

Public Comments for School Board Meetings

#351

I would like to provide: * Virtual Public Comments through Zoom

Select the meeting date:* * October 7, 2021

My public comments are related to: * COVID-19

Topic * Teacher Vaccination

Full Name * William Peters

What is your relationship to ACPS? * Staff Member

Dear ACPS School Board Members, thank you so much for working so hard to make ACPS stellar school system. My name is William Peters, and I am a Tech Ed Teacher with ACPS schools. I was extremely confused at your unanimous decision to mandate to all ACPS staff to vaccinate, "or else."

I would like to speak on behalf of all my colleagues, vaccinated and non-vaccinated. As both faithful and loyal employees we have towed the line through thick and thin of this terrible ordeal that has befallen all of us. As educators, we have performed feats that has made ACPS a bedrock model institution during this Pandemic, well ahead of the curve. This stellar regiment of work has garnered US recognition, as we have moved to from virtual to in-person learning. Our gains have been phenomenal, however, you all have made a decision that will risk disrupting and destroying every gain that we have made since this has begun.

Education Week Online Magazine recently published a pertinent article pointing to the dilemma facing other school systems across the US that made the similar decision.

<https://www.edweek.org/leadership/some-teachers-wont-get-vaccinated-even-with-a-mandate-what-should-schools-do-about-it/2021/09>

Note: I love my job and what I do, and would love to keep it so for a few more years. I have one of the best principals, you will all agree with me on this. So why have you chosen to burden us all with loads that you would not like to bear yourself.

I would like to end with a quote from this article and 2 questions.

"Most of those places have set the deadline for getting the shot in mid-October. Given the labor shortages districts are experiencing, some may be waiting to see what percentage of their staff get vaccinated by the deadline before making decisions about terminations.

“Are we going to let these teachers go in a time when we are struggling to find substitutes to even fill classrooms when teachers have to quarantine, in a time where there are shortages across the country in certain key subjects?” said Bradley Marianno, an assistant professor of educational policy and leadership at the University of Nevada, Las Vegas. Some districts, he added, may eventually back off their mandate.”

Finally, to fill our void of missing teachers, are you all (the Board Members) willing to come and serve as substitutes? As a Technology Education Teacher, I have the privilege to teach my students about Manufacturing processes, hand and electric tools. So can, and will any of you "state certify," then come and teach my students to safely use the 40 plus tools they operate in my class to make projects?

It is my hope that you will read the full article and re-think your decision, as well as, give some serious thought to my final two questions, because like many school systems, finding replacement teachers and substitutes, just isn't going to happen.

Linked Article is attached.

Some Teachers Won't Get Vaccinated, Even With a Mandate. What Should Schools Do About It?



By [Madeline Will](#) — September 24, 2021 | Updated: September 27, 2021

As districts work to keep schools open for in-person learning and stem the spread of COVID-19, vaccination requirements for teachers and school staff are gaining traction. But the logistics of upholding these requirements are complicated.

School districts with vaccine mandates are now trying to answer a host of questions, including: Who qualifies for a religious or medical exemption? What happens if staff members refuse to get the shot? Will they be reassigned to new roles? Will they be dismissed from their jobs altogether? And if they are let go, is there even anyone available to replace them?

“A lot of times, the devil is in the details in terms of how you execute on a really challenging mandate like vaccination,” said Bree Dusseault, the practitioner-in-residence at the Center on Reinventing Public Education, which is analyzing district responses to the pandemic, including their vaccine policies.

The Centers for Disease Control and Prevention has also approved [a booster shot for school staff](#) who had received the Pfizer vaccine—based on educators’ own assessment of their individual benefits and risks—which may eventually add a new consideration for districts. For now, the definition of fully vaccinated is that two weeks have passed since one’s second shot of Pfizer or Moderna or single dose of Johnson & Johnson.

[Seven states](#) and, according to a nationally representative EdWeek Research Center survey, 21 percent of school and district leaders have told teachers they can either get vaccinated or get a regular COVID-19 test. President Joe Biden [has also called on the Occupational Safety and Health Administration to create an emergency rule](#) requiring vaccination or weekly testing in workplaces that would apply to public schools in 26 states with OSHA-approved safety plans. That rule has yet to be drafted.

The testing alternative offers a simple answer to some of these logistical questions: If teachers can’t or won’t get vaccinated for whatever reason, they have to test. But other places have taken a harder stance, requiring vaccinations for every educator except those with accepted medical or religious exemptions. Washington state and Oregon have imposed that mandate for teachers, as have several big-city school districts, including New York City, Los Angeles, Chicago, and Washington, D.C.

Most of those places have set the deadline for getting the shot in mid-October. Given the labor shortages districts are experiencing, some may be waiting to see what percentage of their staff get vaccinated by the deadline before making decisions about terminations.

“Are we going to let these teachers go in a time when we are struggling to find substitutes to even fill classrooms when teachers have to quarantine, in a time where there are shortages across the country in certain key subjects?” said Bradley Marianno, an assistant professor of educational policy and leadership at the University of Nevada, Las Vegas. Some districts, he added, may eventually back off their mandate.

The two national teachers’ unions, the American Federation of Teachers and the National Education Association, [have both come out in favor of](#) vaccine and testing requirements, although local union stances can differ.

[An AFT survey](#) that asked about different vaccination policies and was conducted in late August found that two-thirds of members support a requirement that all school employees be vaccinated unless they receive a medical or religious exemption. Nearly three-fourths support giving employees the option between getting vaccinated and taking weekly COVID-19 tests.

Districts must balance staffing realities with their desire to create as safe a school environment as possible, Dusseault said. Public health experts say that vaccines are a key component of keeping schools safe, alongside other safety measures, such as masking and good ventilation. The COVID-19 vaccines protect both recipients and those around them by reducing the spread of the coronavirus. Currently, no children under 12 are able to be vaccinated, although a vaccine for ages 5 and older could be approved by Halloween.

Nationally, 87 percent of teachers say they’ve been inoculated against COVID-19, and just 11 percent say they don’t intend to get the shot, according to a nationally representative survey by the EdWeek Research Center that was conducted in late July and early August. Still, vaccination rates vary widely by region.

[Educators are filing lawsuits against mandates](#)

Six workers in Oregon—including a school bus driver—[sued Gov. Kate Brown last week over the state’s mandate](#), arguing that since they already had COVID-19, they had natural antibodies and should not be compelled to receive the vaccine. The employees are represented by the Freedom Foundation, a conservative think tank based in the Pacific Northwest.

The lawsuit is seeking a temporary restraining order against Brown’s mandate, which has a deadline of Oct. 18. The state says unvaccinated school staff members will no longer be able to work at a school after that date, unless they have a documented medical or religious exemption, and a school could be fined \$500 per day if they break this rule.

The Oregon Health Authority [said in its guidance for schools](#) that “the risk of severe illness and death from COVID-19 outweighs the benefit of natural immunity,” and that the mandate—along with an indoor mask requirement—will decrease the likelihood of students being exposed to COVID-19 and maximize the possibility of in-person learning.

Jason Dudash, the director of the Freedom Foundation’s Oregon office, said many teachers are confused and angry, and there might be additional lawsuits against the vaccine mandate. He

knows of a teacher who filed for a religious exemption, citing his Catholic faith, but was denied because the district said the pope has advocated for the vaccine. That teacher is pursuing legal action, separate from the Freedom Foundation.

Religious, medical exemptions are a complicated question

The federal Civil Rights Act of 1964 says employers must make reasonable accommodations for employees who object to a work requirement because of their sincerely held religious beliefs or practices. Those religious beliefs do not have to adhere to religious groups' positions, [according to the U.S. Equal Employment Opportunity Commission](#), but they cannot be social or political philosophies or personal preferences.

School districts, like other employers, are now in the awkward position of determining who has a sincere religious belief and who is trying to dodge the vaccine rule. Some districts may err on the side of caution and grant most requests, while others will be more discerning.

Stephanie Edmonds, a 10th grade social studies teacher in New York City, said she has applied for a religious exemption. She's Jewish, and she said that vaccination goes against her "fundamental religious tenets and practices." Edmonds hasn't heard back yet on the status of her request, but she knows other people whose requests have been denied because their religious leaders have supported the vaccine—an argument she finds discriminatory.

"Your sincerely held religious beliefs don't necessarily have to align with some recognized established religious institution," she said, adding that even if she is granted an exemption, she doesn't think it would be fair for her to be re-assigned to a non-teaching job, which is the city's policy for those who can't get vaccinated.

Medical exemptions are another tricky area for districts to navigate. Public health experts say that legitimate permanent medical exemptions are rare, since there are three available vaccines in the United States with different ingredients. Individual doctors, however, may recommend their patient hold off on getting vaccinated for a variety of reasons.

In New York City, the United Federation of Teachers accused the city of refusing to negotiate medical accommodations—including for teachers with serious illnesses, such as cancer, or those recovering from organ transplants. An independent arbitrator ruled that teachers with certain medical conditions that prevent them from being vaccinated, either temporarily or permanently, must be offered a non-classroom work assignment.

Teachers who refuse to get vaccinated but don't receive an exemption will be offered a year of unpaid leave but will get to keep their medical insurance coverage.

The UFT and other public-employee unions also filed suit against the city, arguing that vaccination should not be a condition of employment. New York Supreme Court Judge Laurence Love initially issued a temporary restraining order on the vaccination mandate [but lifted it on](#) Sept. 22, clearing the way for the mandate to go into effect Sept. 27. A final decision on the lawsuit is expected early this week, but Love wrote that the unions will be "unable to establish a

likelihood of ultimate success on the merits” now that the city will give religious and medical exemptions.

Update 9/28: *After another temporary restraining order that prevented the mandate from going into effect on Sept. 27, a federal appeals panel gave the city the go-ahead. The mandate will now go into effect on Oct. 4, meaning all school employees will have to get the vaccine by the end of the week.*

Both the UFT and the city’s principals’ union had called for the city to delay the implementation of the vaccine mandate, arguing that it would leave schools severely understaffed.

The UFT caucus Teachers for Choice [filed another lawsuit](#) Sept. 21, arguing that the mandate is overbroad and will irreparably harm thousands of teachers through the loss of their employment and professional standing.

What happens to the teachers who won’t get the shot?

Edmonds, who is a member of Teachers for Choice (although she dropped her UFT membership in protest of how the union has handled the mandate), said she will not comply with the vaccine mandate, although she is still waiting for answers from the city about whether she’ll be able to apply for unemployment or get another job while on unpaid leave.

“I’m sure there are some people who will not be able to withstand that pressure and continue to not comply, but I know there are thousands of teachers who will not comply,” Edmonds said. “Experienced, tenured teachers, teachers who are certified in special education, who write IEPs, who work with special education—all these teachers will not have a livelihood and will not be able to do what they love, and students will be put into classrooms with inexperienced subs.”

As deadlines draw closer, CRPE’s Dusseault said districts across the country will have to decide how far they’re willing to go to enforce vaccination requirements.

And teachers’ unions must continue to strike the sometimes-difficult balance between advocating for their members’ safety and their preferences, experts say. Teachers losing their jobs goes against unions’ interests.

“Some would call upon unions to put a lot of public pressure on the small remaining amount of their members who have not been vaccinated—that’s not what unions do,” said Marianno, of the University of Nevada, Las Vegas. “They’re trying to appeal to those members and retain them.”

Madeline Will is a reporter for Education Week who covers the teaching profession.