



**HB1322 PRIMARY AND SECONDARY EDUCATION - SCHOOL PERSONNEL - PROHIBITION ON
RETALIATION FOR NOT RETURNING TO IN-PERSON INSTRUCTION AND WORK**

March 30, 2021

EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE

OPPOSE

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Anne Arundel County Public Schools (AACPS) opposes **HB1322 Primary and Secondary Education - School Personnel - Prohibition on Retaliation for Not Returning to In-Person Instruction and Work.**

This bill prohibits the Governor, the State Superintendent of Schools, the State Board of Education, a county superintendent, and a county board of education from disciplining, suspending, terminating, or otherwise retaliating against school personnel who choose not to return to a school building for in-person instruction during the 2020-2021 school year. It requires the State Board of Education and county boards to allow certain school personnel to instruct and work remotely to the extent practicable during the 2020-2021 school year.

While AACPS appreciates the amendment to clarify that the bill only applies to “a teacher, educational support professional, or other professional school personnel who is allowed to instruct or work remotely” and meets the criteria established in the bill, this legislation is unnecessary. AACPS, along with the other school systems in the State, currently has processes in place for employee work accommodations, approving leaves of absence, and telework opportunities for AACPS employees who qualify based on certain medical criteria or are providing care for a family member meeting certain medical criteria. The AACPS process is aligned with guidelines from the Centers for Disease Control and Prevention as well as State and County governments.

Additionally, AACPS has concerns that this legislation does not consider or address an employee who refuses to be vaccinated. For example, AACPS has conducted several vaccine clinics for school system employees, however, not all school system employees have afforded themselves of this opportunity to receive a COVID-19 vaccine. If this bill were to become law, these same employees would be eligible to work remotely even though they had every opportunity to be vaccinated and simply refused.

In addition, AACPS opposes legislation that reduces or circumscribes local authority and this bill would essentially usurp the authority of a local superintendent to carry out the superintendent’s duties as it relates to employee matters.

Accordingly, AACPS respectfully requests an **UNFAVORABLE** committee report on HB1322.