

**Resolution of the Board Regarding Extension of Time to Use
Emergency Paid Sick Leave for the 2020-2021 School Year**

WHEREAS, on March 13, 2020, the President of the United States issued a Proclamation on 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, on April 17, 2020, the Governor of Texas issued an Executive Order to Safely and Strategically Reopen Select Services and Activities in Texas;

WHEREAS, on April 27, 2020 the Governor of the State of Texas issued multiple executive orders reopening parts of the economy with limitations and adjusting the reopening plans for the State;

WHEREAS, the Texas Education Agency has issued multiple 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 Board and Administration are following advice and directives from federal, state and local authorities in responding to the COVID-19 pandemic;

WHEREAS, the Families First Coronavirus Response Act (“FFCRA”) authorized two temporary leave benefits, including expanded FMLA leave entitlement (“Expanded FMLA”) and up to 80 hours of emergency paid sick leave (“EPSL”) for specified reasons related to COVID-19;

WHEREAS, the entitlements under the FFCRA apply from April 2, 2020 through December 31, 2020;

WHEREAS, the 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 extend until the 2020-2021 school year, the ability of employees to avail themselves of up to 80 hours of EPSL; 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 SMITHVILLE 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 2020-2021 school year:

1. The authority, in the event the FFCRA authorization of EPSL is not extended by Congress, to continue to offer employees EPSL for the reasons as currently authorized in the FFCRA through the end of June 30, 2021 (“District EPSL”);
2. 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.
3. This resolution does not extend any Expanded FMLA provisions of the FFCRA. Therefore, if such benefits are not extended by Congress, they will cease on December 31, 2020.

The above Resolution is passed and adopted this 14th day of December 2020 by the Smithville ISD Board of Trustees.

APPROVED:

Board President

ATTEST:

Board Secretary