

SMYRNA SCHOOL DISTRICT

POLICY

Section:	4000 Personnel	Office Responsible:	Human Resources
Policy:	4150: Donated Leave		
Related Policies:			

I. Purpose

The Smyrna School District's (the "District") Donated Leave Program will assist employees in times of catastrophic illness or injury.

II. Authority

Delaware Code, Title 14, Chapter 13 § 1318A

III. Definitions

Catastrophic Illness – means any illness or injury to an employee or an employee's family member which is diagnosed by a physician and certified by the physician as rendering the employee or employee's family member unable to work, or, in the case of a family member who does not work, the medical equivalent of "unable to work", for a period greater than 5 calendar weeks. Separate periods of disability lasting 7 consecutive workdays or more each, and totaling more than 5 calendar weeks, resulting from the same or a related illness or injury and occurring within any 12-month consecutive period, are considered the same period of disability.

Child – means an immediate descendant by blood or adoption and of any age.

Family Member – means an employee's spouse, child, or parent who resides with the employee and who requires the personal attendance of the employee during the spouse's, child's, or parent's catastrophic illness.

Procedure for Requesting Donated Leave – When an employee with a catastrophic illness or who has a catastrophic illness in their immediate family needs donated sick days, the employee shall complete the required documentation and contact the District Human Resources Office.

Donated Days Conversion – The donated days must be in increments of whole days. The district shall convert the donated leave available for use by a recipient into cash value at the donor's rate of pay, shall re-convert the cash value to hours of leave at the recipient's rate of pay, and shall then credit the recipient's account.

IV. Policy Statement

The Smyrna School District's (the "District") Donated Leave Program will assist its employees who have used all sick leave, personal leave, and at least half of annual leave, if applicable, because of catastrophic illness or injury.

V. Policy


A. Donation of Days – Employees who wish to donate one or more accrued sick leave days may contact the Human Resources Officer. It is implied in the request that the employee gives the

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- Human Resources Officer consent to disclose the requesting employee's name. Upon request, the Human Resources Officer shall broadcast the request to building staff. Should no (or insufficient) staff members at the building level donate leave within a two (2) week period, the Human Resources Officer shall broadcast the request to district staff. Alternatively, when an employee contacts the Human Resources Officer to request donated sick days, that employee may inform the Human Resources Officer of the name of a willing donor. The Human Resources Officer shall keep a listing of donors. If there is surplus leave, it will be debited from donors in the order donated. No leave can be donated more than two calendar weeks after notice of a request for leave is broadcast.
- B. No person can sell accrued leave.
- C. Eligibility for Donated Leave Program – Members of all employee groups within the district are eligible to participate in the district's donated leave program if they have been employed by the district for at least six months before that person is eligible for donated leave time. Employees who are eligible for annual leave and who have used all their sick and personal days and half of their vacation leave, and who have a catastrophic illness are eligible to apply for donated leave. However, if an Employee is not eligible for annual leave, the employee must have used all the employee's personal days and all but 3 of the employee's sick days when donated leave is for the catastrophic illness of a family member. When donated leave is for the catastrophic illness of a family member, the employee must have used all that employee's sick days, personal days and (if applicable) annual leave.
- D. Donated leave usage runs concurrently with any leave available under the Family and Medical Leave Act, 29 U.S.C. § 2601 et seq. If a long-term disability program is available to employees, a period of disability defined herein shall be limited to the waiting or elimination period defined in the policy.
Only in instances where an absence occurs because of a recipient's catastrophic illness, not a family member's catastrophic illness, donated leave may be used for personal medical treatments or personal illness directly related to the catastrophic illness as certified by a physician. Otherwise, the leave donated shall be used consecutively.

Board Approval Acknowledged by:



Christine Malec, President
Smyrna School District Board of Education

Policy Actions

Adopted: 05/11/2005
Revised: 10/16/2024