

SHELBY COUNTY BOARD OF EDUCATION



SICK LEAVE BANK GUIDELINES



I. PURPOSE

The purpose of the Sick Leave Bank is to provide sick leave to contributing members who have suffered an unplanned personal illness, injury, disability or quarantine and whose personal sick leave is exhausted.

II. ADMINISTRATION

A. Trustees

1. The Sick Leave Bank shall be administered by a Committee of Trustees. The Committee shall be composed of five (5) members: two (2) members appointed by the Board of Education from its membership, two (2) members appointed by the Association from its membership, and the Superintendent who shall serve as chairperson.
2. All appointments shall be for three (3) year staggered terms and can be replaced only because of death, retirement, resignation, and/or discontinuation of employment with the Board of Education or at the expiration of a term.

A vacancy is to be filled for the remainder of the term in the same manner as the original appointments.

3. All terms begin on August 1. Trustees may succeed themselves.

- ### **III. A.**
- All persons employed in the school system who are entitled to sick leave under the provisions of T.C.A. §49-5-710 shall be eligible to participate in the Sick Leave Bank; however, a minimum participation of twenty (20) teachers shall be required to establish the Bank.

- ### **B.**
- Any teacher who elects to participate in the Bank shall initially have two (2) days of sick leave deducted from his/her personal accumulation and deposited to the Sick Leave Bank.

- C. Certificated personnel who elect shall so indicate on the approved application form during the months of August, September, or October of any year.
- D. By written notice to the trustees, a member may withdraw from the Bank participation on any June 30. Membership withdrawal results in forfeiture of all days contributed.
- E. At any time the number of days in the Sick Leave Bank is less than twenty (20), or one (1) per member if there are more than twenty (20) members, or at any time deemed advisable, the trustees shall assess each member one (1) or more days of accumulated sick leave. If a member has no accumulated sick leave at the time of assessment, the first earned days shall be donated as they are accrued by the teacher.
- F. Donations of sick leave to the Bank are non-refundable and non-transferable.

IV. USE OF BANK

- A. "Members of the Sick Leave Bank shall be eligible to make application to the Bank for sick leave only after having been a member of the Bank for thirty (30) calendar days."
(T.C.A. §49-5-808-d)
- B. "A participant shall not receive any sick leave from the Bank until after having exhausted all accumulated sick leave, personal leave and vacation leave, including all paid Board extensions." (T.C.A. §49-5-808-e)
- C. "Leave grants from the Bank, approved by the trustees, shall not be more than twenty (20) consecutive days for which the individual applicant would have otherwise lost pay. Applications may submit requests for extensions of such leave grants before or after their prior grants expire. The maximum number of days any participant may receive in any fiscal year is sixty (60). The maximum number of days any participant may receive as a result of any one illness or recurring diagnosed illness, or accident is ninety (90) days." (T.C.A. §49-5-808-h)
- D. "In the event a member is physically or mentally unable to make a request to the Sick Leave Bank for use of sick leave days, a family member or agent may file the request." (T.C.A. §49-5-808-i)

- E. "If the trustees determine it necessary, they may require a physician's certificate of condition from any member requesting additional leave. Refusal to comply will result in denial of the pending request for use of sick leave days from the Bank." (T.C.A. §49-5-808-k)
- F. "Sick leave granted a member from the Bank need not be repaid by the individual except as all members are uniformly assessed." (T.C.A. §49-5-808-k)
- G. "Grants of sick leave from the Sick Leave Bank shall not be made to any member on account of any elective surgery, or illness of any member of the participant's family, or during any period the member is receiving disability benefits from social security or the state retirement plan, or for the period of disability when monies are paid to the member under the Injury on the Job Policy." (T.C.A. §49-5-808-g)

V. PROCEDURES

- A. Contributions to the Bank must be made on a Sick Leave Bank Donation Form. Enrollment dates are August, September, and October of any year.
- B. A request to draw upon the Bank must be made upon a Sick Leave Bank Request Form (Revised, 1994) and submitted to the trustees within thirty (30) calendar days prior to the first date usage is requested. In unusual cases, exceptions may be considered.
- C. A request to draw from the Bank must be accompanied by a physician's statement on the approved form (Revised, 1994) confirming the cause of illness or injury and must be signed by the physician.
- D. "The trustees shall act affirmatively or negatively on all applications within ten (10) calendar days of the application."
(T.C.A. §49-5-808-c)
- E. An applicant at his/her expense may be required to have a medical review by a physician approved by the trustees.
- F. Any person submitting a request to draw on the Bank must have made his/her proper contribution for the fiscal year in which the request is made.

G. "All records of the Sick Leave Bank shall be kept in or by the office of the school system which handles regular sick leave records. The trustees shall inform this office of all applications they approve and the amount of additional leave granted the member."

(T.C.A. §49-5-808-l)

Shelby County Certificated Personnel Office will be repository.

VI. LOSS OF BENEFITS

"A member shall lose the right to obtain the benefits of the Sick Leave Bank by:

1. Resignation or termination of employment with the local school system;
2. Cancellation of participation which is effective on June 30 next;
3. Refusal to honor such assessment as may be required from time to time by the trustees to maintain an adequate number of reserve days in the Bank;
4. Being on approved leave of absence with the exception of personal illness or disability leave; or
5. Retirement". (T.C.A. §49-5-809)

VII. DISSOLUTION OF BANK

"In the event the Sick Leave Bank is dissolved, the total days on deposit shall be returned to the then participating members and credited to their personal sick leave accumulation in proportion to the number of days each has contributed individually. Days returned under this section and credited to the individual participant's accumulation shall be rounded to the nearest one-half (1/2) day." (T.C.A. §49-5-810)

SICK LEAVE BANK ESTABLISHED AUGUST, 1988