



General Personnel

Temporary Illness or Temporary Incapacity

Temporary illness and temporary incapacity are defined as illness or any other condition which causes an employee to be physically or mentally unfit to perform his/her duties resulting in an absence from his or her duties less than 90 school days during a given school year. During a period of temporary illness or incapacity, the employee may use accumulated sick leave benefits. However, income received from other sources (District-paid insurance programs such as Workers Compensation, etc.) will be deducted from the District's compensation liability to the employee. In no case will the employee, who is temporarily disabled, receive more than 100 percent of their gross salary during the period of leave.

Those insurance plans privately purchased by the employee and to which the District does not contribute, are not applicable to this policy.

If illness, incapacity, or any other condition causes an employee to be absent in one school year, after exhaustion of all available leave, for more than 90 consecutive work days, such absence may be considered a permanent disability and the Board may consider beginning dismissal proceedings subject to State and federal law, including the Americans with Disabilities Act. The Superintendent may recommend this paragraph's use when circumstances strongly suggest that the employee returned to work intermittently in order to avoid this paragraph's application.

Nothing in the policy shall be interpreted to override the right of the Board to move to dismissal of non-certified employees or employees who are not in contractual continued service during a period of temporary or permanent incapacity when appropriate available leave time has been exhausted. The status of certified employees in contractual continued service shall not be affected by absence caused by temporary illness or incapacity; however, employees in contractual continued service deemed permanently disabled pursuant to the policy may be terminated by the Board as noted in paragraph three above.

Any employee may be required to have an examination, at the District's expense, by a physician who is licensed in Illinois to practice medicine and surgery in all its branches if the examination is job-related and consistent with business necessity.

LEGAL REF.: Americans with Disabilities Act, 42 U.S.C. §12102.
105 ILCS 5/10-22.4, 5/24-12, and 5/24-13.
Elder v. School Dist. No.127 1/2, 208 N.E.2d 423 (Ill.App.1, 1965).
School District No. 151 v. ISBE, 507 N.E.2d 134 (Ill.App.1, 1987).

CROSS REF.: 5:30 (Hiring Process and Criteria), 5:185 (Family and Medical Leave), 5:250
(Leaves of Absence), 5:330 (Sick Days, Vacation, Holidays, and Leaves)

ADOPTED: February 2017