

119TH CONGRESS
1ST SESSION

H. R. 5222

To establish eligibility requirements for covered educational employees under the Family and Medical Leave Act of 1993, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 9, 2025

Mr. CASTEN (for himself, Ms. PINGREE, Mr. QUIGLEY, Mrs. CHERFILUS-McCORMICK, Mr. GARCÍA of Illinois, Ms. VELÁZQUEZ, Ms. BUDZINSKI, Ms. TLAIB, Mr. DELUZIO, Ms. BONAMICI, Mr. MULLIN, Ms. SIMON, Ms. WILLIAMS of Georgia, Ms. BARRAGÁN, Ms. DELAURO, Ms. CHU, Ms. TITUS, Ms. LEE of Pennsylvania, Ms. CLARKE of New York, Mr. LYNCH, Ms. SCHAKOWSKY, Mr. GOTTHEIMER, Mr. EVANS of Pennsylvania, Mr. FITZPATRICK, Ms. PEREZ, Mr. MCGOVERN, Ms. SEWELL, Mr. DESAULNIER, Ms. CRAIG, Mr. KEATING, Mr. MAGAZINER, Mrs. HAYES, Ms. DELBENE, Mr. SORENSEN, and Mr. CARSON) introduced the following bill; which was referred to the Committee on Education and Workforce, and in addition to the Committees on Oversight and Government Reform, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish eligibility requirements for covered educational employees under the Family and Medical Leave Act of 1993, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “ESP, Paraprofessional,
3 and Education Support Staff Family Leave Act”.

4 **SEC. 2. ELIGIBILITY FOR EDUCATION SUPPORT PROFES-**
5 **SIONALS AND SCHOOL SUPPORT STAFF.**

6 Section 101(2) of the Family and Medical Leave Act
7 of 1993 (29 U.S.C. 2611(2)) is amended by adding at the
8 end the following:

9 “(F) PARAPROFESSIONALS AND EDU-
10 CATION SUPPORT STAFF.—

11 “(i) DETERMINATION.—For purposes
12 of determining whether a covered edu-
13 cational employee meets the hours of serv-
14 ice requirement specified in subparagraph
15 (A)(ii), the covered educational employee
16 will be considered to meet the requirement
17 if the employee has worked a number of
18 hours equal to not less than 60 percent of
19 the applicable total monthly hours expected
20 for the employee’s job description and du-
21 ties, as assigned for the previous school
22 year.

23 “(ii) FILE.—Each employer of a cov-
24 ered educational employee shall maintain
25 on file with the Secretary (in accordance
26 with such regulations as the Secretary may

1 prescribe) information specifying the total
2 monthly hours expected for the employee's
3 job description and duties for each school
4 year.

5 “(iii) DEFINITIONS.—In this subpara-
6 graph:

7 “(I) COVERED EDUCATIONAL EM-
8 PLOYEE.—The term ‘covered edu-
9 cational employee’ means a ‘para-
10 professional’ or an ‘education support
11 staff member’ employed by an edu-
12 cational agency or institution.

13 “(II) PARAPROFESSIONAL.—The
14 term ‘paraprofessional’ has the mean-
15 ing given the term in section
16 8101(37) of the Elementary and Sec-
17 ondary Education Act of 1965 (20
18 U.S.C. 7801(37)).

19 “(III) EDUCATION SUPPORT
20 STAFF.—The term ‘education support
21 staff member’ (also known as a ‘clas-
22 sified school employee’, ‘education
23 support professional’, or ‘ESP’)
24 means an employee of an educational
25 agency or institution who provides

1 clerical and administrative services,
2 transportation services, food and nu-
3 trition services, custodial and mainte-
4 nance services, health and student
5 services, technical services, or services
6 related to skilled trades.

7 “(IV) EDUCATIONAL AGENCY OR
8 INSTITUTION.—The term ‘educational
9 agency or institution’ has the meaning
10 given the term in section 444(a)(3) of
11 the General Education Provisions Act
12 (20 U.S.C. 1232g(a)(3)).”.

13 **SEC. 3. ENTITLEMENT TO LEAVE.**

14 Section 102(a) of the Family and Medical Leave Act
15 of 1993 (29 U.S.C. 2612(a)) is amended by adding at the
16 end the following:

17 “(6) CALCULATION OF LEAVE FOR COVERED
18 EDUCATIONAL EMPLOYEES.—The Secretary shall
19 provide methods for calculating the leave described
20 in paragraph (1) with respect to covered educational
21 employees, in accordance with section 108, as appli-
22 cable.”.

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