

#### **#4 Frequently Asked Questions Regarding Educators and Coronavirus/COVID-19 – Work During School Closure**

##### **With schools closed due to the COVID-19 emergency, can teachers be required to report to work?**

Districts and schools should heed guidance from TDOE and seek assistance from community partners to make sure students are taken care of and fed during this national emergency.

Generally speaking, when schools are closed, teachers do not report. Closure of school systems in Tennessee coincided with President Trump's request that Americans avoid groups of more than 10. While many teachers will seek to assist their communities, mandates requesting entire faculties to report to schools when schools are closed should not be issued.

Under normal circumstances, during the school term, which is defined by state law and typically expressed as a district's approved school calendar, teachers are contractually obligated to perform their job-related duties as enumerated in state law, consistent with any individual written contract or memorandum of understanding (MOU) that may apply. See Tenn. Code Ann. §§ 49-5-201 (duties of a teacher) and 49-6-3004 (school term).

With that said, obviously the current closings reflect exigent circumstances making our response in this unique context more nuanced than it otherwise might be. Because teachers face the same sort of issues as other citizens during this time of crisis, they should consider their specific situations in light of current CDC, as well as state and local, guidance. In the instance of a directive to report during the closure, those at higher risk of infection due to age or underlying health condition and those with competing family responsibilities, such as caring for their own school-age children or disabled relatives, should discuss their concerns with their supervisors in an effort to reach an amicable resolution.

In the event member concerns cannot be resolved favorably, or if any member is subjected to discipline stemming from a directive to report, they should not hesitate to seek assistance from local leadership or their UniServ. Bottom line, if teachers are directed to report, it should be understood that the failure to do so could be viewed as an act of insubordination. Implicit within the definition of insubordination under the law is reasonableness. The thing asked of teachers should be reasonable. Teachers should not be forced to choose between heeding President Trump's and CDC recommendations and a directive by their school system.