

SICK LEAVE BANK INFORMATION

The District sick leave bank (SLB) shall be established to provide additional paid sick leave days to members of the SLB in the event of extended illness, surgery, or disability that causes the member to be unable to perform the duties of his or her position. Benefits are only for catastrophic personal illness or injury of the member, and are not for absences due to illness or injury of family members or others. The SLB is defined as a pool of local sick leave days contributed voluntarily by eligible District personnel who enroll.

Eligibility shall be limited to all District personnel who accrue sick leave benefits. Eligibility for membership shall begin on the first official workday or the first day the employee begins accruing sick leave, whichever occurs later. Application for membership must be made during the enrollment period at the beginning of each school year prior to October 1. New employees may enroll at the time of employment. If they elect not to enroll, they shall not be permitted to enroll until the next enrollment period.

The District shall elect the governing board for the SLB in accordance with administrative regulations. The governing board shall review each application individually and determine the number of days to be approved, if any. Approval of the application and the number of days shall be by a simple majority of the voting members. The governing board may grant up to 30 days in any one school year, but no more than 60 days during the time a person is employed by the District.

The SLB year shall begin on September 1 and end on August 31.

Enrollment applications for membership in the SLB will be sent to all employees at the beginning of each school year. Application for membership shall be made during the enrollment period at the beginning of each school year prior to October 1. Enrollment applications shall not be accepted after the close of business on October 1 or the first business day thereafter.

Upon acceptance of his or her application, one local sick day shall automatically be subtracted from the employee's local sick day balance. It becomes the permanent property of the SLB and cannot be returned. Each deposit remains the property of the SLB, even in the event of termination, resignation, or cancellation of membership of the employee. Unused SLB days shall carry over to the next banking year. If a member uses any days from the SLB during the year, he or she shall be required to become a member of the SLB the next year whether or not he or she wishes to enroll. One day will be subtracted from the employee's sick leave balance during the member's next year of employment.

If the SLB balance is above two times the number of returning members, a day shall not be subtracted from the sick leave balances of those who are continuing their membership

except from those who received benefit days during the previous year. This benefit will only apply to individuals who have completed the enrollment application, were members during the previous SLB year, and did not receive SLB days during the previous year.

The calculation shall be made as follows:

The SLB balance on September 1, minus any benefits not deducted on applications made by August 31, plus the number of required contribution days from members who had received benefits during the last term, plus the number of days contributed by first-time members of new SLB year (counted September 30), equals the number of days used to determine activation of the "two times" rule.

Only members in good standing shall be eligible to withdraw days from the SLB.

Days shall be granted only after the member has exhausted all accumulated state and local sick leave, personal leave, and extended sick leave, if any.

A member may apply for days after ten consecutive days of absence from work for reasons of unexpected critical personal illness, injury, or other disability that necessitates absence from work. A member may apply for days of planned absences such as surgery or hospitalization in advance if it is anticipated that the absence will exceed ten days and the member will have insufficient sick, personal, and/or extended sick leave to prevent loss of full pay.

Benefit days shall be retroactive to the first day of eligible absence once all criteria are met.

No benefit days shall be granted unless actual absence from normal duty occurs. No benefit days shall be granted to cover absences for holidays, vacations, or other nonduty days. In addition, no benefit days shall be granted for elective absences or for procedures that could be safely and reasonably postponed to extended school breaks.

The maximum number of days that may be granted to any employee during any one year shall be 30. The maximum lifetime benefit shall be 60 days.

First-year SLB members are only eligible to draw a maximum of ten days. However, employees with at least one year of local service who join the SLB during the 1995-96 first enrollment period shall not be limited to ten days. They will be "grandfathered" as charter members of the SLB.

Requests for days for mental illness are limited to a lifetime total of ten days.

In order to begin drawing from the SLB, the employee shall wait five consecutive workdays after all eligible District compensation and/or leave have been exhausted. This five-day waiting period applies each time a member requests days from the SLB.

A member who has not used the maximum yearly or lifetime benefit may apply for days for any absence that meets all regulations governing the withdrawal of days from the SLB. A doctor's letter shall be attached to the request form before any days may be withdrawn. This letter shall include the nature of the illness and the expected total number of days of absence.

The SLB governing board reserves the right to request a second doctor's opinion at any time. Payment of expenses for the second doctor's opinion shall be the employee's responsibility. Governing board authorization for utilization of SLB days subsequent to the date of request for a second doctor's opinion shall be deferred pending receipt of that opinion.

Illness or injuries that occur during the enrollment period shall automatically be covered for individuals who were members during the previous year provided they have not used all of their lifetime benefits. Any benefits used during the enrollment period shall be subtracted from the individual's balance in the year covered by the enrollment period.

Individuals who become ill or injured during the enrollment period who were not members during the previous year would not normally have any benefits. The governing board has the full and final authority to determine whether or not the individual has had sufficient opportunity to enroll prior to the absences. If the governing board determines that the individual had not completed the application through no fault of his or her own, then the governing board may decide to accept the membership retroactively to cover the absences to the beginning of the enrollment period only. This rule might apply in circumstances such as the failure of the District or administrator to distribute the applications, or if the individual did not receive a copy due to multicampus assignments.

A member shall have been absent for ten consecutive days before any SLB benefits can be granted. The governing board may grant an exception to this rule in the event of ongoing, intermittent therapy related to an earlier therapy, or dialysis. The preexisting condition restriction in the next paragraph applies.

Absences caused by conditions existing at the time of application for membership will not be covered. However, upon approval of the SLB governing board, members who present physician verification that the condition was not active or was under control at the time of application for membership may have absences related to that condition approved for benefits. [See PREEXISTING CONDITIONS]

No days shall be granted for nonmembers. Days may not be donated from or by the SLB for use by nonmembers.

Eligibility for SLB benefits by pregnant employees shall be limited to catastrophic illnesses arising out of pregnancy.

Generally, a preexisting condition shall not be covered, but complications of that condition that represent a significant change will be. If the condition itself changes significantly from that at the time of enrollment, the application could be approved. The goal of the SLB is not to exclude members who have preexisting conditions, but to provide its members with benefits for those unexpected events and illnesses.

Example:

1. A member with previously diagnosed diabetes is hospitalized to evaluate and establish better control of his or her condition. This would not be covered.
2. A member with previously diagnosed diabetes is hospitalized with complications of his or her diabetes, e.g., circulatory impairment to extremities, kidney failure, retinal detachment. This would be covered.

Example:

1. A member with previously diagnosed heart disease is advised to have bypass surgery. This has been recommended in the past, but the member decided against the surgery. This would not be covered, unless the member could demonstrate that the decision was made due to a significant change in his or her health.
2. A member with previously diagnosed heart disease has a heart attack. This is a new complication of an existing problem and would be covered.

Example:

1. A member with previously diagnosed cancer was told that the cancer has been removed, but it recurred. This would be a covered condition.
2. A member with previously diagnosed cancer who was told that the cancer would recur would not be covered, unless the cancer was considered inactive at the time of enrollment as demonstrated by the general health of the member or statement of the physician.

A member shall be notified within five working days of the decision of the governing board. The member shall then have ten working days to appeal any decision to the governing board. All appeals must be in writing and sent to the assistant superintendent's office. Supporting documentation should be included. The governing board will meet to review the original application and any new information.

A member shall have the right to present his or her case to the governing board. The governing board may request (in writing) that the member present his or her claim. Requests to appear before the governing board should be in writing and sent to the assistant superintendent's office.

All decisions of the governing board may be appealed according to the procedures outlined at DGBA(LEGAL) and (LOCAL).