



# UNITED INDEPENDENT SCHOOL DISTRICT AGENDA ACTION ITEM

**TOPIC:** Discussion and Possible Action Regarding a Resolution of the Board for Extension of District-Provided  
Emergency Paid Sick Leave for Eligible District Employees

**SUBMITTED BY:** Mr. David Garcia, Associate Superintendent **OF:** Human Resources Department

**APPROVED FOR TRANSMITTAL TO SCHOOL BOARD:** \_\_\_\_\_

**DATE ASSIGNED FOR BOARD CONSIDERATION:** January 13, 2022

**RECOMMENDATION:**

It is recommended that the Board of Trustees take action to approve resolution to continue paid leave benefits to employees affected by COVID after the expiration of the FFCRA on December 31, 2020.

**RATIONALE:**

**BUDGETARY INFORMATION:**

**BOARD POLICY REFERENCE AND COMPLIANCE:**

## **Resolution of the Board Regarding Extension of District-Provided Emergency Paid Sick Leave for Eligible District Employees**

**WHEREAS**, on March 13, 2020, the President of the United States issued a Proclamation Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak;

**WHEREAS**, on March 13, 2020, the Governor of Texas declared a state of disaster in Texas due to the spread of COVID-19 in Texas and has been renewed every month;

**WHEREAS**, the Texas Education Agency has issued multiple guidance public health planning guidance documents on the reopening of schools and protecting the health and safety of students, their families, school staff and the community at-large;

**WHEREAS**, the Families First Coronavirus Response Act (“FFRCA”) authorized temporary leave benefits and up to 80 hours of emergency paid sick leave (“EPSL”) for specified reasons related to COVID-19;

**WHEREAS**, the entitlement for EPSL under the FFRCA began on April 2, 2020 and expired on December 31, 2020;

**WHEREAS**, the United ISD Board of Trustees (“Board”) extended certain EPSL benefits through the end of the 2020-2021 school year and beginning of the 2021-2022 school year, which has now expired;

**WHEREAS**, the United ISD Board of Trustees (“Board”) has a substantial public interest in protecting the health and safety of its students, staff, and community and, finds that a need exists to provide certain EPSL benefits through the end of the 2022 calendar year, being December 31, 2022, the ability of all eligible full-time District employees that test positive for COVID-19 to avail themselves of up to 80 hours of emergency paid sick leave;

**WHEREAS**, the Board is authorized by Texas Education Code section 45.105 to expend funds of the United Independent School District for purposes necessary in the conduct of the public schools as determined by the Board; and

**WHEREAS**, the Board finds that the public purposes described above are fulfilled by efficiently and effectively making certain delegations, as described more fully herein, to the Superintendent to address this ever-changing emergency situation in the best interest of the health, safety, and well-being of its students, staff, community, and the citizenship at-large.

**IT IS THEREFORE RESOLVED BY THE UNITED INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES THAT:**

All the above recitals are adopted as findings of fact and are incorporated into and made a part of this resolution for all purposes. In furtherance of these public purposes, the Board of Trustees makes the following delegations to the Superintendent during the remaining 2022 calendar year:

1. The authority to determine that an “eligible” employee for purposes of this Resolution is a full-time employee that has been vaccinated against COVID-19, except that a full-time employee with a valid medical or religious exemption from receiving the COVID-19 vaccine as authorized by law will still be considered “eligible.
2. The authority to offer all eligible employees that tested positive for COVID-19 EPSL from January 1, 2022 through December 31, 2022 (“District EPSL”) for a maximum duration of 80 hours unless the Board takes action to authorize leave for a longer duration.
3. The authority to offer those eligible employees who have exhausted some or all of the EPSL that was provided under the FFRCA through December 31, 2020, an additional 80 hours of EPSL beginning January 1, 2022, and ending on December 31, 2022.
4. The authority to act in place of the Board under Policy DEC (Local) regarding modification of employee leave days and/or creating guidelines for changes regarding use of employee absences under District EPSL, including but not limited to determining compensation entitlements of any employee who uses District EPSL and the authority to determine the required documentation for District EPSL eligibility.
5. The authority to create and implement administrative regulations consistent with this resolution.

FURTHER, this resolution does not extend any other EPSL or Expanded FMLA provisions of the FFCRA, and the leave provided in this resolution will expire and be superseded in the event federal EPSL benefits become available or are extended by Congress.

**Adopted this 13<sup>th</sup> of January 2022, by the United ISD Board of Trustees.**

**APPROVED:**

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Ramiro Veliz, III  
Board President

**ATTEST:**

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Juan Roberto Ramirez  
Board Secretary