

HICKMAN COUNTY BOARD OF EDUCATION
SPECIAL CALLED BOARD MEETING---January 27, 2021

The Hickman county Board of Education met on January 27, 2021, at 6:00 PM in Room 203 of the Central Office Building.

Call To Order

Moment of Silence

Pledge of Allegiance

Approval of Agenda

Items Requiring Board Action

Revised Board Policy 5.3051

Announcements

Adjourn

The Hickman County Board of Education will meet in a special called session on Wednesday, January 27, 2021, at 6:00 p.m. virtually through Zoom. Board members and public that cannot attend virtually can attend in person in Room 203 of the Central Office building.

<https://us02web.zoom.us/j/85822535014?pwd=QXF1UzZkLytDcDhmM25GVk94T1VHQQT09>

- I. Call to Order
- II. Moment of Silence
- III. Pledge of Allegiance
- IV. Approval of Agenda
- V. Items Requiring Board Action
 - A. Board Policy 5.3051--(request to suspend board policy 1.600 and approve on first reading)
- VI. Adjourn

Hickman County Board of Education

| | | | |
|--|---|-----------------------------------|------------------------------|
| | Descriptor Term: Extension of FFCRA Leave | Descriptor Code: 5.3051 | Issued Date: draft |
| | | Rescinds: 5.3051 | Issued: 10/05/20 |

1 *General*¹

2 The leave outlined in this policy will be extended to all employees who have not previously exhausted
3 FFCRA leave through March 31, 2021. The amount of leave available does not reset on January 1, 2021.

4 Employees should seek clarification from Human Resources if they have questions regarding the total
5 amount of leave and pay available to them.

6 **PAID SICK LEAVE**

7 Employees are entitled to up to two (2) weeks of paid sick leave if they are unable to work or telework
8 because the employee:²

- 9 1. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
- 10 2. has been advised by a health care provider to self-quarantine related to COVID-19;
- 11 12
- 13 3. is experiencing COVID-19 symptoms and is seeking a medical diagnosis;
- 14
- 15 4. is caring for an individual subject to or advised to quarantine or isolate due to COVID-19. The
16 individual must be someone with a personal relationship to the employee;
- 17
- 18 5. is caring for his/her son or daughter whose school or place of care is closed, or person who
19 regularly provides child care is unavailable, for reasons related to COVID-19 and no other
20 suitable person is available to care for the child during the requested period of leave. Son or
21 daughter is defined as a biological, adopted, or foster child, a stepchild, a legal ward, or a child
22 of a person standing *in loco parentis*, who is under 18 years of age; or 18 years of age or older
23 who is incapable of self-care because of a mental or physical disability; or
- 24
- 25 6. is experiencing any other substantially similar condition specified by the Secretary of Health
26 and Human Services, in consultation with the Secretaries of Labor and Treasury.

27 This paid leave may be taken if there is work available for the employee to complete and the employee
28 is unable to work or telework for one of the above reasons. Such leave is in addition to any paid leave
29 that an employee may already be entitled to (e.g. existing sick leave). Employees are not required to
30 exhaust any other paid leave benefit in order to utilize this new category of paid sick leave.

31 **EXPANDED FMLA LEAVE**

1 Full-time or part-time employees who have been on the payroll for thirty (30) calendar days prior to the
2 beginning of the leave are eligible for expanded FMLA leave (EFMLEA). This includes employees who
3 were laid off or terminated after March 1, 2020, who had worked for the district for at least thirty (30)
4 of the prior sixty (60) calendar days and were subsequently rehired or otherwise employed by the
5 district.³

6 An employee qualifies for EFMLEA leave if the employee is unable to work or telework due the need
7 to care for his/her son or daughter because of a school or child care facility closure or because the person
8 who regularly provides child care (i.e. this could include a family member or a neighbor) is unavailable
9 for reasons related to COVID-19.⁴ In these circumstances, a son or daughter is defined as a biological,
10 adopted, or foster child, a stepchild, a legal ward, or a child of a person standing *in loco parentis*, who
11 is under 18 years of age; or 18 years of age or older who is incapable of self-care because of a mental or
12 physical disability.

13 Qualifying employees may take twelve (12) weeks of EFMLEA leave.⁵ The amount of leave available
14 may be impacted by any prior use of FMLA.⁶

15 The first ten (10) days of EFMLEA leave shall be unpaid, however, an employee may choose to take
16 any existing leave benefit during this time. After ten (10) days, EFMLEA leave is paid at two-thirds
17 (2/3) the rate of the employee's regular rate of pay, unless he/she chooses to utilize accrued sick leave
18 or annual leave to cover those days or the amount is capped per federal law.⁷

Legal References

1. Families First Coronavirus Response Act, Pub. L. No. 116-127, §§ 3102, 5101, et seq, (2020)
2. 29 CFR § 826.20(a); 29 CFR § 826.21; 29 CFR § 826.30(a)
3. 29 CFR § 826.30(b); Coronavirus Aid, Relief, and Economic Security Act (CARES Act), § 3605 (2020)
4. 29 CFR § 826.20(b)
5. 29 CFR § 826.23
6. 29 CFR § 826.23(b); 29 CFR § 826.70
7. 29 CFR § 826.24

Cross References

Sick Leave 5.302
Family and Medical Leave 5.305

Hickman County Board of Education

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| Descriptor Term: <u>FFCRA LEAVE</u> Extension of <u>FFCRA Leave</u> | Descriptor Code: 5.3051 | Issued Date: 10/05/20draft |
| | Rescinds: 5.3051 | Issued: 05/04/2010/05/20 |

1 General¹

2 ~~Under the Families First Coronavirus Response Act (FFCRA), this policy will be in effect from April 1,~~
3 ~~2020 until December 31, 2020. The leave outlined in this policy will be extended to all employees who~~
4 ~~have not previously exhausted FFCRA leave through March 31, 2021. The amount of leave available~~
5 ~~does not reset on January 1, 2021.~~

6 ~~The Director of Schools/designee shall post notice of FFCRA requirements and create any necessary~~
7 ~~administrative procedures.~~ Employees should seek clarification from Human Resources if they have
8 questions regarding the total amount of leave and pay available to them.

9 PAID SICK LEAVE

10 Employees are entitled to up to two (2) weeks of paid sick leave if they are unable to work or telework
11 because the employee:²

- 12 1. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
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32 that an employee may already be entitled to (e.g. existing sick leave). Employees are not required to
33 exhaust any other paid leave benefit in order to utilize this new category of paid sick leave.

Commented [P1]: Could choose to title this policy as Extension of FFCRA Leave. That could help with clarity, if teachers are already familiar with that title and it would also perhaps reduce the need to go into detail about it in the first paragraph.

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3 beginning of the leave are eligible for expanded FMLA leave (EFMLEA). This includes employees who
4 were laid off or terminated after March 1, 2020, who had worked for the district for at least thirty (30)
5 of the prior sixty (60) calendar days and were subsequently rehired or otherwise employed by the
6 district.³

7 ~~Under the FFCRA,~~ an employee qualifies for EFMLEA leave if the employee is unable to work or
8 telework due the need to care for his/her son or daughter because of a school or child care facility closure
9 or because the person who regularly provides child care (i.e. this could include a family member or a
10 neighbor) is unavailable for reasons related to COVID-19.⁴ In these circumstances, a son or daughter is
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