

## Frequently Asked Questions #3 Regarding Educators and Coronavirus/COVID-19- ESP salaries

### ***Will support professionals be paid during school closures?***

Now is the time that we must act in solidarity with each other and advocate for doing what is right and just. While educators have more statutory protections regarding pay, school support professionals should also be paid during these uncertain times. COVID -19 should not cause school systems to suffer a loss of BEP funding.

#### **UPDATED**

**[HB 2818 passed on 3-19-20](#) makes funding BEP mandatory.**

(9) The suspension of the operation of schools in an LEA during the 2019-2020 school year will not operate to deprive the LEA of state funds to which the LEA would be entitled if the LEA otherwise meets the requirements of law. Generally under present law, whenever the operation of schools in any LEA is suspended by reason of epidemic, natural disaster or other justifiable cause, if so determined by the state board upon the written petition of the board, the suspension does not operate to deprive the LEA of state funds to which it would be entitled, if the LEA otherwise meets the requirements of law. This amendment specifies that the suspension of the operation of schools in 2019-2020 does not require such a petition for a determination of an epidemic, natural disaster, or for other justifiable cause before an LEA may receive state funds under the BEP. This amendment declares that justifiable cause exists for the 2019-2020 school year;

Under Tennessee law, the length of the school term shall not affect the amount or timing of payments made to the district under the BEP if the district operates for a full term. A Director of Schools may request the Tennessee Commissioner of Education to waive term requirements because of a serious outbreak of illness. See *Tenn. Code Ann. §49-6-3004(g)*.

Under its existing budget, a school system should be able to continue its pay for support professionals. Local educators should join with professional support personnel and advocate for the Tennessee Commissioner of Education to waive term requirements due to COVID-19 in order to maintain funding under the BEP.