



SECTION V: EMPLOYEES

POLICY 5000

ADMINISTRATOR LEAVE

Sick Leave

Sick leave will be provided to administrators at the rate of one (1) day for each month worked. An administrator may accumulate up to 120 days of sick leave. The cumulative sick leave allowances for permanent part time administrators shall be proportioned to the amount of time worked.

An administrator may use sick leave for personal accidental injury, illness, pregnancy, or accidental injury, or illness in the immediate family. Immediate family is defined as spouse, parent, sibling, child (this includes foster child), grandparent, or grandchild, and corresponding in-laws and corresponding step relatives.

Any misuse or use of sick leave for other purposes may result in disciplinary action or termination. The district reserves the right to require acceptable evidence of sickness or injury before allowing sick leave benefits, particularly at the following times:

- Administrator is absent for three (3) or more consecutive days
- Days immediately preceding or following holidays or non-work days other than weekends

If an administrator fails to provide the requested documentation for their illness/injury, resulting in absences in excess of their annual sick leave accrual, this could be considered excessive absenteeism and a misuse of sick leave.

Sick leave may be used for routine dental or medical appointments. It is the responsibility of the administrator to enter the absence in Frontline.

When an administrator has exhausted all accumulated sick leave, the administrator may request sick leave donations under the School District's Sick Leave Donation Policy.

A newly hired administrator shall be credited a maximum of sixty (60) days for sick leave earned in another Oklahoma public school district provided:

1. The administrator was employed by an Oklahoma public school district the preceding school year; and
2. The number of days to be transferred into the School District has been certified in writing by the sending school district.

Maternity Leave

Full-time employees of the district who have been employed by the district for at least one year and have worked at least 1,250 hours during the preceding 12-month period shall be entitled to six (6) weeks of paid maternity leave following the birth of the employee's child. The six (6) weeks of paid maternity leave shall be used immediately following the birth of the employee's child. If your child is born during the summer months or a holiday break (or your leave overlaps with a school break), the law requires that these non-contract days be included within the six weeks available to you. The six (6) weeks of maternity leave shall be in addition to and not in place of sick leave due to pregnancy pursuant to 70 O.S. § 6-104.



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You must use this maternity leave before any other paid leave. A school district employee taking maternity leave pursuant to the new law shall not be deprived of any compensation or other benefits to which the employee is otherwise entitled.

The district shall file claims with the State Board of Education for reimbursement of expenses related to providing eligible employees with paid maternity leave.

With regard to any shared sick leave program which is currently offered or which may be offered in the future by the district, maternity leave provided must be used prior to any shared sick leave available under the district's program.

Parental Leave

Full-time employees who have been employed by the district for at least one year and have worked at least 1,250 hours during the preceding 12-month period shall be entitled to one (1) week of paid leave immediately following the birth of the employee's child and to care for such child, or immediately following the adoption or foster care placement of a child, for a maximum of one (1) time per contract year. If your child is born or the adoption or foster care placement occurs during the summer months or a holiday break (or your leave overlaps with a school break), these non-contract days will be included within the week available to you. Parental leave is not in addition to the six (6) weeks of paid maternity leave.

Personal Business Leave

The district shall provide for all administrators three (3) days of unrestricted personal business leave per school year. Administrators hired within a school year, may receive a prorated amount according to hire date.

Requests for personal leave shall be made in advance of time needed, when possible. Personal leave may not be used before or after a holiday, except with prior supervisor approval.

Administrators will have the option of either rolling over their unused personal business leave days to sick leave or receiving payment at the certified substitute rate for each unused personal business leave day.

An additional three (3) days of personal business leave with full pay can be utilized each year for military family leave. Formal documentation of the occasion (graduation, deployment, return to stateside, etc.) must be provided to human resources at least five (5) business days in advance of the absence. Proof of attendance shall be given to the site principal or supervisor upon return. This leave may be utilized for immediate family members. For this purpose, immediate family member is defined to be husband, wife, son, daughter, mother, father, brother, sister, foster children, grandparent, grandchild, and corresponding in-laws and/or step-relatives.



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Bereavement Leave

All administrators will be granted bereavement leave as follows:

Five (5) days: In the event of the death of a spouse, child, parent, or corresponding in-laws or corresponding step relatives.

In the event of the death of a spouse or child, an employee may use an additional five (5) days of sick leave, if available, without the requirement of medical paperwork.

Three (3) days: In the event of the death of a sister, brother, grandparent, grandchild, or corresponding in-laws or corresponding step relatives.

One (1) day: In the event of the death of an aunt, uncle, niece, nephew, or corresponding in-laws or corresponding step relatives.

Bereavement leave may be taken any time within thirty (30) days of the death of the relative. Days do not have to be taken in consecutive order.

The District reserves the right to require proof of the death before allowing bereavement leave.

Jury/Legal Leave

Jury duty should be submitted through Frontline with a copy of the jury summons attached. Legal leave may also be requested for legal proceedings affecting employment, the school, or the district. Personal legal proceedings do not fall under jury/legal leave and employees own personal or vacation leave may be utilized.

Vacation Leave

Administrators in full-time, twelve (12)-month assignments shall be allowed vacation time annually according to the following schedule:

Less than 10 years of service: 20 days
10 or more years of service: 25 days

Vacation time shall accrue at the following rate based on qualifying years of service:

Less than 10 years: 1.67 days per month
10 or more years: 2.08 days per month

To be eligible for the career vacation schedule of 10 or more years of service, an administrator must have completed 10 or more years of service with Broken Arrow Public Schools or any other educational entity.

Vacation must be requested three (3) days in advance of the time needed and requires supervisor approval. In extenuating circumstances, the supervisor may approve vacation without prior notice, if it does not interfere with the operations of the district.



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Administrators may accrue a maximum of 240 hours (30 days). No further vacation time will be earned until vacation time has been used to reduce the number of accrued hours below 240.

Administrators on unpaid leave do not accrue vacation benefits.

Unless otherwise provided by an administrator's contract, upon termination of employment, each administrator shall be entitled to be paid for all accrued unused vacation days at their daily rate for the current school year.

Vacation will accrue from the first month of employment. Vacation will accrue at the end of each month worked. Employees beginning employment on/after the 15th of the month will not accrue vacation until the following month.

To facilitate a smooth transition in staffing, vacation time shall not be taken during the notice period prior to voluntary employment termination, unless an emergency situation is documented. Such exceptions require approval by the Human Resources department.

In the event assignment to a full-time, 12-month position is made after the start of the fiscal year (July 1), or initial employment occurred after the start of the fiscal year (July 1), vacation will be pro-rated for that year.

Epidemics/Pandemics

District teachers and administrators shall be entitled to pay for any time lost when school is closed on account of epidemics or otherwise when an order for such closing has been issued by a health officer authorized by law to issue the order. Teachers and Administrators are not required to use leave for time lost in these circumstances if the campus is closed and no work is assigned. This provision does not prevent the District from requiring teachers and administrators to telework from home or another site when the school campus is closed due to an epidemic. Teachers and administrators who have been directed to telework who are unable to work from home or another site due to illness or another reason should utilize their accrued leave to cover their absence.

Employee Association Leave

An administrator may request a leave of absence to hold office as an officer, director, trustee, or agent of a national, statewide, or school district employee association. The administrator requesting employee association leave must provide the district superintendent, or their designed, with proof of election and proof of the term of office for the national, statewide, or school district employee association. Proof of election must include certification by the employee association of the date of the election and the results of the election.

The board of education may, in its sole discretion, grant a request for leave of absence under this section, but such leave will be without pay and without benefits granted by the district, regardless of whether the benefit is paid by the administrator on leave or the association for which the employee is serving as an officer, director, trustee, or agent. If the request for employee association leave is granted, the board of education will provide definitive beginning and end dates for the approved leave of absence.



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During the employee association leave period, the administrator's position with the district will be maintained without advancement on the salary schedule and without accrual of sick leave, personal business leave, or personal leave. Furthermore, the administrator on leave will not accumulate service credit within the Teacher's Retirement System of Oklahoma. Following the conclusion of a leave of absence approved by the board of education under this section, the administrator may return to their former position or a comparable position.

During the leave of absence, the administrator granted leave will be prohibited from accessing district office space.

Reference: 70 OKLA. STAT. §6-101, 70 OKLA. §6-104, 70 OKLA. STAT. §6-104.1, 70 OKLA. STAT. §6-104.5, 70 OKLA. STAT. §6-105, Atty. Gen. Op. No. 76-161.

Source: *Broken Arrow Board of Education policy adoption, July 13, 2009.*
Broken Arrow Board of Education policy revised, July 10, 2017.
Broken Arrow Board of Education policy revised, June 25, 2018.
Broken Arrow Board of Education policy revised, August 10, 2020.
Broken Arrow Board of Education policy revised, October 11, 2021.
Broken Arrow Board of Education policy revised, November 7, 2022.
Broken Arrow Board of Education policy revised, November 6, 2023.
Broken Arrow Board of Education policy revised, July 15, 2024.



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POLICY 5155

EXEMPT NON-ADMINISTRATIVE LEAVE AND WORK SCHEDULE

Sick Leave

Sick leave will accrue at the beginning of each school year for exempt employees. Employees will receive one (1) day of sick leave for each month of employment, depending on the length of their contract. For example, an exempt employee on a ten- month contract will receive one (1) day of sick leave per month, for a total of ten (10) days sick leave for the fiscal year.

Sick leave is interpreted as the time when personal illness, accidental injury, pregnancy or personal illness in the immediate family keeps an employee from being present to conduct his/her regular daily work. Immediate family is defined as spouse, parent, sibling, child (this includes foster child), grandparent, or grandchild and corresponding in-laws and corresponding step relatives.

Any misuse or use of sick leave for other purposes may result in disciplinary action or termination. The district reserves the right to require acceptable evidence of sickness or injury before allowing sick leave benefits, particularly at the following times:

- Employee is absent for three (3) or more consecutive days.
- Days immediately preceding or following holidays or non-work days other than weekends.

If an employee fails to provide the requested documentation for their illness/injury, resulting in absences in excess of their annual sick leave accrual, this could be considered excessive absenteeism and a misuse of sick leave.

Sick leave may also be used for dental, physical and eye examinations for employee and dependents in the immediate family. It is the responsibility of the employee to enter the absence in Frontline.

When the employee severs connection with the district for any reason, all his/her accumulated sick leave is cancelled. In the event of reemployment in the district within six (6) months, accumulated sick leave will be reinstated. If he/she is employed by another school district, his/her accumulated sick leave may be transferred to the receiving district up to sixty (60) days. Accumulated sick leave can be transferred into our district from another school district up to sixty (60) days.

Maternity Leave

Full-time employees of the district who have been employed by the district for at least one year and have worked at least 1,250 hours during the preceding 12-month period shall be entitled to six (6) weeks of paid maternity leave following the birth of the employee's child. The six (6) weeks of paid maternity leave shall be used immediately following the birth of the employee's child. If your child is born during the summer months or a holiday break (or your leave overlaps with a school break), the law requires that these non-contract days be included within the six weeks available to you. The six (6) weeks of maternity leave shall be in addition to and not in place of sick leave due to pregnancy pursuant to 70 O.S. § 6-104. You must use this maternity leave before any other paid leave. A school district employee taking maternity leave pursuant to the new law shall not be deprived of any compensation or other benefits to which the employee is otherwise entitled.



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The district shall file claims with the State Board of Education for reimbursement of expenses related to providing eligible employees with paid maternity leave.

With regard to any shared sick leave program which is currently offered or which may be offered in the future by the district, maternity leave provided must be used prior to any shared sick leave available under the district's program.

Parental Leave

The district will provide full-time employees who have been employed by the district for at least one year and have worked at least 1,250 hours during the preceding 12-month period shall be entitled to one (1) week of paid leave immediately following the birth of the employee's child and to care for such child, or immediately following the adoption or foster care placement of a child, for a maximum of one (1) time per contract year. If your child is born or the adoption or foster care placement occurs during the summer months or a holiday break (or your leave overlaps with a school break), these non-contract days will be included within the week available to you. Parental leave is not in addition to the six (6) weeks of paid maternity leave.

Personal Business Leave

The district shall provide for all exempt employees three (3) days of unrestricted personal business leave per school year. If hired within a school year, this amount will be prorated according to hire date.

Requests for personal leave shall be made in advance of time needed, if possible. Personal leave may not be used before or after a holiday, except with prior supervisor approval.

Exempt employees will have the option of either rolling over their unused personal business leave days to sick leave or receiving payment at the certified substitute rate for each unused personal business leave day.

Bereavement Leave

All support employees will be granted bereavement leave as follows:

Five (5) days: In the event of the death of a spouse, child, parent, or corresponding in-laws or corresponding step relatives.

In the event of the death of a spouse or child, an employee may use an additional five (5) days of sick leave, if available, without the requirement of medical paperwork.

Three (3) days: In the event of the death of a sister, brother, grandparent, grandchild, or corresponding in-laws or corresponding step relatives.

One (1) day: In the event of the death of an aunt, uncle, niece, nephew, or corresponding in-laws or corresponding step relatives.

Bereavement leave may be taken any time within thirty (30) days of the death of the relative. Days do not have to be taken in consecutive order. The District reserves the right to require proof of the death before allowing bereavement leave.



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Jury/Legal Leave

Jury duty should be submitted through Frontline with a copy of the jury summons attached. Legal leave may also be requested for legal proceedings affecting employment, the school, or the district. Personal legal proceedings do not fall under jury/legal leave and employees own personal or vacation leave may be utilized.

Vacation Leave

Full-time employees who are contracted and working twelve (12) calendar months, are entitled to vacation. Vacation must be requested three (3) days in advance of the time needed and requires supervisor approval. In extenuating circumstances, the supervisor may approve vacation without prior notice, if it does not interfere with the operations of the district. Employees who work less than full-time assignments are not eligible to receive vacation benefits.

Employees may accrue a maximum of 240 hours (30 days). No further vacation time will be earned until the employee has used vacation time to reduce the number of accrued hours below 240 (30 days).

Employees on unpaid leave do not accrue vacation benefits.

Unless otherwise provided by an employee’s contract, upon termination of employment, each employee shall be entitled to be paid for all accrued unused vacation days at the employee's daily rate for the current school year.

Vacation will accrue from the first month of employment. Vacation will accrue at the end of each month worked. Employees beginning employment on/after the 15th of the month will not accrue vacation until the following month.

To facilitate a smooth transition in staffing, vacation time shall not be taken during the notice period prior to voluntary employment termination, unless an emergency situation is documented. Such exceptions require approval by the Human Resources department.

Employees in full-time assignments shall be allowed vacation time annually according to the following schedule:

Years of Service	Vacation Accrual Rate (Days Earned per Month)	imum Vacation Days Earned per Year
0 through less than 1 year	.833	10
1 through less than 5 years	1.00	12
5 through less than 10 years	1.25	15
10 through less than 15 years	1.50	18
15 through less than 20 years	1.75	21
20 years and over	2.00	24

If an employee transfers to a twelve (12) month position and is eligible for vacation, previous years of service will be awarded for those years an employee worked in a nine (9) month position with a minimum of thirty (30) hours per week.



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EXEMPT NON-ADMINISTRATIVE LEAVE AND WORK SCHEDULE

Epidemics/Pandemics

Exempt non-administrative employees shall be entitled to pay for any time lost when school is closed on account of epidemics or otherwise when an order for such closing has been issued by a health officer authorized by law to issue the order. Exempt non-administrative employees are not required to use leave for time lost in these circumstances if the campus is closed and no work is assigned.

This provision does not prevent the District from requiring exempt non-administrative employees to telework from home or another site when the school campus is closed due to an epidemic.

Exempt non-administrative employees who have been directed to telework who are unable to work from home or another site due to illness or another reason should utilize their accrued leave to cover their absence.

Employee Association Leave

An exempt non-administrative employee may request a leave of absence to hold office as an officer, director, trustee, or agent of a national, statewide, or school district employee association. The non-administrative employee requesting employee association leave must provide the district superintendent, or their designee, with proof of election and proof of the term of office for the national, statewide, or school district employee association. Proof of the election must include certification by the employee association of the date of the election and the results of the election.

The board of education may, in its sole discretion, grant a request for leave of absence under this section, but such leave will be without pay and without benefits granted by the district, regardless of whether the benefit is paid by the employee on leave or the association for which the employee is serving as an officer, director, trustee, or agent. If the request for employee association leave is granted, the board of education will provide definitive beginning and end dates for the approved leave of absence.

During the employee association leave period, the non-administrative employee's position with the district will be maintained without advancement on the salary schedule and without accrual of sick leave, personal business leave, or personal leave. Furthermore, the employee on leave will not accumulate service credit within the Teacher's Retirement System of Oklahoma. Following the conclusion of a leave of absence approved by the board of education under this section, the non-administrative employee may return to their former position or a comparable position.

During the leave of absence, the non-administrative employee granted leave will be prohibited from accessing district office space.

Meal Breaks

Meal breaks for exempt employees are intended to be a minimum of thirty (30) minutes in length.

Source: *Broken Arrow Board of Education policy adoption, June 25, 2018.*
Broken Arrow Board of Education policy revised, November 7, 2022.
Broken Arrow Board of Education policy revised, November 6, 2023.
Broken Arrow Board of Education policy revised, July 15, 2024.



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POLICY 5160

FAMILY AND MEDICAL LEAVE / AUTHORIZED MEDICAL LEAVE

FAMILY AND MEDICAL LEAVE

It is the policy of the District to comply fully with the requirements of the Family and Medical Leave Act of 1993 (FMLA) and all its related revisions, including the National Defense Authorization Act (NDAA), collectively referred to in this policy as “FMLA.” The District is a covered employer and, accordingly, will provide up to 12 workweeks of unpaid leave to eligible employees. This leave must run concurrently with any paid leave the eligible employee has available. Eligible employees may also be entitled to 14 additional workweeks of leave (26 workweeks total) for servicemember family leave.

Any employee utilizing FMLA leave is required to cooperate in matters of scheduling, providing prompt notice of the need to use leave and availability for return to work, completing paperwork, etc. This policy is not intended to create any leave obligations for the District in addition to those provided under the FMLA. In the event any conflict exists between this policy and the FMLA, the FMLA will be the final authority.

Definitions

“Eligible employees” are those employees who:

- have been employed for at least one year by the District; and
- worked at least 1,250 hours during the previous 12-month period; and
- have requested leave for a reason covered by the FMLA; and
- there are at least 50 employees within a 75-mile radius.

Full-time instructional employees are deemed to have met the 1,250 hours of employment requirement if they worked full-time during the prior year. Hours the employee is on leave (paid or unpaid) do not count toward hours of service.

- A “child” means a biological, adopted, foster or step child, a legal ward, an individual with an in loco parentis relationship with the employee or military member, and adult children who are physically or mentally incapable of self-care.
- A “serious health condition” is one that requires either in-patient care or continuing treatment by a health care provider. This includes conditions or illnesses affecting health to the extent that in-patient care is required, or absences are necessary on a recurring basis or for more than just a few days. A “serious health condition” does not include short-term conditions for which treatment and recovery are very brief as such conditions would normally be covered by the District’s sick leave policies.
- The “first day forward” method is the 12-month period measured forward from the date an employee’s first FMLA leave begins. The first day an employee uses FMLA qualifying leave becomes that employee’s 12-month period: an eligible employee is entitled to up to 12 workweeks of FMLA leave during the 12 months following the first day of leave.
- A “workweek” means the employee’s usual or normal schedule (hours / days per week) prior to the start of FMLA leave.
- A “covered military member” (for purposes of active duty leave) is an individual serving in the



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Regular Armed Forces or the National Guard and Reserves and who has been called to active duty. Veterans receiving treatment or therapy, or those who are recuperating and were discharged or released for any reason other than dishonorable discharge within the 5 years preceding the employee's request for leave are also included in this definition.

- A "covered military member" (for purposes of servicemember family leave) is an individual serving in the Regular Armed Forces or the National Guard and Reserves who is undergoing treatment or therapy for a serious injury or illness incurred or exacerbated while on active duty.
- A "serious injury or illness" is an injury or illness incurred (or exacerbated) by the servicemember in the line of duty in the Armed Forces or National Guard and Reserves which:
 - may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating; or
 - resulted in the member receiving a VA Service Related Disability Rating of 50% or more; or
 - substantially impairs the veterans' ability to be gainfully employed; or
 - resulted in the member's enrollment in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

Reasons for Leave

All eligible employees who meet FMLA requirements may be granted leave as provided in this policy and required by law for the following reasons:

1. for the birth of a child and to care for such child, or placement for adoption or foster care of a child;
 - If both parents are employed by the District, the combined amount of FMLA leave cannot exceed 12 workweeks
2. to care for a spouse, child or parent with a serious health condition;
3. for a serious health condition of the employee that makes the employee unable to perform his or her job functions;
4. for covered active duty leave with one or more of the following exigencies:
 - Short-notice deployment: employees can take up to 7 calendar days leave to address issues that arise from servicemembers' call or order to active duty seven calendar days or less prior to the date of deployment;
 - Military events and related activities: employees can take leave to attend official ceremonies, programs, or events sponsored by the military that are related to servicemembers' active duty or call to active duty or attend family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross that are related to servicemembers' active duty or call to active duty;
 - Childcare and school activities: employees can take leave to arrange alternative childcare, provide childcare on an urgent, immediate need (but not every day) basis, enroll in or transfer a child to a new school or day care facility, or attend meetings with school or day care staff (such as parent- teacher conferences) due to servicemembers' active duty or call to active duty;
 - Financial and legal arrangements: employees can take leave to make or update financial or legal arrangements to address servicemembers' absence while on active duty or call to active



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- duty, such as executing powers of attorney, transferring bank account signature authority, enrolling in the Defense Enrollment Eligibility Reporting System, or obtaining military identification cards and to act as the servicemembers' representative before governmental agencies to obtain, arrange, or appeal military service benefits while servicemembers are on active duty or called to active duty and for 90 days following termination of active duty status;
- Counseling: employees can take leave to attend counseling that is provided by someone other than a healthcare provider for servicemembers or their children for needs arising from servicemembers' active duty or call to active duty;
 - Rest and recuperation: employees can take up to 15 days leave to spend time with servicemembers on short-term, temporary rest and recuperation leave during a period of deployment;
 - Post-deployment activities: employees can take leave to attend arrival ceremonies, reintegration briefings and events and other official ceremony or program sponsored by the military that occurs within 90 days following termination of servicemembers' active duty status or to address issues arising from servicemembers' death while on active duty, including meeting and recovering the body and making funeral arrangements; and
 - Additional activities: employees can take leave to address any other events that arise from servicemembers' active duty or call to active duty when the district and employee agree that such leave qualifies as an exigency and agree upon the timing and duration of the leave.
5. for servicemember family caregiver leave, provided that the leave (when combined with other forms of FMLA leave) does not exceed 26 workweeks during a 12-month period;
6. for parental care leave to care for (including making arrangements for care, patient transfer and meetings with staff at a care facility) a parent-in-law who is unable to care for him/herself while the servicemember is on active duty.

Application for Leave

Employees who wish to utilize FMLA leave must submit an application for leave (with all required supporting documentation) on the forms available through the Human Resources department (the District will utilize all required forms as provided by the US Department of Labor. The forms are available at <http://www.dol.gov/whd/fmla/index.htm#Forms>). The District requests that, when practical, FMLA requests be submitted at least 30 days prior to the use of the leave. In emergency circumstances, the District may provisionally place an employee on FMLA leave if conditions appear to warrant such action. The employee is ultimately responsible for completing the necessary paperwork to finalize the use of FMLA leave at least 15 days in advance.

Medical Documentation (for Leave Related to a Serious Medical Condition)

In addition to all medical documentation required pursuant to the FMLA, the District may, in its sole discretion and at its own expense, require a second opinion related to the need for FMLA leave. If the first and second opinions differ regarding the need for FMLA leave, the District and the employee shall mutually agree upon a provider to conduct a third opinion of the employee's need for leave. The cost of this third opinion will be paid for by the employer.



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FAMILY AND MEDICAL LEAVE / AUTHORIZED MEDICAL LEAVE

The District may also require supplemental certifications of the employee's continuing need for leave. These certifications may not be more than one time per month unless the employee requests an extension of leave, changes circumstances regarding the illness or injury, or the District receives information that casts doubt on the validity of an existing certification.

In the event an employee wishes to request an extension of leave, such request must be promptly submitted to the Human Resources department with supporting documentation from the health care provider regarding the reason for the extension. The extension is only available as long as the employee does not exceed the maximum leave permitted by the FMLA.

Right to Conduct Surveillance

In an effort to combat misuse of leave permitted by the FMLA, an employee may be surveilled to determine if the employee is not using the FMLA leave for the purpose for which it was granted. The District may conduct non-workplace (off-site) surveillance of an employee based on an honest belief or suspicion that the employee is misusing the FMLA leave granted. If the employee is found to be misusing the FMLA leave, the employee will be subject to all disciplinary action allowed by law, including but not limited to dismissal or nonrenewal. Circumstances which may give rise to an honest belief or suspicion of FMLA leave misuse include, but are not limited to, an employee providing inconsistent reasons for the FMLA leave, an employee engaging in a suspicious pattern of absences over a short period of time, verifiable information from co-workers evidencing misuse by an employee and significant changes in the frequency or duration of an employee's absences.

Intermittent Leave or Leave on a Reduced Leave Schedule

Eligible employees may request to use their available leave on an intermittent basis by following the same application and certification process as described above and under the following conditions:

- intermittent leave in connection with the arrival of a new child must be approved by the District;
- employees must coordinate the intermittent leave with their supervisor to attempt to reduce the negative impact of the leave on school operations;
- the District reserves the right to transfer the employee to a position better suited to intermittent leave;
- if an instructional employee will be absent more than 20% of the total working days in the period in which the leave will be used, the District may require the employee to either:
- take leave for a "particular duration" or time which is not greater than the duration of the planned treatment, or
- be transferred to an alternative position.

Leave Taken Near the End of an Academic Term

If an instructional employee begins any type of covered leave more than 5 weeks before the end of a semester, and if the leave will last at least 3 weeks and the employee would otherwise return to work during the 3 weeks before the end of the semester, the District may require the employee to continue taking leave until the end of the semester.



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If an instructional employee takes leave (for a reason other than the employee's own serious health condition) which commences during the 5 weeks before the end of the semester, and if the leave will last more than 2 weeks and the employee would otherwise return to work during the last 2 weeks of the semester, the District may require the employee to continue taking leave until the end of the semester.

If an instructional employee takes leave (for a reason other than the employee's own serious health condition) which begins during the last 3 weeks of the semester, and if the leave will last more than 5 working days, the District may require the employee to take leave until the end of the semester.

The Effect of Leave on Benefits

During a period of FMLA leave, an employee will be retained on the District's medical insurance plan under the same conditions that applied before leave began, including making any payments the employee previously made. An employee's failure to timely pay his/her share of the medical premium may result in loss of coverage. The employee is required to pay all of the premiums for any other type of insurance coverage which may exist.

If the employee fails to return to work after the expiration of the leave, the employee will be required to reimburse the District for payment of health insurance premiums during the FMLA leave, unless the reason for the failure to return to work are due to circumstances beyond the employee's control.

Employees do not accrue or lose any seniority or employment benefits during a period of FMLA leave.

Return to Work

Employees must update the Human Resources department regarding the intent to return to work, including providing all necessary releases and paperwork, at least 5 business days in advance of the expected return date.

Although the District cannot guarantee that an employee will be returned to his/her original position, employees will generally be restored to an equivalent position and employment conditions upon return from FMLA leave. Highly-compensated employees are those individuals who are salaried and are among the highest paid 10% of the employees employed within 75 miles of the employee's worksite. A highly-compensated employee may not be returned to work if it is necessary to prevent substantial and grievous economic injury to the operations of the District. The District will make all determinations regarding job duties upon an employee's return from FMLA leave.

Failure to Return from Leave

Employees who fail to return to work when scheduled (absent an approved extension) are subject to immediate termination for cause, subject to applicable due process hearing rights.



SECTION V: EMPLOYEES

POLICY 5160

FAMILY AND MEDICAL LEAVE / AUTHORIZED MEDICAL LEAVE

AUTHORIZED MEDICAL LEAVE

Employees that do not meet the eligibility requirements for FMLA may use authorized medical leave as follows:

Employee

- Employees unable to perform all their essential job duties due to illness or injury may request leave for 30 working days or the number of work days equal to their paid leave available, whichever is longer
- Medical certification from a physician or practitioner must be provided to Human Resources

Employee Family Member

- Employee may request days to care for the serious illness or injury of an immediate family member if paid leave is available
- Immediate family is defined as spouse, parent, sibling, child (this includes foster child), grandparent, or grandchild and corresponding in-laws and corresponding step relatives
- Medical certification from a physician or practitioner must be provided to Human Resources

Employees that have been a member of the Sick Leave Sharing Bank for a year may request to use days from the bank once they have exhausted their own sick leave. For guidelines refer to Board Policy 5310.

Employees that have exhausted FMLA and/or authorized medical leave may continue to use any available paid leave.

Return to Work

Although the District cannot guarantee that an employee will be returned to his/her original position, employees will generally be restored to an equivalent position and employment conditions upon return from authorized medical leave.

Employees that have exhausted all leave options, are expected to return to work. If an employee is unable to return to work or medically unable to perform the duties of their job, a meeting will be scheduled with Human Resources to discuss next steps.

Source: *Broken Arrow Board of Education policy adoption, July 13, 2009.*
Broken Arrow Board of Education policy revised, July 10, 2017.
Broken Arrow Board of Education policy revised, November 12, 2018.
Broken Arrow Board of Education policy revised, May 13, 2019.
Broken Arrow Board of Education policy revised, October 11, 2021.
Broken Arrow Board of Education policy revised, November 7, 2022.
Broken Arrow Board of Education policy revised, July 17, 2023.
Broken Arrow Board of Education policy revised, July 15, 2024.



SECTION V: EMPLOYEES

POLICY 5230

PAYMENT of ACCUMULATED SICK LEAVE and VACATION at RETIREMENT

The Board of Education is committed to optimizing monetary benefits for District retirees. The Board participates in a special pay plan that allows school districts to make non-elective employer contributions to the District's 403(b) Plan of a qualifying retiree's unused accumulated sick and vacation pay that would have otherwise been paid directly to the retiring employee. This plan saves certain payroll taxes for both the retiree and the District.

Payment of unused accumulated Sick Leave will be made only to qualifying employees who meet the eligibility requirements of the special pay plan listed below, and they must receive payment for their unused accumulated Sick Leave through the District's non-elective contribution to the 403(b) Plan. Other employees, who do not meet the eligibility requirements of the special pay plan, are not eligible to receive any payment for their unused accumulated sick leave.

All terminating employees (whether retiring or not) who are eligible for a paid Vacation benefit will receive payment for their unused accumulated Vacation. Employees meeting the eligibility requirements of the special pay plan listed below must receive payment for their unused accumulated Vacation through the District's non-elective contribution to the 403(b) Plan. All other employees, who are not eligible for the special pay plan, will receive payment for their unused accumulated Vacation directly from Payroll, subject to all applicable payroll withholdings.

Eligibility Requirements – Certified Teachers

Upon retirement from the education profession, certified teachers must meet the following criteria to be eligible to participate in the special pay plan:

- Be at least age sixty-two (62), **Or**
- Have a combination of creditable years of service and age that total eighty (80) for those teachers hired before July 1, 1992, **Or**
- Have a combination of creditable years of service and age that total ninety (90) for those teachers hired on or after July 1, 1992, **Or**
- Early retirement with TRS with a reduced benefit beginning as early as age 55,

And

- Have at least ten (10) consecutive years of service with Broken Arrow Public Schools immediately prior to retirement, or twenty (20) cumulative years of service with Broken Arrow Public Schools.

For certified teachers, unused accumulated Sick Leave will be paid at the following:

Days up to 120: Current daily rate for **certified** substitutes (pro-rated for partial days) in effect at the time of their retirement.

Days 121-180: Half of the current daily rate for **certified** substitutes (pro-rated for partial days) in effect at the time of their retirement.

Unused accumulated Vacation will be paid at the current base pay rate of the employee in effect at the time of their retirement, up to a maximum of thirty (30) days.



SECTION V: EMPLOYEES

POLICY 5230

PAYMENT of ACCUMULATED SICK LEAVE and VACATION at RETIREMENT

Eligibility Requirements—Administrators & Employees on Non-Administrative Salary Schedule

Upon retirement from the education profession, administrators must meet the following criteria to be eligible to participate in the special pay plan:

- Be at least age sixty-two (62), **Or**
- Have a combination of creditable years of service and age that total eighty (80) for those administrators hired before July 1, 1992, **Or**
- Have a combination of creditable years of service and age that total ninety (90) for those administrators hired on or after July 1, 1992, **Or**
- Early retirement with TRS with a reduced benefit beginning as early as age 55,

And

- Have at least ten (10) consecutive years of service with Broken Arrow Public Schools immediately prior to retirement, or twenty (20) cumulative years of service with Broken Arrow Public Schools.

Administrators and Employees on Non-Administrative Salary Schedule will have unused accumulated Sick Leave paid at the following:

Days up to 120: Current daily rate for **certified** substitutes (pro-rated for partial days) in effect at the time of their retirement.

Days 121-180: Half of the current daily rate for **certified** substitutes (pro-rated for partial days) in effect at the time of their retirement.

Unused accumulated Vacation will be paid at the current base pay rate of the employee in effect at the time of their retirement, up to a maximum of thirty (30) days.

Eligibility Requirements – Support Employees

Upon retirement from the education profession, support employees must meet the following criteria to be eligible to participate in the special pay plan:

- Be at least age fifty-five (55)

And

- Have at least ten (10) consecutive years of service with Broken Arrow Public Schools immediately prior to retirement, or twenty (20) cumulative years of service with Broken Arrow Public Schools.

For support employees, unused accumulated Sick Leave will be paid at the following:

Days up to 120: Current daily rate for **non-certified** substitutes (pro-rated for partial days) in effect at the time of their retirement.

Days 121-180: Half of the current daily rate for **non-certified** substitutes (pro-rated for partial days) in effect at the time of their retirement.



SECTION V: EMPLOYEES

POLICY 5230

PAYMENT of ACCUMULATED SICK LEAVE and VACATION at RETIREMENT

Unused accumulated Vacation will be paid at the current base pay rate of the employee in effect at the time of their retirement, up to a maximum of thirty (30) days.

Source: *Broken Arrow Board of Education policy adoption, November 4, 2002.*
Broken Arrow Board of Education policy revised, July 13, 2009.
Broken Arrow Board of Education policy revised, October 13, 2014.
Broken Arrow Board of Education policy revised, May 9, 2016.
Broken Arrow Board of Education policy revised, September 12, 2016.
Broken Arrow Board of Education policy revised, July 10, 2017.
Broken Arrow Board of Education policy revised, June 25, 2018.
Broken Arrow Board of Education policy revised, July 15, 2024.



SECTION V: EMPLOYEES

POLICY 5285

SCHOOL PERSONNEL DIGITAL AND ELECTRONIC COMMUNICATIONS WITH STUDENTS

Purpose

This policy addresses all forms of group or one-on-one electronic and digital communication (including, but not limited to, email, texting, instant messages, direct messages, social media messages, messages sent through software applications, etc.) between any District employee and students. This policy outlines the District's expectations regarding school personnel's direct digital and electronic communication with students by requiring any such direct communication with students to include the student's parent or guardian.

School Personnel

School personnel includes teachers, coaches, administrators, school bus drivers, support personnel, or any other persons employed full-time or part-time by the District.

Policy

Pursuant to Oklahoma law, school personnel engaging in electronic or digital communication with a student must include the student's parent or guardian in the communication, unless the communication is on a school-approved platform and is related to school and academic matters. In the case of an emergency where other parties cannot be immediately included on digital or electronic communications, the student's parent or guardian shall be subsequently notified of the communication as soon as possible.

Prior to the start of the school year, the District shall compile a list of approved digital platforms for communications between District personnel and students. Such platforms will automatically include in the messaging parents or guardians who opt in. The list will be posted on the District website and distributed to District employees. These sanctioned platforms are the only appropriate method for District personnel to communicate directly with students. Outside these platforms, school personnel must affirmatively include a parent or guardian in the text message, email or other electronic communication. Failure to do so is a violation of the law and this policy.

Violations

School personnel reported to be engaging in unauthorized communications with students through digital or electronic platforms shall be placed on administrative leave while the District investigates the incident and notifies the Board of Education. If the investigation results in a finding that no misconduct occurred, the school personnel shall be reinstated, and the incident shall be noted in the employee's personnel file. If the investigation finds misconduct occurred, the employee shall be disciplined according to the District's policy, up to and including termination of employment. Additionally, the incident shall be reported to law enforcement.

Reporting

Students who receive communication from school personnel in violation of this policy are encouraged to report it to a teacher, site principal or other District official. School personnel who



SECTION V: EMPLOYEES

POLICY 5285

SCHOOL PERSONNEL DIGITAL AND ELECTRONIC COMMUNICATIONS WITH STUDENTS

suspect, recognize, or encounter digital or electronic communications between a student or staff member that does not include a parent or guardian, or otherwise violates this policy, must report it immediately to their supervisor, the Superintendent, or other District official.

Reference: 70 O.S. § 6-401.

Source: *Broken Arrow Board of Education policy adoption, July 15, 2024.*



Sick Leave

Support employees will accrue one (1) day of sick leave per month of employment during their first contract year. Leave accrual will occur at the end of each month worked.

Support employees will accrue sick leave at the beginning of each school year, starting with their second contract year forward.

Contract Year	Sick Leave Accrual Rate	Contract Length	Max Accrual for the Contract Year
First contract year	1 day accrued per month employed	10 months	10
First contract year	1 day accrued per month employed	12 months	12
Second contract year forward	10 days accrued at beginning of contract year	10 months	10
Second contract year forward	12 days accrued at beginning of contract year	12 months	12

Daily pay for sick leave is based on the employee’s daily contracted hours. For example, a support employee who is contracted to work four (4) hours will be paid a maximum of four (4) hours and that will constitute one day of sick leave.

Sick leave is interpreted as the time when personal illness, accidental injury, pregnancy or personal illness in the immediate family keeps an employee from being present to conduct his/her regular daily work. Immediate family is defined as spouse, parent, sibling, child (this includes foster child), grandparent, or grandchild and corresponding in-laws and corresponding step relatives.

Any misuse or use of sick leave for other purposes may result in disciplinary action or termination. The district reserves the right to require acceptable evidence of sickness or injury before allowing sick leave benefits, particularly at the following times.

- Employee is absent for three (3) or more consecutive days
- Days immediately preceding or following holidays, or non-work days other than weekends.

If an employee fails to provide the requested documentation for their illness/injury, resulting in absences in excess of their annual sick leave accrual, this could be considered excessive absenteeism and a misuse of sick leave.

Sick leave may also be used for dental, physical and eye examinations for employee and dependents in the immediate family. It is the responsibility of the employee to enter the absence in Frontline.

Support employees may use no more than 120 sick days annually, (including that received from the sick leave sharing bank), as excess sick days are banked for retirement purposes only.

When the employee severs connection with the district for any reason, all his/her accumulated sick leave is cancelled. In the event of reemployment in the district within six (6) months, accumulated sick leave will be reinstated. If he/she is employed by another school district, his/her accumulated sick leave may be transferred to the receiving district up to sixty (60) days. Accumulated sick leave can be transferred into our district from another school district up to sixty (60) days.



Maternity Leave

Full-time employees of the district who have been employed by the district for at least one year and have worked at least 1,250 hours during the preceding 12-month period shall be entitled to six (6) weeks of paid maternity leave following the birth of the employee’s child. The six (6) weeks of paid maternity leave shall be used immediately following the birth of the employee’s child. If your child is born during the summer months or a holiday break (or your leave overlaps with a school break), the law requires that these non-contract days be included within the six weeks available to you. The six (6) weeks of maternity leave shall be in addition to and not in place of sick leave due to pregnancy pursuant to 70 O.S. § 6-104. You must use this maternity leave before any other paid leave. A school district employee taking maternity leave pursuant to the new law shall not be deprived of any compensation or other benefits to which the employee is otherwise entitled.

The district shall file claims with the State Board of Education for reimbursement of expenses related to providing eligible employees with paid maternity leave.

With regard to any shared sick leave program which is currently offered or which may be offered in the future by the district, maternity leave provided must be used prior to any shared sick leave available under the district’s program.

Parental Leave

The district will provide full-time employees who have been employed by the district for at least one year and have worked at least 1,250 hours during the preceding 12-month period shall be entitled to one (1) week of paid leave immediately following the birth of the employee’s child and to care for such child, or immediately following the adoption or foster care placement of a child, for a maximum of one (1) time per contract year. If your child is born or the adoption or foster care placement occurs during the summer months or a holiday break (or your leave overlaps with a school break), these non-contract days will be included within the week available to you. Parental leave is not in addition to the six (6) weeks of paid maternity leave.

Personal Business Leave

The district shall provide for all support personnel three (3) days of unrestricted personal business leave per school year. If hired within a school year, this amount will be prorated according to hire date.

Personal days may be taken only after ninety (90) calendar days of employment with the district, except in extenuating circumstances with prior supervisor approval. Requests for personal leave shall be made in advance of time needed, when possible. Personal leave may not be used before or after a holiday, except with prior supervisor approval.

Support employees will have the option of either rolling over their unused personal business leave days to sick leave or receiving payment at the non-certified substitute rate for each unused personal business leave day.

An additional three (3) days of personal business leave with full pay can be utilized each year for military family leave. Formal documentation of the occasion (graduation, deployment, return to stateside, etc.)



must be provided to human resources at least five (5) business days in advance of the absence. Proof of attendance shall be given to the site principal or supervisor upon return. This leave may be utilized for immediate family members. For this purpose, immediate family member is defined to be husband, wife, son, daughter, mother, father, brother, sister, foster children, grandparent, grandchild, and corresponding in-laws and/or step- relatives.

Bereavement Leave

All support employees will be granted bereavement leave as follows:

Five (5) days: In the event of the death of a spouse, child, parent, or corresponding in-laws or corresponding step relatives.

In the event of the death of a spouse or child, an employee may use an additional five (5) days of sick leave, if available, without the requirement of medical paperwork.

Three (3) days: In the event of the death of a sister, brother, grandparent, grandchild, or corresponding in-laws or corresponding step relatives.

One (1) day: In the event of the death of an aunt, uncle, niece, nephew, or corresponding in-laws or corresponding step relatives.

Bereavement leave may be taken any time within thirty (30) days of the death of the relative. Days do not have to be taken in consecutive order.

The District reserves the right to require proof of the death before allowing bereavement leave.

Jury/Legal Leave

Jury duty should be submitted through Frontline with a copy of the jury summons attached. Legal leave may also be requested for legal proceedings affecting employment, the school, or the district. Personal legal proceedings do not fall under jury/legal leave and employees own personal or vacation leave may be utilized.

Military Leave

It is the policy of the district to provide leave for support employees who are a component of the armed forces in the United States including members of the National Guard, when that support employee is ordered by proper authorities to active duty or service. Military leave shall be without loss of status, pay, or benefits during the first thirty (30) calendar days or the first thirty (30) regularly scheduled work days for support employees, or not to exceed two hundred forty (240) hours, of such leave of absence in any federal fiscal year. The district will also comply with all other rights guaranteed under state and federal law.

Vacation Leave

Full-time employees who are contracted and working twelve (12) calendar months, are entitled to vacation. Vacation must be requested three (3) days in advance of the time needed and requires supervisor approval. In extenuating circumstances, the supervisor may approve vacation without prior notice, if it does not interfere with the operations of the district. Employees who work less than full- time assignments are not eligible to receive vacation benefits.



SECTION V: EMPLOYEES

POLICY 5345

SUPPORT PERSONNEL LEAVE AND WORK SCHEDULE

Employees may accrue a maximum of 240 hours (30 days). No further vacation time will be earned until the employee has used vacation time to reduce the number of accrued hours below 240 (30 days).

Employees on unpaid leave do not accrue vacation benefits.

Unless otherwise provided by an employee’s contract, upon termination of employment, each employee shall be entitled to be paid for all accrued unused vacation days at the employee's daily rate for the current school year.

Vacation will accrue from the first month of employment. Vacation will accrue at the end of each month worked. Employees beginning employment on/after the 15th of the month will not accrue vacation until the following month.

To facilitate a smooth transition in staffing, vacation time shall not be taken during the notice period prior to voluntary employment termination, unless an emergency situation is documented. Such exceptions require approval by the Human Resources department. Employees in full-time assignments shall be allowed vacation time annually according to the following schedule:

Years of Service	Vacation Accrual Rate (Days Earned per Month)	Maximum Vacation Days Earned per Year
0 through less than 1 year	.833	10
1 through less than 5 years	1.00	12
5 through less than 10 years	1.25	15
10 through less than 15 years	1.50	18
15 through less than 20 years	1.75	21
20 years and over	2.00	24

If an employee transfers to a twelve (12) month position and is eligible for vacation, previous years of service will be awarded for those years an employee worked in a nine (9) month position with a minimum of thirty (30) hours per week.

Epidemics/Pandemics

Support employees who are full-time employees of the 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 are also employed a minimum of one hundred seventy-two (172) days, shall be entitled to pay for any time lost when school is closed on account of epidemics or otherwise when an order for such closing has been issued by a health officer authorized by law to issue the order.

Employee Association Leave

A support employee may request a leave of absence to hold office as an officer, director, trustee, or agent of a national, statewide, or school district employee association. The support employee requesting employee association leave must provide the district superintendent, or their designee, with proof of election and proof of the term of office for the national, statewide, or school district employee association. Proof of election must include certification by the employee association of the date of the election and the results of the election.



The board of education may, in its sole discretion, grant a request for leave of absence under this section, but such leave will be without pay and without benefits granted by the district, regardless of whether the benefit is paid by the employee on leave or the association for which the employee is serving as an officer, director, trustee, or agent. If the request for employee association leave is granted, the board of education will provide definitive beginning and end dates for the approved leave of absence.

During the employee association leave period, the support employee's position with the district will be maintained without advancement on the salary schedule and without accrual of sick leave, personal business leave, or personal leave. Furthermore, the employee on leave will not accumulate service credit within the Teacher's Retirement System of Oklahoma. Following the conclusion of a leave of absence approved by the board of education under this section, the support employee may return to their former position or a comparable position.

During the leave of absence, the support employee granted leave will be prohibited from accessing district office space.

Meal Breaks

Meal breaks for non-exempt staff are intended to be a minimum of 30 minutes in length. It is required that the employee be relieved from duty and take the meal break away from their immediate work area. Should exceptions occur in which the employee must return to duty prior to completion of the meal break, or should the employee be unable to be relieved from duty, said employee will immediately notify the supervisor and obtain approval for the exception.

- Source:
- Broken Arrow Board of Education policy adoption, July 10, 2017.*
 - Broken Arrow Board of Education policy revised, December 11, 2017.*
 - Broken Arrow Board of Education policy revised, June 25, 2018.*
 - Broken Arrow Board of Education policy revised, November 12, 2018.*
 - Broken Arrow Board of Education policy revised, November 4, 2019.*
 - Broken Arrow Board of Education policy revised, August 9, 2021.*
 - Broken Arrow Board of Education policy revised, October 11, 2021.*
 - Broken Arrow Board of Education policy revised, November 7, 2022.*
 - Broken Arrow Board of Education policy revised, November 6, 2023.*
 - Broken Arrow Board of Education policy revised, July 15, 2024.*