What is Families First Coronavirus Response Act?

- Provides for Emergency Paid Sick Leave
- Provides for expanded Family Medical Leave under certain circumstances
Emergency Paid Sick Leave

- Employee Related
  - Up to 80 hours/10 days/2 weeks of paid sick leave at 100% of employee’s regular rate of pay (capped at $511 per day)
  - Qualifying reasons:
    - Employee is under Federal, State, and/or Local government quarantine/isolation order related to COVID
    - Employee has been advised by a healthcare provider to self-quarantine/isolate related to COVID
    - Employee is displaying symptoms of COVID and is seeking a medical diagnosis
Emergency Paid Sick Leave

- Caring for another individual that requires the employee’s care
  - Up to 80 hours/10 days/2 weeks of paid sick leave at 2/3 of employee’s regular rate of pay (capped at $200 per day)
  - Qualifying reasons:
    - To care for an individual who is under Federal, State, and/or Local government quarantine/isolation order related to COVID
    - To care for an individual who has been advised by a healthcare provider to self-quarantine/isolate related to COVID
    - To care for a child whose school or child care provider is closed due to COVID precautions
Expanded Family Medical Leave Act

- If an employee is unable to work or telework because their child’s school or child care facility is closed due to COVID, the employee would be eligible for up to 12 weeks of special FMLA.

- First 10 days are unpaid unless one of the following is applicable:
  - Employee is eligible for the Emergency Paid Sick Leave at $\frac{2}{3}$ pay
  - Accumulated leave is available

- Remaining 10 weeks is paid at $\frac{2}{3}$ of the employee’s regular rate of pay ($200 per day max)

- Employee is eligible after 30 days of employment

- All other FMLA rules apply (standard 12 weeks per rolling year)
Expanded Family Medical Leave Act Example

- Employee A has not used any FMLA in the prior 12 months and has been employed for at least 30 days.

- Employee A requests to be out to care for his/her child whose school is closed.

- Employee A would be eligible for up to 12 weeks of expanded FMLA, with the first 2 weeks unpaid, unless he/she uses accumulated leave.

- The remaining 10 weeks would be paid at ⅔ salary. Employee A could use accumulated leave to make up the difference.

- Employee B has used 4 weeks of FMLA in the prior 12 months due to a health issue.

- Employee B requests to be out to care for his/her child whose school is closed.

- Employee B would be eligible for up to 8 weeks of expanded FMLA, with the first 2 weeks unpaid, unless he/she uses accumulated leave.

- The remaining 6 weeks would be paid at ⅔ salary. Employee B could use accumulated leave to make up the difference.
Additional Information

- FFCRA is limited to one use. After the special leave is exhausted, accumulated leave must be used.
- FFCRA expires on Dec. 31, 2020
- Employees may use accumulated leave to cover the remaining ⅓ when an absence qualifies for the ⅔ paid leave.
- Documentation must be provided to validate the use of FFCRA leave.
Title IX Changes

Effective in August 14, 2020 and mandated training by Secretary DeVos

Title IX has made the following changes in procedures:

- The new Title IX will include a broader definition of sexual harassment
- Added protections for both the victim and the accused
- The manner in which the hearing process is conducted

Excellent article for summary:

Title IX Rule Details How k-12 Schools Must Address Sexual Harassment, Assault by Ed Week

The Good, the Bad, and the Ugly of Title IX for Colleges and Universities by Adams and Reese
Title IX Changes

- “Actual knowledge” defined as if any employee has notice of sexual harassment or allegations of sexual harassment and reports to an authority (they must know how to report and who to report to). Previously, schools “reasonably should” of been aware of harassment incidents.

- Now conduct an investigation with the presumption the respondent did not violate Title IX.

- Informal resolutions are only for student to student issues, not when an employee is involved.

BOTH sides must:

- Share evidence
- Have equitable treatment
- Be provided “supportive measures” (counseling or class modifications)
- Provided written notice with an equal opportunity to respond of allegations
- Have transparency, no longer confidentiality so not to restrict the ability to gather information
- Must be offered grievance process
Please review the new social media policy.

- This policy conveys if there is a nexus between a employees’ social media page and OSSD, they are acting as representatives of OSSD.
- Posts, likes and discussions are subject to the review of OSSD.
- Employees can be held to disciplinary actions for misconduct that could be disruptive to the educational environment.

GABBA Social Media Websites
Social Media Policy

When using social media/electronic communications, Ocean Springs School District (OSSD) employees are expected to serve as positive and appropriate role models for OSSD and students. It is vital that everyone utilizing social media maintain professionalism in their interactions with students and the community.

- Employees, faculty, and staff shall not post any data, documents, photos, or inappropriate information on any website or application that might result in a disruption of classroom or school environment. This determination will be made by the consultation with the employee and supervisor.
- Employees, faculty, and staff shall NEVER use their personal social media accounts in any way purporting to be or speaking for the OSSD.
- District employees should recognize that all social media activities, even those perceived as private in nature, may be visible to coworkers, students, parents, and other persons.
- Employees who associate themselves with OSSD and engage in social networking should be aware that their postings or comments could have an adverse effect on OSSD and require disciplinary action. This includes media postings or comments made off campus and outside of the school day. Social networking is subject to all of the policies and procedures in the OSSD Employee Handbook.
Social Media Policy

- Employees are not to disclose coworkers or supervisors personal or contact information. Nor should employees post photographs of coworkers or supervisors without their prior permission.
- No OSSD employee shall post, cause to be posted, or allow to be posted on any OSSD or school social media page or site any photograph, image, or likeness of any student without first verifying the OSSD has an appropriate signed release on file.
- Fraternization via the internet between employees, faculty, or staff and students is prohibited and in violation of standards of the Mississippi Educator Code of Ethics.
- Communications with both students and parents shall be done in person, over telephone, through standard mail, through email and/or a designated communication platform deemed by the Superintendent of Schools.

Violation of any of these policies may result in disciplinary action, up to and including termination.
Compliance

- **Evaluations** will only be done 1x this year due to the lifted requirement from MDE

- **Employee Acknowledgement (all staff)** after COVID training

- **Suicide Prevention Training** (all staff on 2 year cycle)
  - Certificates must be sent to your building administrators. Dated 2019+
  - [Certified link](#)-Making Educators Partners In Youth Suicide Prevention
    - Acts on Facts-National Version
  - [Classified link](#)- Jason’s Foundation-Youth Suicide “A Silent Epidemic”