

**SICK LEAVE
CERTIFIED PERSONNEL
(REGULATIONS)**

The board of education shall provide sick leave benefits to all certificated personnel in order to promote a sense of security and permit an ease of mind that is essential to the satisfactory performance of professional services. The board sets forth the following provisions for administering this policy:

1. The superintendent or designee shall administer this plan.
2. Teachers may be absent from duty because of personal accidental injury, illness or pregnancy, or injury, illness or death in the immediate family without loss of salary not to exceed ten days during each school year. The right to such sick leave shall be vested at the beginning of the school year. Certificated employees who have an eleven-month contract shall receive eleven sick leave days per year and those who have a twelve-month contract shall receive twelve days. If an employee is injured as a result of an assault or battery upon the person of the employee while the employee is in the performance of any duties as an education employee, the employee shall be entitled to a leave of absence from employment with the school without a loss of leave benefits.
3. If sick leave is taken for bereavement purposes, the leave for that period may extend to the date of the funeral and a reasonable time thereafter to allow for travel as long as the employee has leave available to use.
4. Unused sick leave shall be cumulative to a total of sixty days and is transferable to any other school district in Oklahoma. Up to a maximum of sixty days of sick leave earned in another Oklahoma district may be transferred to this district. Sick leave so transferred must be certified by the sending district.
5. Any employee who attempts to take unfair advantage of sick leave benefits shall be subject to dismissal or other disciplinary action as provided by contract and/or state law. Any employee may be required to submit appropriate evidence concerning the cause of his absence in order to qualify for sick leave benefits. Appropriate evidence may include the following:
 - A. Physician's statement endorsed by the employee
 - B. Employee statement endorsed by the principal or immediate supervisor
 - C. Copies of claim submitted for insurance benefits
 - D. Other information as may be indicated by the circumstances
6. Appropriate evidence will be submitted when requested by the principal, immediate supervisor, or the superintendent in the following situations:
 - A. Sick leave claim on days of unusual or inclement weather
 - B. Sick leave claim during the last four weeks of employment
 - C. Sick leave claim on days immediately preceding or immediately following holidays or non-work days other than weekends
 - D. Reasonable cause exists to believe that sick leave benefits are being abused
7. When a teacher's accrued sick leave is exhausted and the teacher is absent due to personal accidental injury, illness, or pregnancy, the teacher shall receive full salary less the amount that would be paid a substitute teacher for a maximum of 20 days.

SICK LEAVE, CERTIFIED PERSONNEL, REGULATIONS (Cont.)

8. After an employee has exhausted all accumulated sick leave, personal leave, and vacation time, the employee may be eligible for whatever time may be remaining of the up to 12 work weeks of unpaid leave for employees who meet the federal definitions for leave in accordance with the Family Medical Leave Act. The 12 work weeks of leave afforded under the Family Medical Leave Act may include paid and unpaid leave in accordance with federal law.
9. Sick leave benefits may be paid in addition to workers' compensation benefits; however, the sum of the payments will not exceed 100% of the employee's net pay as it existed prior to injury.
10. Upon termination of employment an employee, or the employee's estate, shall be paid \$50 for any unused sick leave remaining at the date of termination of employment up to 60 days. The board of education may prorate or not pay due to negative financial situation. This compensation shall not be paid to any employee terminated following due process procedures but shall apply only to those employees who have retired or whose contracts have been terminated due to the death of the employee. Only leave accrued at Holdenville will be paid out when leave is taken. Most recent accrued leave is used first.

NOTE: The term "immediate family" has been defined as those close family members such as a spouse or children residing within the same household as the employee. Sick leave may also be taken for the life-threatening illness of non-dependent children, mother, father, sister, brother, grandparents, mother-in-law, or father-in-law.

REFERENCE: 70 O.S. §6-104
70 O.S. §6-147
Atty. Gen. Op. No. 84-12
Atty. Gen. Op. No. 91-632