



March 3, 2021

Testimony from Theresa Mitchell Dudley Prince George's County Educators' Association  
On HB 1322 to Ways and Means

Good Afternoon

My name is Theresa Mitchell Dudley and I am a middle school Social Studies and Science teacher in Prince George's County where I am honored to serve as the President of the Prince George's County Educators' Association. Our membership includes approximately 10,000 classroom teachers and Certified Staff.

PGCEA supports HB1322, legislation sponsored by Del. Alonzo Washington (D-22) that is drafted in response to some unavoidable risks and impossible choices that school systems have forced on a particular class of educators, who are otherwise not qualified for accommodations, but forced to work in school buildings during the pandemic.

As schools scale up in-person instruction, a number of educators have sought accommodations to protect themselves or an at-risk family member from potential exposure to the virus. Those who personally have an underlying medical condition qualify for accommodations under the Americans with Disabilities Act (ADA). Those unvaccinated educators who live with or care for individuals with underlying medical conditions that place them at high risk of serious illness if exposed to the coronavirus or those who are over 65 and unvaccinated do not have such protections under the law. This bill would begin to address that inequity. No one should be made to choose between their job and their health or the health of family members. HB1322 prevents retaliation against educators who are 65 or older, have an underlying medical condition identified by the CDC as putting them at greater risk from coronavirus (or who live in a household with, or are the primary caretaker for, an individual who meets either of those conditions), have not been vaccinated, and who choose not to return to in-person instruction. It also permits those who have not received the full course of vaccination for the coronavirus the opportunity to seek remote work if practicable.

The bill would also prevent the suspension or revocation of certifications should an educator choose not to instruct in-person during the 2020-21 school year.

Educators shouldn't be forced to choose between their job and their health or the health of family members. House Bill 1322 would help protect vulnerable educators, their family members, and our profession.

Educators have risen to every challenge during the pandemic. Yet too many districts are now failing or unwilling to provide remote work options to the extent practicable as a reasonable accommodation for educators seeking to protect their safety and their families due to an underlying medical issue. This bill

would prohibit blanket denials of telework requests of educators, particularly in the case of those seeking the full course of vaccination prior to returning.

- Many educators have legitimate and serious vulnerabilities to coronavirus. This bill ensures that their requests for accommodations, particularly remote work, are considered so educators can act to protect themselves and their families from ongoing health risks.

We must ensure that the educators most at risk from the coronavirus can make safe decisions for themselves and their families, particularly for those that are not otherwise entitled to accommodations. HB1322 prevents retaliation against educators who are 65 or older, have a CDC-identified underlying medical condition (or who live in a household with, or are the primary caretaker for, an individual who meets those conditions), have not been vaccinated, and who choose not to return to in-person instruction.

- We know that there are disproportionate impacts from the coronavirus on people over 65 years old and those with underlying medical conditions. Multigenerational families living together, and older people who depend on younger relatives for care, are at clear risk.
- The slow pace of the vaccination roll-out makes it more challenging to vaccinate those educators who may be most at risk from the coronavirus.
- Invisible medical conditions may make some educators susceptible to severe consequences that makes it a hazard to be in school rather than working remotely.

Insisting that educators who request accommodations instead take long-term leave and risk their position is not reasonable or prudent given the severe shortage of educators statewide. When school systems take such an uncompromising approach, it only depletes our ability to retain educators at a time when staffing our schools is increasingly difficult.

- The pipeline of educators was not sufficient before the pandemic and will only be stressed further by pushing experienced educators, who have not yet obtained full vaccination, out of the profession through making them choose between their health, the health of family members, and their jobs.

In Solidarity,

A handwritten signature in dark ink, appearing to read "Theresa Mitchell Dudley". The signature is fluid and cursive, with the first name "Theresa" being the most prominent.

Theresa Mitchell Dudley  
PGCEA President