

HB1322/484537/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1322

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 3, strike “– **Prohibition on Retaliation for**”; in line 3, after “**Work**” insert “– Accommodations and Discipline”; strike beginning with “prohibiting” in line 4 down through “circumstances;” in line 10; in line 10, after “Board” insert “of Education”; in the same line, after “boards” insert “of education”; in line 11, after “circumstances” insert “during a certain school year”; in line 13, after “circumstances” insert “during a certain school year; requiring a county board to send a response to a certain individual who submits a certain application for an accommodation within a certain period of time; prohibiting the Governor, the State Superintendent of Schools, the State Board of Education, a county superintendent of schools, and a county board of education, during a certain school year, from taking certain actions against certain school personnel under certain circumstances”; and in line 14, strike “the prohibition on retaliation” and substitute “accommodations for and discipline”.

On pages 1 and 2, strike in their entirety the lines beginning with line 16 on page 1 through line 15 on page 2, inclusive.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 18 through 36, inclusive.

On page 3, strike in their entirety lines 1 through 4, inclusive; in line 5, strike “(c)” and substitute “(a)”; in the same line, strike “Consistent” and substitute “During the 2020–2021 school year, consistent”; in the same line, after “laws” insert “, Centers for Disease Control and Prevention guidelines,”; in line 7, after “shall” insert “, to the extent practicable,”; in line 8, strike “who have not received the full course of an FDA–approved” and substitute “to instruct or work remotely if:”

(Over)

**HB1322/484537/1 Education, Health, and Environmental Affairs Committee
Amendments to HB 1322
Page 2 of 3**

(i) the individual has not received a federally authorized”;

in line 9, strike “to instruct or work remotely to the extent practicable” and substitute “; or

(ii) two weeks has not passed following the second dose in a 2–dose series of a federally authorized vaccine for COVID–19 or the administration of a single dose of a federally authorized vaccine for COVID–19, in accordance with Centers for Disease Control and Prevention guidelines regarding full vaccination”;

and after line 14, insert:

“(b) During the 2020–2021 school year, a teacher, an educational support professional, or any other professional school personnel may submit to the county board of education an application for an accommodation to instruct or work remotely if the individual:

(1) (i) is at least 65 years old;

(ii) has documentation of an underlying medical condition that the Centers for Disease Control and Prevention or the individual’s physician has identified as putting the individual at increased risk from COVID–19;

(iii) lives in a household with or is the caretaker of an individual who is at least 65 years old or who has documentation of an underlying medical condition that the Centers for Disease Control and Prevention or the individual’s physician has identified as putting the individual at increased risk from COVID–19; or

(iv) is a teacher, educational support professional, or other professional school personnel who has been temporarily assigned to instruct or work remotely;

**HB1322/484537/1 Education, Health, and Environmental Affairs Committee
Amendments to HB 1322
Page 3 of 3**

(2) has not received a federally authorized vaccine for COVID-19 due to having an underlying medical condition that the Centers for Disease Control and Prevention or the individual's physician has identified as putting the individual at increased risk from complications from the vaccine; and

(3) chooses not to return to the school building for in-person instruction.

(c) Within 5 days of the date of receipt of an application for an accommodation to instruct or work remotely submitted by an individual in accordance with subsection (b) of this section, the county board of education shall send a response to the individual who submitted the application.

(d) The Governor, the State Superintendent of Schools, the State Board of Education, a county superintendent of schools, or a county board of education may not take any of the following actions against a teacher, an education support professional, or other professional school personnel as a consequence of the individual's choosing to not return to the school building for in-person instruction during the 2020-2021 school year:

(1) suspend or revoke State certification of a teacher or other professional personnel; or

(2) discipline, suspend, terminate, or otherwise retaliate against the individual.”.