

POLICY 1.44

SECTION II – Sick Leave Sharing Policy

Sick leave days may be donated from one District employee to another within the following guidelines:

A. Permission to receive donations will be granted only for a District employee who is pregnant or recovering from childbirth or who is suffering from or has a relative or household member suffering from an extraordinary or severe illness, injury, impairment, or physical or mental condition that has caused or will cause the employee to exhaust all accumulated sick leave earned pursuant to Title Seventy, Section 6-104 of the Oklahoma Statutes and that has caused or is likely to cause the employee to take leave without pay or to terminate employment, as determined by the Board of Education.

B. For purpose of this policy, the following definitions apply: “*Relative of the employee*” means a father, mother, brother, sister, spouse, child, stepchild, grandchild, grandparent, stepparent, aunt, uncle, niece, nephew, or cousin and corresponding in-laws. “*Household Members*” means those persons who reside in the same home, who have reciprocal duties to and do provide financial support for one another, including foster children and legal wards, even if they do not live in the household. This term does not include persons sharing the same general house, when the living style is primarily that of a dormitory or commune. “*Severe*” or “*extraordinary*” means serious, extreme or life threatening, including temporary disability resulting from pregnancy, miscarriage, childbirth and recovery there from: “*District employee*” means a teacher or any full-time employee of the School District. Whether an employee is a “full-time employee of the School District” will be determined by the standard period of labor which is customarily understood to constitute full-time employment for the type of service performed by the employee and who is employed a minimum of one hundred seventy-two days.

C. The request for permission to receive donations must be in writing and may be presented to the Superintendent by the District employee or another employee (acting with the affected employee’s permission) in his or her behalf **at least fifteen (15) days from within the time that the donee’s own sick leave will be exhausted.** The Superintendent will determine that the employee meets the criteria described in this policy and the employee has followed district policies regarding the use of sick leave. The Superintendent may require the employee to submit a medical certificate from a licensed physician or health care practitioner verifying the severe or extraordinary nature and expected duration of the condition.

D. A donee may not use any donated sick leave until his or her own sick leave earned pursuant to Title 70, Section 6-104 of the Oklahoma Statutes has been exhausted. The donee may use donated sick leave only for the purposes specified in this policy.

E. Donated sick leave will be paid at the daily rate of the donee, not the donor. The sick leave received by the donee will be designated as donated sick leave and will be maintained separately from all other sick leave balances.

F. Donated sick leave becomes the property of the donee.

G. The maximum total number of days that may be received as donations are limited to twenty (20) days per request **and 120 per lifetime employment with Eufaula Public Schools**. Donations may be made only during the fiscal year (July 1 – June 30) in which the employee is determined to be eligible to receive donations.

H. Any employee may donate only days that are earned and accumulated. The donor may donate any amount of sick leave provided the donation does not cause his or her sick leave balance to fall below one hundred and twenty (120) hours or fifteen (15) days.

I. Any contribution of sick leave by one employee to another is strictly voluntary. No employee shall be coerced, threatened, intimidated or financially induced into donating sick leave under this policy. Each contribution of sick leave must be confirmed in writing by the donor to the Office of the Superintendent.

J. Donated sick leave is transferable between employees of different school districts in the state with the agreement of both boards of education of each school district.

SECTION III - Sick Leave Bank

PURPOSE:

To provide a bank of sick leave days from which members may draw in case of catastrophic and/or extended illness. Members shall include all teaching, administrative and support personnel.

MEMBERSHIP:

A. The Board of Education will cooperate in the establishment of a sick leave bank on a voluntary basis.

B. Each employee will be assessed one day of his sick leave upon his/her initial enrollment in the Sick Leave Bank. Assessment of one day per year of a member's sick leave will be continued until the bank is built up to a minimum of 200 days. No more days will be added except from new enrollees until the bank is depleted to below 200.

C. When the sick leave bank total falls below the minimum 200 days, each member will be assessed one day. This assessment will be made at the time of enrollment of sick leave bank members, that being within thirty (30) days of the beginning of the next school year.

D. A person withdrawing from membership in the bank will not be able to withdraw contributed days.

E. Only those employees participating in the sick leave bank will be eligible to withdraw days, and then only after his/her own sick leave is used.

F. Days contributed or assessed become the property of the sick leave bank and no longer count toward the individual member's current or accumulated sick leave. Days contributed will remain in the bank until used.

G. Persons withdrawing sick leave days from the bank will not have to replace these days except as a regular contributing member to the bank.

H. Contributions and/or assessments to the sick leave bank shall not affect incentive pay or accumulated sick leave calculated for retirement.

REGULATIONS:

A. An employee may request to borrow sick leave from the sick leave bank for a catastrophic and/or extended illness or for major surgery for the employee or employee's spouse, children, grandchildren or parents requiring a lengthy convalescence. This request must be accompanied by certification from a doctor that the illness is life threatening and of the nature to warrant the term catastrophic or extended.

B. A committee/panel that is representative of the membership of the sick leave bank shall oversee the administration of the sick leave bank. This committee shall be comprised of one member from the middle school, two members from the high school, elementary school and support staff at large, **and one member of the administration who is appointed by the superintendent.**

C. Terms of membership on the panel shall be for three years. Rotating terms will be established to avoid all new members on the panel at one time. The rotation will be as follows:

High School #1 and Support Personnel #1 2012
Eufaula Elementary #2 and Middle School 2013
Eufaula Elementary #1, Support Personnel #2, High School #2 2014
(insert member of administration into this rotation)

D. This committee shall oversee the record keeping of the days contributed and/or assessed by the members.

E. This committee shall review all requests for withdrawal of days from the sick leave bank.

F. This committee shall determine the number of days to be granted from the sick leave bank, **not to exceed 120 days per lifetime of employment with Eufaula Public Schools.**

G. This committee shall reserve the right to request a second doctor's opinion in certain instances.

H. Employee requesting days from this bank shall sign a Release Of Medical Records allowing committee members to have access to any documents provided to this committee to assist in making decisions related to sick leave bank requests.

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