

**LEAVE SHARING BANK
(REGULATION)**

The board of education has established a leave sharing bank for the purpose of permitting district employees to voluntarily transfer some of their sick leave to a common fund for the purpose of benefiting other employees who may be stricken with an extraordinary or severe illness or accident and who may need additional sick leave due to such illness or accident. Participation in the leave sharing bank must comply with 70 O.S. §6-104.6. The following shall also apply:

Creation and Administration of the Leave Sharing Bank

1. Employees will be notified of the existence of the leave sharing bank, and the requirements for membership, upon their hiring. Employees may join the leave sharing bank at any time during their employment with the school district, provided that the employee donates all days that would have been required for membership if that employee had joined the bank upon his/her initial employment with the school district.
2. Participation by district employees in the leave sharing bank will be voluntary. Participating employees will be assessed one day of sick leave immediately upon the creation of the leave sharing bank. Employees who wish to participate in the leave sharing bank must notify the superintendent in writing. Employees not participating in the leave sharing bank will not be entitled to receive benefits from the leave sharing bank.
3. The minimum number of sick leave days in the leave sharing bank at any time shall be _____. When the number of days in the bank falls below _____, each participating employee will be assessed one additional day from his or her sick leave. However, employees shall not be assessed more than one day of his or her sick leave during any given school year.
4. The maximum number of sick leave days in the bank at any given time shall be _____.
5. Each employee may donate up to _____ additional days to the leave sharing bank in May of each year; provided, however, that if the number of sick leave days already assigned to the leave sharing bank will not permit each employee to donate the maximum number desired by the employees, then such donations shall be taken in alphabetical order.
6. A member may withdraw membership from the leave sharing bank at any time, but may not withdraw previously donated days. All donated days shall become the property of the leave sharing bank.

Qualifications and Procedures to Receive Days from the Leave Sharing Bank

For the purposes of this regulation, the following definitions shall 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 and who have duties to provide financial support to one another. The term includes foster children and legal wards even if they do not live in the household.

"Severe" or "extraordinary" means serious, extreme or life-threatening, including temporary disability resulting from pregnancy, miscarriage, childbirth, and recovery therefrom as determined by the board of education.

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"District employee" means a teacher or any full-time employee of this school district.

In order for an employee to participate in the shared leave program, the employee must:

1. Meet the criteria described in this regulation; and
2. Have abided by district policies regarding the use of sick leave.

An employee may request sick leave from the leave sharing bank only pursuant to the following conditions:

1. The receiving employee or a relative or a household member of the employee must have a severe or extraordinary illness, injury, impairment, or physical or mental condition. Included within the definition of a severe or extraordinary condition is any temporary disability resulting from pregnancy, miscarriage, childbirth, and recovery therefrom.
2. The condition must have caused, or is likely to cause, the employee to take leave without pay or to terminate employment.
3. Donated sick leave will not be available until maternity leave and all sick leave that is available to the requesting employee is exhausted.
4. The amount of donated leave to be received is within the limits set by the board, if any.

Prior to approving the use of days from the leave sharing bank, the board shall require the requesting employee to provide a medical certificate from a licensed physician or health care practitioner verifying the severe or extraordinary nature and expected duration of the condition.

When using days from the leave sharing bank, the receiving employee shall be paid the regular rate of pay normally paid to the receiving employee. Leave sharing bank usage records will be maintained separately from regular sick leave records.

Leave sharing bank days may be used only by the recipient for the purposes specified in this policy and may not be used if the employee has been notified of a pending reduction in force or employment termination affecting the employee.

Participation in the leave sharing bank is strictly voluntary. No employee shall be coerced, threatened, intimidated, or financially induced into donating sick leave for the purpose of this policy.

NOTE: This policy is recommended only for school districts that have entered into negotiated agreements with their employees and have established a leave sharing bank as part of the negotiated contract. Any bank created in absence of a negotiated agreement shall be in accordance with 70 O.S. §6-104.6. School districts adopting this policy should review negotiated language to ensure all statutory requirements are complied with.