

GUIDELINES FOR IRVING ISD SICK LEAVE BANK

SECTION I PURPOSE AND DEFINITION

A. Purpose

The purpose of the Sick Leave Bank is to provide additional sick leave days to members of the Bank in the event of unexpected surgery, extended illness, or temporary disability due to an injury. Days may be requested from the Bank only after the member has exhausted all accumulated state sick and personal leave and local sick leave days.

B. Definition of Sick Leave Days for Members

Sick leave days from the Bank are days granted to a member who, in the event of unexpected surgery, extended illness, or temporary disability due to an injury, is unable to perform the duties of his/her position.

SECTION II MEMBERSHIP

A. Eligibility

All full-time employees, ten, eleven, and twelve-month personnel, of the Irving Independent School District shall be eligible for membership. Full-time employees are those who work on at least a one-half time (50%) basis and are not in seasonal, substitute, or temporary positions.

B. Procedure for Joining the Sick Leave Bank

1. Any employee who is eligible to join the Sick Leave Bank may do so by contributing three (3) days of accrued or anticipated local sick leave. An employee desiring to join during the current school year must be able to earn at least three days from the time of his/her employment until the completion of his/her total number of days of work at the end of the school year.
2. The enrollment period for current employees and new employees hired prior to the opening of the school year shall be July 1 through September 30.
3. All professional contractual personnel who join the Bank within the enrollment period are eligible for membership beginning with their first official day of work.
4. All non-contractual personnel (classified and paraprofessionals) to be eligible for membership, shall have been employed ninety (90) calendar days prior to membership.
5. All new personnel employed after the enrollment period must be able to earn at least three (3) days of local sick leave during the current school year to be eligible for membership.

- a. New non-contractual personnel employed after the enrollment period must be employed a minimum of ninety (90) calendar days prior to being eligible to join the Bank.
 - b. New professional contractual personnel employed after the enrollment period are eligible to join as soon as they begin their work. Such personnel must join within thirty (30) days of beginning employment.
- 6. Employees desiring to join the Bank shall complete the membership application form and submit it to the Benefits Office. The Benefits Office will verify the employment eligibility and upon approval of the application, send it to the Payroll Department.
 - 7. Employees who do not wish to join the Bank must sign the application form so indicating and return it to the Benefits Office.

SECTION III REGULATIONS CONCERNING CONTRIBUTIONS OF DAYS

- A. To become a member of the Bank, an employee must contribute three (3) days from his/her accrued, or to be earned this year, local sick leave.
- B. These days will be subtracted from the member's local sick leave record.
- C. The three (3) days donated become the property of the Irving ISD Sick Leave Bank. All donations will remain in force and cannot be returned even upon cancellation of membership.
- D. For Bank purposes the school year will be from September 1 through August 31. If a member uses three or more days from the Bank during this period, he/she will be required to donate an additional three days the following school year (September 1 through August 31) in order to have continuing membership in the Bank. If the member uses fewer than three (3) days, he/she will donate the number of days actually used.
- E. If a member chooses not to pay back the required number of days he/she will lose his/her membership permanently.
- F. If the Bank falls below two times (2X) the number of participating members on September 30, continuing participants must contribute one extra day effective October 2 of the next school year. If it falls below one (1X) the number of members, each participant must contribute two days.

Employees who join in September will donate a maximum of 3 days for the current school term.

- G. If a member decides to cancel his/her membership in the Bank, the three days contributed for membership remain the property of the Bank. If, at a later date, this individual wishes to rejoin the Bank, he or she may do so only during the enrollment period by again donating three (3) days.

SECTION IV REGULATIONS CONCERNING GRANTING OF SICK LEAVE DAYS FROM THE BANK

A. Granting days from the Sick Leave Bank

1. Conditions known to exist by the employee on or before the date of joining the Sick Leave Bank will not be covered under provisions of the Sick Leave Bank.
2. Sick leave days from the Bank are available only in the event of unexpected surgery, extended illness, or temporary disability due to an injury and cannot be used for an illness, surgery, or other temporary disability which results from a condition which was known to the member on the date that he or she first became a member of the Sick Leave Bank. Pregnancy in general is not necessarily covered by the Sick Leave Bank. Complications arising from pregnancy or childbirth may be considered by the Board on an individual basis.
3. A member may apply for days from the Sick Leave Bank only after being absent from work the number of days requested (days will not be given in advance).
4. Days from the Bank shall be granted only for illness, injury, surgery, or other temporary disability which necessitates an absence from work of five (5) consecutive days or longer.
5. Sick Leave Bank days shall be granted only for absences from working days and will not be granted for holidays, vacation days or other such days for which the member is not paid.
6. The maximum number of Sick Leave Bank days that may be granted to an employee during one year will be thirty (30) days. The normal Sick Leave Bank Year is September 1 through August 31; however, if a member's illness starts in August and extends beyond September 1, and all other guidelines are met, the Sick Leave Bank year can be extended past August 31, and the member will be eligible to continue receiving days up to the maximum of 30 for the year.
7. If a member who has received less than 30 days from the Sick Leave Bank returns to work then is ill again with the same or different illness, he/she may apply to the Sick Leave Bank for additional days, the total not to exceed thirty (30) days per year. Each separate application submitted must meet the initial criteria of just cause if not connected to an ongoing illness with intermittent absences for the same condition (example: cancer).
8. A member shall only be reimbursed for the amount actually docked. Reimbursement will be made only in the member's regular payroll check after the Board's approval of requested days.
9. The Bank may be used only by the individual member for his or her personal

illness or injury.

10. The Bank may not be used by the contributor to be absent from his or her position in order to assist a member of his or her family who is ill.
11. Sick leave days from the Bank up to the balance available, may be granted for a period of disability when leave was elected to be used to supplement monies paid (i.e., temporary income benefits—TIBS) to the member under the Workers' Compensation Act at the time the workers' comp claim was initiated—not to exceed 100% of the employee's regular salary had s/he not been injured on the job.
12. All unused sick leave days in the Bank at the end of the school year (August 31) shall be carried over to the next school year (September 1 through August 31).
13. Sick Leave Bank days will run concurrently with FMLA leave days when appropriate.
14. A contributor will lose the right to utilize the benefits of the Bank only by:
 - a. Termination or suspension of employment in the Irving Independent School District.
 - b. Cancellation of participation by the member on the proper form at any time.
 - c. Being on approved leave of absence.
 - d. Choosing not to pay back required number of days.

SECTION V. PROCEDURE FOR APPLYING FOR SICK LEAVE DAYS

- A. Should the member have an unexpected critical illness or injury necessitating the need for additional days after all accumulated state sick and personal leave and local sick leave days have been used, the member may submit a request for days from the Bank.
- B. A member who requests days from the Bank must submit to the Benefits Office, within thirty (30) work days after returning to duty, forms containing the following information:
 1. A statement signed by the member attesting to the fact that the condition which necessitated the request for days from the Bank was unknown to the employee at the time he/she became a member of the Bank.
 2. The completed attending medical provider's (i.e., MD or DO, but not LPC or DC) statement which includes:
 - a. Identification of the nature of the illness and/or extent of injury.
 - b. Date of initial onset of this particular condition.
 - c. Anticipated date eligible to return to work on a full-time basis. (Any change in said date shall be addressed in an additional medical provider's statement.)
 - d. Statement from the physician that the condition is not a pre-existing

condition.

3. Dates of absences from work for the illness or injury.
 4. Anticipated days, if any, for follow-up examinations.
- C. Forms for the above purposes have been prepared and are available from the Benefits Office or can be printed off the Risk Management Department's web site.
- D. The Board of Directors may refuse to consider an application that does not contain the required information.
- E. If a member is critically ill and unable to file an application for sick leave days from the Bank, the school principal, immediate supervisor, or department head may initiate the application form at the request of the member or someone in the member's family.

SECTION VI GOVERNING COMMITTEE

A. Name

1. The governing committee, which will approve or disapprove all requests for Sick Leave Bank days shall be called The Irving ISD Sick Leave Bank Board of Directors.

B. Composition of Membership of Board of Directors

1. Members of the Bank who have been employed by the school district for at least three consecutive years, at the time of election, may serve on the Board of Directors.
2. Membership of the Board of Directors shall be composed of:
 - a. Voting members, elected by the members of the Bank
 - (1) Two representatives from elementary schools
 - (2) Two representatives from middle schools
 - (3) Two representatives from senior high schools
 - (4) One representative from paraprofessional personnel (secretarial, clerical, aide)
 - (5) One representative from Food Service personnel
 - (6) One representative from Maintenance/ Operations/Warehouse personnel
 - (7) One representative from administration (central office or campus level)
 - b. Non-Voting Members
 - (1) The Executive Officer shall not have a vote.
 - (2) The Board of Directors may elect a Chairman of the Board with non-voting status. If the Board desires to exercise this option, the chairman shall be an administrative staff member assigned to the

central administrative complex.

- (3) The Board of Directors may designate the Coordinator of Health Services as a non-voting member.

3. Term of Office

- a. A member of the Board of Directors shall serve for two years beginning September 1 and ending August 31. A member, if re-elected, may serve a maximum of two (2) consecutive terms.
- b. Term expiring odd number years
 - (1) 1 elementary school
 - (2) 1 middle school
 - (3) 1 senior high school
 - (4) Maint/Oper/Whse
 - (5) Paraprofessional
- c. Terms expiring even numbered years
 - (1) 1 elementary school
 - (2) 1 middle school
 - (3) 1 senior high school
 - (4) Administrative
 - (5) Food Service

4. Election Procedure

- a. Elections will be held on the last Wednesday in April. Only members of the Bank are eligible to vote.
- b. Members of each group named above may file as candidates from their group. Candidates must file for office with the Executive Officer by April 1 of each year. A form will be provided.
- c. Voting will be by ballot. Ballots will be distributed through the school mail and returned the same way. Each member voting shall seal his/her ballot in an envelope and give it to the principal or department head for returning to the Executive Officer. The Executive Officer shall call a meeting of the Board of Directors to tabulate ballots no later than the first Wednesday in May.
- d. Counselors, librarians, music teachers, special education teachers, nurses, etc. who are members of the Bank will be eligible to vote and/or be elected as representatives per their home school assignment.
- e. Itinerant professional personnel (counselors, school nurses, elementary art teachers, driver education teachers, vocational teachers, strings teachers, etc.) will be eligible to vote and/or be elected as representatives per their home school assignment.
- f. Professional personnel such as consultants, supervisors, diagnosticians,

directors, principals, vice principals, etc., will be eligible to vote and/or be elected in the administrative group.

- g. Special education teachers serving Community Class and Homebound and VEH teachers will be eligible to vote and/or be elected as high school teacher representatives.
- h. The Executive Director shall rule on the eligibility of all other personnel not covered above as to which group to be assigned for such purposes.

C. Duties and Responsibilities of the Board of Directors

- 1. At the first meeting of the year for the newly elected Board members, the Board of Directors shall select from its group a Chair, Vice-chair, and Secretary.
- 2. All applications for Sick Leave Bank days shall be reviewed individually by the Board of Directors in a called meeting.
- 3. A member may be requested to appear before the Board to substantiate his/her case.
- 4. The Board of Directors shall determine the number of days approved up to thirty (30) days and reserves the right to approve, disapprove, or modify the days requested.
- 5. A member may appeal the decision of the Board by writing a letter to the Coordinator of Benefits who is the Executive Director of the Sick Leave Bank requesting to appear in person before the Board of Directors.
- 6. The decision of the Board of Directors will be final.
- 7. Vacancies on the Board of Directors that may arise during the school year will be filled by appointment by the Board of Directors. The selection will be made from the group which was represented by the member who resigned.
- 8. The Benefits Office shall process all approved sick leave days for members to the payroll department.

SECTION VII FINAL DECISION

- A. Procedures for deciding any questions not covered herein.

Any question concerning membership, regulations, or application for sick leave days that may arise after adoption of this plan and not specifically covered herein, shall be submitted to the Board of Directors of the Sick Leave Bank who will make a recommendation to the Superintendent for a final decision.