

**ROBSTOWN INDEPENDENT SCHOOL DISTRICT
AGENDA ACTION SHEET**

Date: January 19, 2021

Subject: Resolution of the Board Regarding Families First Coronavirus Response Act (FFCRA)

Administrator Responsible: Kelsey Cook

Position: Director of Human Resources/Public Relations

A. Purpose of Agenda Item:

Information Only

Action Needed

B. Authority for this Action:

Local Policy _____

Law or Rule _____

C. Strategic Objective, Goal, or Need Addressed:

D. Summary:

Due to the COVID-19 global pandemic, it is highly likely the employees may exhaust all available and accrued leave due to personal illness to care for a close family member with the illness, or due to the requirement to quarantine after close contact with an individual who has a lab-confirmed positive case of COVID-19. The provisions of the federal Families First Coronavirus Response Act (FFCRA) which authorizes additional Emergency Paid Sick Leave (EPSL) for certain qualifying events and circumstances expired December 31, 2020. We would like to provide a local extension of the EPSL provision through June 30, 2020.

E. Alternatives Considered:

F. Comments Received:

G. Administrative Recommendation: That the Board approve and adopt the Board Resolution regarding Families First Coronavirus Response Act (FFCRA).

H. Fiscal Impact and Cost:

I. Monitoring and Reporting Time Line:

Resolution of the Board Regarding Extended Emergency Paid Sick Leave for District Employees During COVID-19 Global Pandemic

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, the Texas Education Agency has issued multiple public health planning guidance documents on the reopening of schools and protecting the health and safety of students and 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 FFRCA began on April 2, 2020 and expired on December 31, 2020;

WHEREAS, some Robstown ISD ("District") employees exhausted some or all of the EPSL made available under the FFRCA;

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 extend EPSL benefits through the end of the 2020-2021 school year, the ability of eligible employees to avail themselves of 80 hours of emergency paid sick leave due to personal infection with COVID-19, to care for a close family member infected with COVID-19, or due to the requirement to quarantine after close contact with an individual who has a lab-confirmed infection of COVID-19;

WHEREAS, the Board has a substantial interest in protecting the health and safety of its students, staff, and community and finds that a need exists to make EPSL benefits not to exceed 80 hours available to all eligible District employees, including those employees who exhausted or partially exhausted EPSL benefits up through December 31, 2020;

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

WHEREAS, the District has always been and will remain committed to providing the best possible educational opportunities for its students while at the same time being good stewards of its resources;

NOW, THEREFORE, BE IT RESOLVED:

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, and that the District will continue to offer the District's eligible employees the current protections of EPSL for current qualifying events and circumstances authorized by the FFCRA through the end of the 2020-2021 school year, except that:

- a. Employees who have already exhausted available leave under the FFCRA will not be eligible for any additional leave time;
- b. No employee shall receive extended EPSL beyond the last day of the employee's 2020-2021 employment period;
- c. The extended EPSL provided in this resolution shall expire in the event that additional federal EPSL benefits become available or are extended by Congress;
- d. This resolution does not extend any Expanded FMLA provisions of the FFCRA; and
- e. In the event that Congress does not extend additional EPSL benefits before the end of the 2020-2021 school year, this authorization will expire no later than June 30, 2021, unless this authorization is revoked sooner or extended by the Board of Trustees.

BE IT FINALLY RESOLVED that the Superintendent of Schools is authorized by the Board to take such actions necessary and appropriate to implement the intent of this Resolution.

Adopted this _____ day of _____ January, 2021, by the Board of Trustees.

President, RISD Board of Trustees

Attested to:
Secretary, RISD Board of Trustees

Emergency Paid Sick Leave (EPSL)

- The Family First Coronavirus Response Act (FFCRA) requires public agencies of any size to offer **ten workdays of paid leave** to employees under the Emergency Paid Sick Leave Act (EPSL)
- EPSL covers two types of emergency paid sick leave:
 - Employee's own illness or quarantine, and
 - Employee is caring for another person who is sick or in quarantine, or a child whose school or daycare has closed.
- FFCRA and EPSL **expired December 31, 2020** should it not be extended by the United States Congress
- Consider a **local extension** to offer employees current protections of the EPSL through June 30, 2021.