

Resolution of the Board Regarding District-Provided Emergency Paid Sick Leave for 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 (“FERCA”) authorized temporary leave benefits and up to 80 hours of emergency paid sick leave (“ESPL”) 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 Robstown 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 EPSL benefits from July 1, 2022 through the end of the 2022-2023 school year, being June 30, 2023, the ability of all eligible full-time District employees that test positive for COVID-19 to avail themselves up to five days of emergency paid sick leave;

WHEREAS, the Board is authorized by the Texas Education Code section 45.105 to expand funds of the Robstown 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 ROBSTOWN 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 2022-2023 school year:

1. The authority to determine that an “eligible” employee for purposes of this Resolution is a full-time employee that has fully been vaccinated against COVID-19, except that an employee with a valid medical or religious exemption from receiving the COVID-19 vaccine will still be considered “eligible”.
2. The authority to offer all eligible employees that test positive for COVID-19 EPSL through June 30, 2023 (“District EPSL”) for a maximum duration of five days 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, ten days of EPSL beginning August 1, 2021, and ending on June 30, 2022.
4. The authority to act in place of the Board under Policy DEC (LOCAL) regarding modifications 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 employees who use 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 provide any other EPSL or Expanded FMLA provisions of the FFCRA, and the leave provided in this resolution will expired and be expired in the event additional federal EPSL benefits become available or are extended by Congress.

Adopted this 18th day of July 2022, by the Robstown ISD Board of Trustees.

APPROVED:

Lori Ann Flores-Garza
Board President

ATTEST:

Cezar Martinez
Board Secretary