

Adopted: April 12, 2020

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Modified:

Employee Compensation During School Closure & Extraordinary Circumstances

The Board of Education may formally enact this policy and these procedures during school closures, extraordinary circumstances, and emergency situations. The Board of Education shall make a formal declaration through a Board resolution to enact the provisions of this policy and these procedures.

The Board may authorize compensation to employees during school closure and other *temporary* extraordinary circumstances--even though employees may not be able to perform work under the extraordinary circumstances in exchange for compensation.

The Board may enact this policy and these procedures retroactively at the Board's discretion.

Criteria for Emergency Compensation during School Closure-

All of the following criteria must be met before emergency compensation during school closure or extraordinary circumstances can occur:

- All reasonable alternatives have been explored and exhausted for gainful employment and work in relation to the employee's current position(s).
- The District and the employee intend to continue employment to the end of the school year, after the school closure, or after the extraordinary conditions.
- The employee has completed all possible training and professional development opportunities that are available online or through self-directed opportunities.
- There are no other reasonable work opportunities, as determined by the employee's supervisor, available--including work opportunities in other programs.

Management Plan and Schedule-

The employee and supervisor shall create a management plan and schedule that articulates planned work time and planned emergency compensation time through the covered time period. The management plan and schedule shall be signed by all of the following:

- The employee
- The employee's supervisor
- The Superintendent (or designee)

Compensation Expenditures Charged to Federal and State Grant Programs-

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Compensation related expenditures for employees who qualify for emergency compensation in relation to this policy and these procedures shall be charged to the employee's regular position and program. This includes compensation related expenditures for Federal and State grants and programs.

Only normal time associated with each program shall be charged to each program. This time shall be validated by a compensation agreement and/or actual work time trends that occurred before the school closure or extraordinary circumstances.

Compensation shall be calculated based upon the employee's work contract before the school closure or extraordinary circumstances occurred. Compensation shall also be calculated based upon the employee's regular wage rate or salary.

Maximum Compensation-

Compensation may not exceed the maximum amounts allowed in the agreed upon employment compensation agreement.

Example: If a paraprofessional agreed to a compensation agreement of 711 hours for the entire school year, compensation may not exceed 711 hours for the entire school year.

Example: If a paraprofessional agreed to a compensation agreement of 3.95 hours per day, compensation may not exceed 3.95 hours per day.

Example: If a paraeducator paid for by 100% of IDEA funds were on a 3-1/2 hour per day schedule and worked one hour in the interest of that program and students within that program during this situation, the paraeducator may be paid the full 3-1/2 hours from IDEA. The paraeducator may not be paid for additional time beyond the one hour s/he worked using this funding source if s/he worked in another open program. Time worked in another program must be charged to the other program.

Example: If a paraeducator that is paid from state special education funds and s/he was working a 3-1/2 work schedule and works only one hour, the paraeducator may be paid the full amount of their schedule as long as their one hour of work was in the interest of the program and individual students within the program. Time worked in another program must be charged to the other program.

Superintendent Report to the Board of Education-

The Superintendent shall provide a report to the Board of Education. The report shall include a list of all employees receiving paid time off under this policy and these procedures.

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References-

- [Fact Sheet - Department of Education](#)
- [USB E Guidance - Email](#)
- Deseret News: [Utah K-12 school buildings closed to students for rest of academic year](#)

Utah State Board of Education:

- [Extended School "Soft Closure" Frequently Asked Questions \(FAQs\)](#)
- [Coronavirus \(COVID-19\) Information and Resources](#)