



Bullitt County Public Schools

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TO: Dr. Jesse Bacon, Superintendent *JB*
Mrs. Adrienne Usher, Assistant Superintendent

FROM: Althea Hurt, Director of Human Resources *AH*

DATE: September 15, 2021

RE: Item for the September Board Meeting - COVID Sick Leave Days

Attached is a Resolution for COVID Sick Leave for eligible employees who become COVID positive. This Resolution includes up to 10 COVID Sick days, in addition to the Quarantine Leave days. The Resolution has been reviewed by Board Counsel Eric Farris. It will be retroactive to August 10, 2021.

Attachment: COVID Sick Leave Resolution

- DRAFT -
9-14-2021

**BOARD OF EDUCATION OF BULLITT COUNTY
RESOLUTION RELATED TO ADDITIONAL DAYS
OF SICK LEAVE DUE TO A POSITIVE COVID-19 TEST**

- Wayne Young
KSHem
Chat + Chew
- sent email to
smc

SEPTEMBER 27, 2021

WHEREAS, KRS 161.155 provides: Each district board of education shall allow to each teacher and full-time employee in its common school system **not less than ten (10) days of sick leave** during each school year, without deduction of salary.

And

WHEREAS, KRS 160.291 provides:

Gross Salary payments under subsection (1) of this section need not, but may, include pay for extra duties or services. Payment for extra duties or services must be paid pursuant to a payment plan adopted by the board of education prior to the beginning of the school year. **The board of education may also adopt a plan for providing a program of fringe benefits to its employees.**

All payments made for salaries, extra duties, and fringe benefits by the board of education under the authority of this section are deemed to be for services rendered and for the benefit of the common schools; the payments do not affect the eligibility of any school system to participate in the public school fund as established in KRS Chapter 157. Nor shall any individual board member or administrator be held liable where additional payments for such service become necessary. Provided, however, that nothing in this section authorizes or requires the payment of salaries to personnel when schools are closed as a result of a strike or other work stoppage or when schools are open and personnel fail to render services. No part of this section shall be law if any part is declared unconstitutional.

And

WHEREAS, the Bullitt County Board of Education has deemed it necessary to provide an equitable method for its school employees to receive additional sick leave (hereinafter referred to as "COVID Leave"), with appropriate restrictions, during this pandemic period of heightened COVID-19 positivity rate and infection among BCPS employees;

NOW THEREFORE, the Bullitt County Board of Education ("BCBE") RESOLVES as follows:

1. During the 2021-22 school year, or until further action amending or rescinding this Resolution, each eligible person employed as a full or part-time employee in the Bullitt County Public Schools (BCPS) shall be provided up to ten (10) additional days of COVID Leave.
2. In order to be eligible for COVID Leave, the employee shall:
 - (a) Have received a COVID-19 vaccination prior to a positive COVID test, present a statement from a treating medical professional that a disability prevents the employee from taking the COVID-19 vaccine, or is prevented from taking the COVID-19 vaccination based on a sincerely held religious belief*, and
 - (b) Produce evidence of a positive test for COVID-19, including any of its variants.

3. COVID Leave shall only be used when the employee him/herself receives a positive COVID-19 test.
4. COVID Leave may be used in addition to Quarantine Leave.
5. This resolution shall be retroactive to August 10, 2021.

SO RESOLVED this 27th day of September, 2021.

Deborah Atherton, Board Chair

ATTEST:

Dr. Jesse Bacon, Secretary/Superintendent

*If applicable, a BCPS employee may contact the Human Resources Department to secure a form for signature and return