe.

In the first weeks of school, the couple kept their daughter home on their assigned days, waiting for the commissioner to consider their motion to halt in-person learning at least until all SPS staff were compliant with the full vaccination mandate, which went into effect on October 18. This request was not considered, and they began receiving “scary emails about truancy orders and legal measures” from the school’s principal and school faculty, including attorneys from the district. “Right now, because that order was granted, we have to take her, or we would be held in contempt,” they said.

Korine and Justin are terrified every time they must take their daughter to school. In the morning, “there are kids and parents everywhere, a courtyard full of people. But when they first announced the reopening, they promised there would be core groups in quadrants to limit interaction.” Their daughter’s school reported three positive cases in September, with over 400 across the school district. But parents receive little to no information about the spread of the virus in their schools, and regular testing is not provided. “We’ve been well aware that transparency is low. We don’t trust that,” Korine said.

While the school boards and unions negotiated agreements that promised “safe and equitable” instruction, the reality has been children crowded onto school buses, the abandonment of social distancing in the hallways, and poor maintenance of HEPA air filters. Teachers are often required to keep windows open for improved ventilation, despite cold weather and rain. Korine and Justin commented on the fact that local politicians and the Seattle Education Association supported the full reopening of schools, noting that it “spoke volumes to us” about their role in enforcing these dangerous conditions.

Despite their concerns, Korine and Justin have no choice but to keep their daughter in school, fearful that they may lose custody of her if they do not comply. They also ran out of money to pay for the expensive costs of legal arbitration that affect hundreds of thousands of parents across the United States, having spent well over \$8,000 already this year over

issues of COVID-19 health and safety. Because the most recent confirmed arbitration did not address safety issues, they will need to enter arbitration for the third time with additional expenses.

Korine is an aesthetician but has not returned to the profession due to high risk of COVID-19 transmission. Justin is an artist and children’s books writer, and the pandemic affected his projects. They both received the expanded unemployment benefits for independent contractors while that was available. Their good friend set up a GoFundMe page to support their legal battle.

While Korine and Justin continue to find ways to keep their children as safe as possible, they have also been very supportive of the Washington Educators Rank-and-File Safety Committee and the global elimination strategy articulated at the WWSWS’ October 24 webinar, “How to end the pandemic.” They felt a strong connection to UK parent Lisa Diaz and her struggle to keep her children safe, despite legal threats and fines. Finding a broader organization of educators and parents like them “minimizes the isolation we feel and have been feeling since the start of the pandemic. Knowing we are not alone in this helps when we feel helpless.”

While the media is fixated on the roll-out of vaccines for 5- to 11-year-olds, promising it as a solution to keeping kids safe and returning to “normal,” Justin and Korine are not convinced. They noted, “As we can see in areas with high vaccination rates in adults plus increasing COVID rates, it is obvious to a non-scientist that it is not the only measure that needs to be taken. We still have a 2-year-old who cannot be vaccinated. Vaccinations are not the only answer.

“We’ve seen that doing anything else isn’t working. COVID and Delta specifically has increased to a higher point than it was last fall and winter when in-person learning was closed. Reopening caused the current state of high transmission.”

They continued, “The first pediatric death happened in Seattle the same week schools opened. I thought that would be a big alarm, forcing the district to say we need to shut down. There was a huge reduction in cases when the economy and schools were shut down last March. Then when mandates were dropped, cases increased. As an educator and parent, I don’t need to look at more graphs. It’s clear the environment is very high risk.”



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