

The Board of Trustees has established a St. Maries Joint School District No. 41 Sick Leave Bank controlled by the following philosophy and regulations.

### **PURPOSE**

The purpose of the Sick Leave Bank shall be to provide certified personnel who qualify for membership in the Bank with additional sick leave days needed to recover from personal illnesses which cause absence from work and loss of all accumulated personal sick leave. The Bank shall not be used as a reserve for time lost due to short-term illnesses which would normally be covered by the employee's accumulated sick leave or pre-existing illness or condition prior to membership, nor for the time lost due to illness in the family, bereavement, or for purposes other than personal illness.

### **ADMINISTRATION**

The Sick Leave Bank shall be administered by the Sick Leave Council in conformance with the Sick Leave Council regulations set forth in this Policy. The Sick Leave Council shall be composed of two (2) administrators and a certified employee from each of the following school buildings: Heyburn Elementary School, St. Maries Middle School, UpRiver Elementary School, and St. Maries High School, one of which shall be a member of the St. Maries Education Association. In the event of a tie vote by the Sick Leave Council, the Superintendent shall cast the deciding vote.

### **ELIGIBILITY**

Certified employees who have accumulated one (1) or more days of personal sick leave as defined by Idaho Code Sections 33-1216 and 33-1217 shall be eligible for membership in the Sick Leave Bank.

### **MEMBERSHIP**

Certified employees who donate one (1) day of accumulated sick leave to the Sick Leave Bank shall be members of the Bank and eligible for its services.

In the event the Sick Leave Council assesses additional days to keep the Bank solvent, a member must donate the required additional day to continue his/her membership in the Bank.

### **ENROLLMENT**

The enrollment period shall be from the first day of school through September 30 of each year.

The certified employee must donate one (1) day of personal sick leave to the Bank during an enrollment period to become a member and, when necessary, members must

donate one (1) day if the Sick Leave Bank falls below sixty (60) percent of maximum capacity. During the first year of membership only, a certified employee will not be required to donate one (1) day if the Sick Leave Bank falls below sixty (60) percent of maximum capacity to continue membership.

When a member draws from the Sick Leave Bank, they will be required to donate one (1) day of accumulated sick leave the following year to continue membership.

Days donated to the Sick Leave Bank shall be non-returnable to the donor as accumulated personal sick leave in the event of loss of Bank membership or separation or transfer from the District.

**MAXIMUM CAPACITY**

The Sick Leave Bank shall accumulate unused Bank days from year to year to a maximum capacity which shall not exceed one hundred ninety (190) days.

**MAXIMUM WITHDRAWAL**

The maximum number of days that shall be available for withdrawal for certified employee use in any one (1) year shall not exceed the Bank's maximum capacity as defined in Maximum Capacity above. The maximum number of days available for any one (1) individual per school year shall not exceed ninety-five (95) days.

**EMPLOYEE USE OF THE SICK LEAVE BANK**

Members of the Sick Leave Bank shall conform to the following regulations when requesting use of Bank days:

1. The certified employee, or the certified employee's representative when the certified employee is physically incapable, shall secure written evidence from the District Office that:
  - A. All accumulated sick leave has been used; and
  - B. He or she has purchased five (5) days of substitute teacher salary making him or her eligible to apply for use of Sick Leave Bank days.
2. The certified employee, or the certified employee's representative when the certified employee is physically incapable, shall secure written proof of illness adequate to protect the District against malingering and false claims of illness as provided by Idaho Code Sections 33-1216 and 33-1218.
3. The certified employee, or the certified employee's representative when the certified employee is physically incapable, shall secure written notification of the certified

employee's back-to-work date. If return to work is on a half-day basis, the certified employee's doctor must so specify on the back-to-work notification. If prolonged illness requires subsequent related periodic visits to the doctor or medical facility during school time, the doctor must so specify.

4. The certified employee's representative shall forward the above necessary documents to the Sick Leave Council in writing within three (3) working days of receipt of Items 1, 2, and 3 above.
5. The Sick Leave Council shall give full consideration to the certified employee's representative's recommendation and to the accompanying statements and shall make a final approval or disapproval of the request in full or in part in writing to the certified employee within three (3) working days of receipt of items 1, 2, 3, and 4 above.
6. In the event the Superintendent must cast a tie-breaking vote, he or she shall notify the certified employee within three (3) working days of his or her decision.
7. If the certified employee's request is approved, immediate transfer of the approved number of days from the Sick Leave Bank to the certified employee shall be made.
8. Except as provided in subparagraph 9, each unrelated prolonged illness must be preceded by five (5) days substitute paid leave before the same employee is eligible to draw on the Sick Leave Bank again in the same school year. Total days drawn cannot exceed ninety-five (95).
9. In the event of a recurring long-term illness, it shall not be required that the certified employee purchase an additional five (5) days of substitute paid leave before receiving additional days from the Sick Leave Bank. Total days drawn cannot exceed ninety-five (95).

**Policy Cross Reference:**

**Legal Reference:**

Idaho Code §33-1216	Sick and Other Leave
Idaho Code §33-1217	Accumulation of Unused Sick Days
Idaho Code §33-1218	Sick Leave in Excess of Statutory Minimum Amounts

**Policy History:**

Adopted:	06/11/1979
Amended:	06/02/1980
Amended:	08/10/1981
Reviewed:	12/04/2008
Reviewed:	12/10/2012
Amended:	12/10/2012
Reviewed:	06/08/2015

Amended: 06/08/2015  
Reviewed: 07/18/2016  
Amended: 07/18/2016