

**OKTAHA PUBLIC SCHOOL
SICK LEAVE SHARING BANK**

This policy is established pursuant to Title 70, Section 6-104.6 of the Oklahoma Statutes. A sick leave sharing bank (the "Bank") for all full-time school district employees consisting of sick leave days donated by any school district employee will be created under the following guidelines:

1. Permission to receive donations will be granted only for a school district employee (a) 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 (b) that has caused or will cause the employee to exhaust all accumulated sick leave earned pursuant to Title 70, Section 6-104 of the Oklahoma Statutes and (c) that has caused or is likely to cause the employee to take leave without pay or to terminate employment.
2. Pursuant to authorization of the board of education, the Bank will be administered by a committee (the "Committee") consisting of three (3) administrators appointed by the superintendent and may include the superintendent. Vacancies on the Committee shall immediately be filled in the same manner. Committee members shall serve for one fiscal year and shall be appointed no later than September 1 of each year. The Committee shall elect a chairperson from its members.
3. For purposes of this policy, the following definitions apply:
 - "Relative of the employee" means a spouse, child, stepchild, grandchild, grandparent, stepparent or parent of the employee.
 - "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 merely sharing the same general house.
 - "Severe" or "extraordinary" means serious, extreme or life-threatening, including temporary disability resulting from pregnancy, miscarriage, childbirth and recovery therefrom.
 - "School district employee" means any employee of the school district.
 - "Full-time employee" means a full-time employee of the school district as determined by the standard period of labor which is customarily understood to constitute full-time employment for the type of services performed by the employee and who is employed a minimum of one hundred seventy-two (172) work days.

4. An employee's request for permission to receive sick leave donations from the Bank must be made to the Committee Chairperson, in writing, and may be presented to the Committee Chairperson by the employee or another employee (acting with the affected employee's permission) in his or her behalf. The Committee will meet and make a determination by a majority vote of the Committee members present and voting as to whether: (a) the employee is eligible to receive sick leave days from the Bank and (b) the total number of sick leave days to be given to the employee from the Bank. At least two Committee members must be present in order for the Committee to act. A school district employee may be eligible to receive sick leave donations from the Bank if the Committee determines that the employee meets the criteria described in this policy and the employee has followed school district policies regarding the use of sick leave. To allow the Committee to determine whether the employee meets the criteria described in this policy, the employee may be required to first submit a medical certificate from a licensed physician or health care practitioner verifying the severe or extraordinary nature and expected duration of the condition. Within five (5) business days of the Committee's approval of a school district employee to receive sick leave day donations from the Bank, the Committee Chairperson shall notify the superintendent of the name of the employee and the number of sick leave days authorized by the Committee to be received by the employee from the Bank. If approval is denied, the Committee Chairperson shall notify the superintendent of that fact. The superintendent shall notify any requesting employee of the Committee's approval or denial of his/her request. On or before December 31 and June 1 of each fiscal year the Committee Chairperson shall notify the superintendent of the number of sick leave days in the Bank as of the date of the report.
5. Employees shall have an opportunity to donate days to the Bank at the end of each school year during a week designated by the superintendent. Any time the total number of days in the Bank falls below 50 days, the superintendent is authorized to notify employees of the depletion of days in the Bank and invite donations to the Bank. An invitation to donate days shall also be issued if an employee has submitted a request for sick leave withdrawal from the Bank and the Committee has approved days but there are insufficient days in the Bank to meet an approved request. If there are no days in the Bank and the invitation to donate does not result in a sufficient number of days to meet an employee request, the employee will be limited to receiving the number of days available in the Bank. The district will not provide additional days if there are insufficient days in the Bank to meet a request for donation.
6. An employee may not request any sick leave from the Bank until his or her own sick leave earned pursuant to Title 70, Section 6-104 of the Oklahoma Statutes has been exhausted or is within fifteen (15) calendar days of full

exhaustion. An employee may use donated sick leave only for the purposes specified in this policy.

7. Sick leave received from the Bank will be paid at the daily rate of the receiving employee. The sick leave received by an employee from the Bank will be designated as donated sick leave and will be maintained separately from all other sick leave balances.
8. Sick leave donated to the Bank by any employee becomes the property of the Bank and may no longer be counted by the donor employee toward current or accumulated sick leave and the employee cannot reclaim donated sick leave in the future. Sick leave days donated will remain in the Bank until exhausted.
9. The maximum total number of sick leave days that may be received from the Bank by any employee is **one hundred (100)** during his/her total employment. Any employee who believes that he or she has been wrongly denied leave from the Bank may appeal the denial of leave to the board of education but the appeal must be filed within ten (10) business days of the employee's receipt of written notice of the denial. If no appeal is filed with the board clerk within the time provided the decision of the Committee is a final decision and any appeal to the board is waived.
10. An employee may donate to the Bank only sick leave days that are earned and accumulated. An employee may donate any amount of sick leave provided the donation does not cause his/her sick leave balance to fall below **10 days** or its equivalent number of hours. District employees may not donate leave that the donor would not be able to otherwise take.
11. Any donation of sick leave days by an employee to the Bank is strictly voluntary. No employee shall be coerced, threatened, intimidated or financially induced into donating sick leave under this policy. A contribution of sick leave to the Bank must be confirmed, in writing, by the Committee Chairperson to the superintendent within five (5) business days of the date of the donation stating the name of the donor employee and the number of sick leave days donated to the Bank. The number of sick leave days of the donor employee shall be appropriately reduced in the school district's records by the donated amount.
12. Employees may not use sick leave from the Bank related to a work related injury or illness.

Adopted this 12th day of March, 2018

James Murr, President
Oktaha Board of Education