

Fired Teachers Who Refused COVID Vaccine to Get Full Reinstatement and Back Pay

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Three Rhode Island teachers who were fired for refusing the COVID-19 vaccine have been offered their jobs back with full back pay after reaching a settlement with the school district.

Teachers Stephanie Hines, Brittany DiOrio, and Kerri Thurber were terminated from their positions in Barrington Public Schools after they had requested a religious exemption after the school mandated employees get the vaccine.

Last week, their attorney, Greg Piccirilli, and the school district said they had reached a settlement, allowing the teachers to return to their jobs. They are also each entitled to \$33,333 in damages along with their back pay. DiOrio will get \$150,000, Thurber will get \$128,000, and Hines will receive \$65,000 under the agreement.

"The three teachers have the opportunity to return to teaching positions within the Barrington School District should they choose to do so, at the steps they would have been at had they worked continuously," the Barrington Public Schools district said in a [statement](#) on May 11.

In a statement to the Boston Globe, Piccirilli said that his clients are "extremely gratified that they've been vindicated in their position," adding that he will get \$50,000 in attorneys fees as part of the settlement. "A lot of people were dismissive and skeptical of their claims at the time," he [told](#) the Boston Globe. "They went through a lot of personal trauma dealing with this. Their faith has gotten them through this."

Meanwhile, Barrington Public Schools [told](#) the Providence Journal that it reached the settlement because the litigation would likely put a drag on the school's resources and funding. It attempted to distance itself from its own vaccine mandate by claiming that it was dealing with the spread of COVID-19, although there is a growing body of evidence that shows the vaccines do not prevent the spread of the virus.

“Our district was navigating an unprecedented health pandemic and leaned on the important recommendations by the CDC and the Rhode Island Department of Health to ensure the safety of our students and school community,” the Barrington School Committee said Thursday, according to the outlet. “Our then-policy helped combat the pressing public health crisis of the time, while keeping schools open, and [was] one that nearly all faculty and staff adhered to.”

It added that “we determined this ongoing, expensive litigation” would likely continue for a lengthy period of time, and a resolution should be reached because the “administration’s time, and our district’s financial resources, should be spent on the daily work and mission of Barrington Public Schools ... our School Committee looks forward to continuing to support this important work.”

Details

The three were first placed on unpaid leave in late 2021 before they were fired in January 2022, according to statements made by the district and the teachers. During a hearing in Barrington in October 2021, DiOrio said that she “did nothing wrong.”

“I have done nothing wrong. This is destroying my future ability to earn a living,” she [said](#) of the mandate. “What makes me more of a threat now? Is this how a highly-rated school department treats its people?”

At the time, Sara Rapport, a lawyer representing the School Committee, said that the teachers were violating the school policy for not complying, adding that committees have the plenary authority over school interests. She said that the teachers’ decision not to get vaccinated pose a greater risk to students.

“Teachers have a right not to be vaccinated,” she said in late 2021. “But every decision has consequences. Religious beliefs do not override the health and safety of the community.”

It’s not clear if Thurber, Hines, or DiOrio will return to their previous teaching positions. During an interview with Legal Insurrection, Piccirilli said that the settlement should be seen as a victory for others who were fired because they refused to take COVID-19 vaccines.

“They’ve shown amazing resilience to stick by their faith. A lot of other people with similar situations have gone through this. And hopefully [this resolution] will serve as an example of how others should be vindicated the same way, for sticking up for what they believe in,” he said.

Last year, a Rhode Island Superior Court judge issued a ruling in favor of the three teachers who were fired, saying the district violated the state’s Open Meetings Act laws over their mandating the vaccine. The Barrington School Committee said after the ruling that officials disagree with the judge’s opinion.

“This case is not about whether mandating vaccinations is appropriate. Regardless of the significant political stance which the public may take for or against that issue, the issue here is whether the Barrington School Committee provided sufficient notice before enacting the Emergency Policy on COVID-19 Related Issues in August and September 2021. This Court finds that violations occurred,” Judge Jeffrey Lanphear wrote at the time.

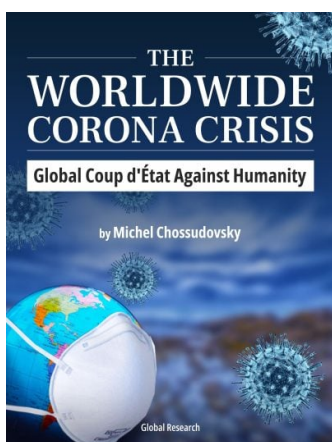
Piccirilli, meanwhile, has said that the school committee did not possess the legal authority to implement a vaccine mandate and asserted it didn't follow proper procedures in carrying it out. For example, he said that the district didn't advertise it correctly.

"It's shocking to me that the rule of law seems to have gone out the window in a lot of these situations," Piccirilli said in 2021, reported the Globe. "There's supposed to be a process."

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