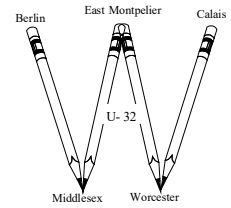


Washington Central Unified Union School District

WCUUSD exists to nurture and inspire in all students the passion, creativity and power to contribute to their local and global communities.

1130 Gallison Hill Road
Montpelier, VT 05602
Phone (802) 229-0553
Fax (802) 229-2761

Bryan Olkowski
Superintendent



Washington Central Unified Union School District Special Board Meeting Agenda

7.30.2020 6:00 PM – 8:30 PM

Virtual Meeting Information:

<https://tinyurl.com/y5tfqw5x>

Meeting ID: 961 5228 0709

Password: 485082

Dial by Your Location: 1- 929- 205- 6099

Open Meeting Law temporary changes as of 3/30/20: Boards are not required to designate a physical meeting location. Board members and staff are not required to be present at a designated meeting location.

**Our building will not be open for meetings.
All are welcome to attend virtually.**

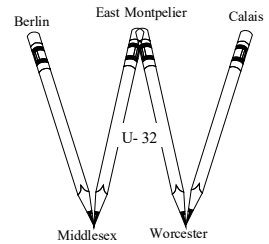
- | | | |
|-----|--|------------|
| 1.0 | Call to Order | 4 minutes |
| 2.0 | Welcome | 30 minutes |
| | 2.1. Reception of Guests | |
| | 2.2. Public Comments | |
| 3.0 | Review Staff Leave Procedures – pg. 2 | 60 minutes |
| 4.0 | Personnel (Action) | 10 minutes |
| | 4.1. Approve New Teachers, Resignations, Retirements, Leave of Absence and Change in FTE – pg. 8 | |
| 5.0 | Executive Session for Student Matter | 30 minutes |
| 6.0 | Adjourn | |

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Bryan Olkowski
Superintendent



MEMORANDUM

TO: WCUUSD School Board
FROM: Bryan Olkowski, Superintendent
DATE: July 27, 2020
RE: Return to Work and Leave Procedure

WCUUSD is looking at ways to support our teachers in their return school. The Leadership Team is prioritizing students in PreK-8 for a full return to school and using a hybrid model for students 9-12. We need to develop options to support our teachers and their families.

In addition to mandated state and federal statute for leave, I would like the board to consider the following local options during COVID-19.

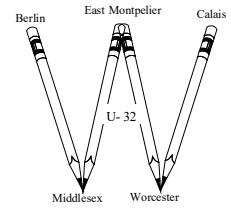
1. Allow WCUUSD teachers to enroll their children in our schools only if their child's school is doing remote learning or a remote learning hybrid.
2. Offer remote learning center(s) for teacher's children so that their children can attend their school remotely only if their child's school is doing remote learning or a remote learning hybrid.
3. Provide an independent auditor for leave request.
4. Provide discretionary leave for staff. Set a date for staff to submit discretionary leave requests. Set the number of discretionary leave requests the board will allow so as to not upset our schools and still meet the needs of our students. There may need to be a lottery for who will get the leave.

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Bryan Olkowski
Superintendent



Return to Work and Leave Information 2020-21 School Year

Employees are expected to work their scheduled work hours in order to receive payment for wages unless approved for paid leave under the Families First Coronavirus Response Act (as outlined below) or their employment contract. Applications and certifications supplied last school year, at the beginning of the school shutdown due to COVID-19, will need to be updated as they are no longer effective.

If you are unable to return to work to start the 2020-21 school year, please be sure to contact HR by _____, so that arrangements can be made for you and our students.

As always, any discussion about your health and health risks should start with a discussion with your doctor. Individuals who are at higher risk of severe illness from COVID-19 are encouraged to speak to their doctor about returning to work. The Vermont Department of Health and the Agency of Education have provided the following to help guide you:

“The following individuals might be at higher risk for severe illness from COVID-19. If you have staff members or teachers age 65 or older, or with serious underlying health conditions, encourage them to talk to their healthcare provider to assess their risk and to determine if they should avoid in-person contact in which physical distancing cannot be maintained. Based on what we know now, those at higher risk for severe illness from COVID-19 are:

- People 65 years and older
- People of all ages with underlying medical conditions, particularly if not well controlled, including:
 - People with chronic lung disease or moderate to severe asthma
 - People who have serious heart conditions
 - People who are immunocompromised, including those undergoing cancer treatment, bone marrow or organ transplantation, and those with immune deficiencies, poorly controlled HIV or AIDS, and prolonged use of corticosteroids and/or other immune weakening medications
 - People with severe obesity (body mass index [BMI] of 40 or higher)
 - People with diabetes
 - People with chronic kidney disease undergoing dialysis
 - People with liver disease”

The following options MAY be available to you with acceptable certification:

1. Paid leave under the Families First Coronavirus Response Act (FFCRA);

2. Job protected leave under the Family Medical Leave Act (FMLA) or VT Parental and Family Leave Law (VPFL) for those who qualify;
3. Available and appropriate personal paid leaves under contract;
4. Unpaid leave under the Americans with Disabilities Act as Amended (ADAA) for those who qualify; or
5. Unpaid leave of absence for a specific duration.

In addition to the leaves outlined above, other special considerations may be available to those at higher risk who are interested in returning to work. These considerations may include, but are not limited to:

1. Personal Protective Equipment (PPE) (e.g., N95 masks, face shields, body protection, protective barriers, gloves) to limit exposure.
2. Remote work may be considered if an employee can efficiently and effectively conduct all the essential functions of their job remotely.

Families First Coronavirus Relief Act

FFCRA creates two new emergency leave benefits for eligible employees:

- A. emergency paid family and medical leave; and
- B. emergency paid sick leave.

Key provisions of FFCRA are summarized below. These leave benefits are set to expire 12/31/20.

A. Emergency Family Medical Leave (EFML)

Qualifying Reason for Leave:

Employees who are unable to work (or telework) because they need to care for their child whose school is closed, or whose child care provider is unavailable because of COVID-19 or other similar public health emergency.

Eligibility: Available to employees who have been employed a minimum of 30 days

Duration: Up to 12 weeks.

Compensation and Benefits:

1. The first ten (10) days of EFML is unpaid, but employees may elect to substitute other paid leave benefits during this period (e.g., EPSL leave (below), paid vacation leave).
2. After the initial unpaid ten (10) day period, employees shall be paid two-thirds of their regular compensation, up to a maximum of \$200 per day or \$10,000 in the aggregate.
3. The FMLA's job protections apply to EFML.

Certification: Employees requesting EFML may be required to provide acceptable documentation to support the reason for leave.

B. Emergency Paid Sick Leave (EPSL)

Qualifying Reason for Leave:

1. The employee is subject to a federal, state, or local quarantine or isolation order due to COVID-19;
2. The employee has been advised by a healthcare provider to self-quarantine because of concerns related to COVID-19;
3. The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis;
4. The employee is caring for an individual who is quarantined or advised by a healthcare provider to self-quarantine;
5. The employee is caring for a son or daughter if the school or place of care for the child has been closed, or the child care provider is unavailable, because of COVID-19 precautions; or
6. The employee is experiencing any other, substantially similar condition, as specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and the Secretary of Labor.

Eligibility: All employees for immediate use, regardless of their length of employment.

Duration: Up to two weeks (or up to the average number of hours worked over a two-week period). There is no carry-over of leave allowed or payout of unused leave upon separation.

Compensation:

1. For reasons 1 - 4 above: Employees shall be paid their regular compensation, up to a maximum of \$511 per day.
2. For reasons 5 and 6 above: Employees shall be paid either two-thirds of their regular compensation or the minimum wage, whichever amount is greater, up to a maximum of \$200 per day.

Certification: Employees requesting EPSL may be required to provide acceptable documentation to support the need for leave. This certification may include, but is not limited to, medical certification, quarantine orders, notice from the childcare provider/school.

C. Other District Options

In addition to the mandated state and federal statutes for leave the WCUUSD school board will consider the following:

1. Allow WCUUSD teachers to enroll their children in our schools only if their child's school is doing remote learning or a remote learning hybrid.
2. Offer remote learning center(s) for teachers' children so that they can attend their school remotely only if their child's school is doing remote learning or a remote learning hybrid.
3. Provide an independent auditor for leave requests.
4. Provide discretionary leave for staff to submit request by _____. The board will set the number of leaves that will be provided as to not upset the school and still meet the needs of our students. This may need to be held be lottery.

Return to Work and Paid Leave Q&A

I am feeling anxious about returning to work, where can I get help?

It is not uncommon for anxiety and stress levels to increase during the pandemic and spike when schools reopen and people are in contact with potential COVID carriers. If you have a chronic condition or suffer from anxiety, you are encouraged to talk to your healthcare provider. You are also encouraged to contact Invest EAP for free counseling services and other resources to help you through this pandemic. EAP provides all employees and their family members with confidential, short-term counseling, assessment, and resource and referral information on a variety of life and work issues.

The contact information for Invest EAP is here (link).

What if I have more than one qualifying event under EPSL (e.g., I need to quarantine for 14 days, then later experience symptoms of COVID-19)?

Paid leave under EPSL is a total of up to two weeks combined for all qualifying events. However, employees may access their available and appropriate paid leaves under contract for any additional time needed with acceptable medical certification. Unpaid leave may also be considered.

If I choose to travel out of state to a location that requires me to quarantine for 14 days upon my return, can I access leave under EPSL during the quarantine period?

The District prohibits folks from non-essential travel out of state to locations that require them to quarantine upon return (for work or personal reasons) unless the person has been approved in advance to work remotely during the quarantine period. If you are not scheduled to work remotely during the period of quarantine and need to travel for essential reasons, please contact your supervisor and Human Resources to access leave under EPSL upon your return from travel. Please refer to the ACCD Cross State Travel Information from the Vermont Agency of Commerce.

Can I take leave under EFML intermittently if my child's school or childcare provider closes for short periods of time throughout the 2020-21 school year?

EFML can be used intermittently through 12/31/20. This means if your child's school or childcare provider is closed temporarily (or only open for a partial day) as a result of the health pandemic, EFML can be accessed for the period of time in which the school or childcare provider is closed through 12/30/20.

Once EFML and/or EPSL leaves are exhausted, can I access my available paid leaves under contract?

Once available EFML and/or EPSL are exhausted, employees may access their available paid leaves under their contract for the qualifying reasons as outlined below:

1. For reason 1 - 3 outlined under EPSL above, employees may be able to access their available vacation, personal, floating holidays or sick leave with acceptable medical certification.
2. For reason 4 - 6 outlined under EPSL above, employees may be able to access their available vacation, personal, floating holidays or family leave with acceptable certification. Sick leave cannot be accessed for these reasons.

If I exhaust my available EFML and/or EPSL leaves and my available and appropriate paid leaves under contract and still need additional leave, what are my options?

Depending on the circumstance, unpaid leave may be considered. Extended periods of unpaid leave may result in the loss of health and other insurances under the District's group plan. In this event, employees will be given the right to continue their health insurance coverage at their own expense under COBRA for up to 18 months.

Employees ordered to self-quarantine may also be eligible for unemployment insurance if the leave is unpaid.

If I access leave under EFML and/or EPSL, will this leave count against my annual 12 weeks of FMLA leave should I have a different FMLA qualifying event?

Any leave taken under EFML and/or EPSL shall be counted as FMLA leave for those who qualify. This means that if you use leave under EFML and/or EPSL, the leave you have available under FMLA during the same 12-month period will be reduced by the amount of leave taken if you have another qualifying event (e.g., birth/adoption of a child, serious health condition of yourself or a covered family member).

What do I do if I come down with COVID-19 symptoms?

You must not come to work if you are experiencing any of these symptoms: cough, fever, shortness of breath, chills, fatigue, muscle pain or body aches, headache, sore throat, loss of taste or smell, congestion or runny nose, nausea, vomiting or diarrhea.

Please be sure to contact your healthcare provider, report your absences to your supervisor, and contact Human Resources to determine appropriate leave use and other requirements. Medical certification shall be required for absences in excess of three consecutive days. You'll also need to follow the VT Department of Health self-isolation requirements.

What should I do if you come into close contact with someone who tested positive for COVID-19?

Please be sure to follow the VT Department of Health Guidance, which requires self quarantine for 14 days, or self quarantine for 7 days followed by a negative COVID-19 test result. Paid leave may be available under VPFL to cover the quarantine period. If you have exhausted your leave under VPFL, you may be able to access available and appropriate leaves under your contract.

What if I come into close contact with someone who is diagnosed with COVID-19 at work and have to quarantine? Will I still be paid?

If you come into close contact with someone who is diagnosed with COVID-19 during the performance of your work duties and you are required to quarantine, you may be assigned remote work duties during the period of quarantine. You will continue to be paid during this quarantine period whether or not remote work is available for you to complete. Any paid leave granted shall be applied against your available leave under VPFL, but will not count against your leaves under your contract.

What if I am approved for leave (paid or unpaid) and the District switches to remote instruction? Can I alter my leave request to work remotely?

No, once you have been approved for leave, whether paid or unpaid, you must continue your leave through the approved duration regardless of the phase of instruction we are in.

I was diagnosed with COVID-19 and believe I may have contracted it at work. What should I do?

If you are diagnosed with COVID-19 and believe you contracted it at work, please report this to your supervisor so a First Report can be completed and submitted to our workers compensation carrier. The District and/or their insurance carrier will make reasonable efforts to conduct an investigation into the claim. These reasonable efforts may include:

- Asking you questions about how you think your COVID-19 was contracted and why you think that.
- Making inquiries about your work and nonwork activities, and possible exposure, leading up to the diagnosis.
- Investigating your work environment to determine whether COVID-19 exposure was possible. This might include considering whether other employees in the work area have tested positive, your job duties and exposure to the public, and whether the work areas are crowded and do not facilitate social distancing.

I am a teacher and would like to continue to work remotely. Is this an option for me?

Since student management is an essential function of teaching, continuing to work remotely is not a reasonable accommodation unless all students you serve are also learning remotely.

Where can I find more information?

[CVSD COVID-19 information page](#)

[VT Department of Health page on COVID-19](#)

[VT Agency of Education page on COVID-19](#)

[CDC page on COVID-19](#)

[BC/BS COVID-19 resource page](#)

WCCUSD School Board
Superintendent Personnel Summary and Recommendations

July 30, 2020
(as of 7/28/2020)

1. **New Teacher Nominations** (for 20-21 school year).

Sandra Wetzel - WCUUSD Special Education - Berlin

Recommend Approval

2. **Retirement** (effective June 30, 2021)

Recommend Approval

3. **Resignations** (effective June 30, 2021)

Recommend Approval

4. **Leave of Absence Request** (One year for 20-21 school year)

Recommend Approval

5. **Change in FTE**

Recommend Approval