



“Employee” means an individual who renders personal services at a fixed rate to the district if the district either pays or agrees to pay for personal services or permits the individual to perform personal services. The definition does not include volunteers or independent contractors.

Employees qualify to begin earning and accruing sick time on the first day of employment with the district and are eligible to use sick time beginning on the 91st day of employment with the district and may use sick time as it is accrued.

Category One Employees

1. Category One employees are employed licensed teachers.
2. For Category One employees, the district has established and invoked the “undue hardship” exception of ORS 653.621(1)(b), and therefore such employees will be front-loaded paid sick time of 56 hours at the beginning of each school year,
3. Category One employees must use sick time in increments of four (4) hours when a substitute is required by the district. If a substitute is not required by the district or if the district approves internal coverage, sick leave shall be used in increments of one (1) hour. Category One employees may only use sick time for the employee’s or a family member’s¹ mental or physical illness, injury or health condition, need for medical diagnosis, care of treatment of a mental or physical illness, injury or health condition, or need for preventative care, or for reasons consistent with qualifying Family Medical Leave Act (FMLA), Paid Family and Medical Leave Insurance (PFMLI), or Oregon Family Leave (OFLA). Sick time may also be used in the event of a public health emergency or for leave to address domestic violence, harassment, sexual assault, bias or stalking under ORS 659A.272.
4. Category One employees may not carry over any sick time from one school year to the subsequent school year.

Category Two Employees

1. Category Two employees include all other non-licensed teacher employees of the District who are not Category One employees; including classified, confidential, licensed administrators, unlicensed administrators, coaches, supervisors, seasonal employees and substitutes.
2. For Category Two employees, the district has not established and invoked the “undue hardship” exception, and therefore such employees will be front-loaded paid sick time of 40 hours at the beginning of each school year.
3. Category Two employees must use sick time in hourly increments. Category Two employees may only use sick time for the employee’s or a family member’s mental or physical illness, injury or health condition, need for medical diagnosis, care or treatment of a mental or physical illness, injury or health condition, or need for preventative care, or for reasons consistent with qualifying FMLA, PFMLI, or OFLA. Sick time may also be used in the event of a public health emergency or for leave to address domestic violence, harassment, sexual assault, bias or stalking under ORS 659A.272.
4. Category Two employees will not carry over any sick time from one school year to the subsequent school year.

General Provisions

1. The use of sick time may not lead to, or result in, an adverse employment action against the employee.
2. When the reason for use of sick time is consistent with FMLA, PFMLI, or OFLA leave, sick time leave and qualifying FMLA, PFMLI, or OFLA leave may run concurrently. When the reason for sick time is consistent with ORS 332.507, sick time leave and leave pursuant to ORS 332.507 may run concurrently.
3. If the reason for sick time is a foreseeable absence, the district requires an employee to provide advance notice of the intention to use sick time 10 days prior to when the requested sick time is to begin or as soon as otherwise practicable. When an employee uses sick time for a foreseeable absence, the employee shall take reasonable effort to schedule the sick time in a manner that does not unduly disrupt the operations of the district (*i.e.*, grading deadlines, in-service

¹ “Family member” is defined in OAR 839-007-0000.

training, mandatory meetings). The district may discipline an employee if the employee fails to make a reasonable effort to schedule leave in a manner that does not unduly disrupt the operations of the district.

4. If the reason for use of sick time is unforeseeable, such as an emergency, accident or sudden illness, the employee shall notify the district as soon as practicable.
5. The district reserves the right after, after an employee uses sick time for more than five (5) consecutive scheduled workdays, to require verification or certification in accordance with the law of the need for the sick time, including a medical verification or certification² paid for by the district. An employee refusing to submit to such an examination or to provide other evidence as required by the district will be subject to appropriate disciplinary action, up to and including dismissal.

END OF ADMINISTRATIVE POLICY

REVIEWED: 5/2/16, 12/6/17, 3/14/23*, 4/8/25
APPROVED: 5/9/16, 12/11/17, 4/11/23*, 4/8/25

**reviewed/no updates necessary*

POLICY / REGULATION CROSS REFERENCE

G CBD-AP: Leaves & Absences
G CBDA/G DBDA-AR: Family Leave
G CBDF/G DBDF-AP: Paid Family Medical Leave Insurance

LEGAL REFERENCE

[ORS 332.507](#)
[ORS 342.545](#)
[ORS 342.610](#)
[ORS 659A.150](#) to -659A.186

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).
Family and Medical Leave Act of 1993, 29 U.S.C. §§ 2601-2654 (2006); Family and Medical Leave Act of 1993, 29 C.F.R. Part 825 (2006).
Americans with Disabilities Act Amendments Act of 2008.

² In the case of need for leave under ORS 659A.272, the district may not require the verification or certification to explain the nature of the illness or details related to the domestic violence, sexual assault, harassment, bias, or stalking, which necessitates the use of sick time.