



# **CATASTROPHIC SICK LEAVE BANK**

## **HANDBOOK**

*Revised September 29, 2014*

## **SECTION I: PURPOSE AND DEFINITION**

### **A. PURPOSE**

The purpose of the Catastrophic Sick Leave Bank (CSLB or Bank) is to provide additional sick leave days to members of the Bank in the event of an unexpected extended critical illness, surgery, or a temporary disability due to an injury. Days may be requested from the Bank only after the member has exhausted all accumulated state and local sick leave days. Employees who receive vacation, and earn compensatory time must also exhaust all those days.

### **B. DEFINITION OF CATASTROPHIC SICK LEAVE DAYS FOR MEMBERS**

Catastrophic Sick Leave days from the Bank are those days granted to a member who through an unexpected extended critical illness, surgery, injury or other temporary disability due to injury, is unable to perform the duties of his/her position. Applications for catastrophic sick leave days shall be considered for illness of a family member.\*

\* See SECTION VII

## **SECTION II: MEMBERSHIP**

### **A. ELIGIBILITY**

All full-time ten, eleven, and twelve month personnel of the San Angelo ISD shall be eligible for membership. "Full-time employees" shall be defined as those employees who are classified as full-time by SAISD. Less than full-time employees are eligible for membership only if they receive local sick leave benefits.

### **B. PROCEDURES FOR JOINING THE CATASTROPHIC SICK LEAVE BANK**

1. Any employee who is eligible to join the Catastrophic Sick Leave Bank may do so by contributing three 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 of 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 employees who join the Bank within the enrollment period are eligible for membership beginning with the first official day of work.
4. All non-contractual personnel (paraprofessional and auxiliary) to be eligible for membership shall have been employed 90 calendar days prior to membership.
5. All new personnel employed after the enrollment period must be able to earn at least three 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 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 immediately after they begin their work. Such personnel must join

within 30 days of beginning employment.

6. Employees desiring to join the Bank shall complete the membership application form and submit it to the Employee Benefits Department. The Coordinator of the Financial Services Department or designee shall verify the employee's eligibility.

**SECTION III: REGULATIONS CONCERNING CONTRIBUTION OF DAYS**

- A. To become a member of the Bank, an employee must contribute three days from his/her accrued or anticipated local sick leave for the current school year.
- B. These days will be subtracted from the member's local sick leave record.
- C. The three days donated become the property of the San Angelo ISD Catastrophic Sick Leave Bank. All donations will remain in force and cannot be returned even upon cancellation of a 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 through August) in order to have continuing membership in the bank. If the member uses fewer than three days, he/she will donate the number of days actually used.
- E. If the Bank falls below two times the number of participating members on September 30, continuing participants must contribute one extra day effective October 1 of the next school year. If it falls below one times the number of members, he/she must contribute two days. Participants who join in September will donate a maximum of three days for the current school term.
- F. 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 during the enrollment period by again donating three days.
- G. Personnel who terminate their employment with the District forfeit membership in the Bank at the effective date of termination. If the employee wishes to regain membership in the Bank upon his/her return to the District, three days must again be donated. Personnel who resign their dual position and are rehired without a break in employment will retain their membership.
- H. Upon return to work in the San Angelo ISD, personnel on approved leave of absence will retain membership in the Bank and will not be required to donate additional days. However, employees who are on leave of absence are not eligible for benefits from the bank as per Section IV, 11, C.

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

- A. 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 until one year from the date of enrollment.
- B. Catastrophic sick leave days from the Bank will be granted only after the member has exhausted all accumulated state and local leave days. Employees who receive vacation and earn compensatory time must also exhaust all those days.
- C. Days from the Bank shall be granted only for unexpected extended critical illness, surgery\*, or

critical injury which necessitates an absence from work for five consecutive days or longer.

- D. The condition of pregnancy shall not be covered by the Bank. However, medical complications that arise from childbirth shall be considered. (\*Caesarean deliveries would be considered only if complications occur for mother and/or child.)
- E. Catastrophic 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.
- F. The maximum number of Catastrophic Sick Leave Bank days that may be granted to an employee during the year (September 1 through August 30) will be 30 days and 15 days for an eligible dependent not to total more than 30 days.
- G. If a member who has received fewer than 30 days from the Catastrophic Sick Leave Bank returns to work and then is ill again with the same or a different illness, he/she may apply to the Catastrophic Sick Leave Bank for additional days needed, the total not to exceed 30 days per year. Each separate illness applied for must meet the initial criteria of just cause.
- H. In cases of intermittent Catastrophic Leave requests, the Catastrophic Leave Bank Committee reserves the right to request periodic medical certification updates from your medical care provider. This will allow the Catastrophic Leave Bank Committee to determine the total amount of leave needed by the recipient.
- I. 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 Catastrophic Sick Leave Board's approval of requested days.
- J. Catastrophic sick leave days from the Bank may be used to supplement monies paid to the member under the Workers' Compensation Act, but shall not exceed the member's daily salary.
- K. All unused catastrophic sick leave days in the Bank at the end of the school year (August 31) shall be carried over the next school year (September 1 through August 31).
- L. A contributor will lose the right to utilize the benefits of the Bank by:
  - 1. Termination of employment in the San Angelo ISD.
  - 2. Cancellation of participation by the member on the proper form at any time.
  - 3. Being on approved leave of absence.
  - 4. Having already been granted days for illnesses related to alcohol and/or other chemical substance dependency.
- M. The Board reserves the right to evaluate eligibility for granting days from the Catastrophic Sick Leave Bank. An employee may appeal a denial through the District's grievance process. See policy DGBA (Local).

**SECTION V: PROCEDURES FOR APPLYING FOR CATASTROPHIC SICK LEAVE DAYS**

- A. Should the member have an unexpected critical illness or injury necessitating the need for additional days after all accumulated vacation, compensatory time, and accumulated state 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 Executive Officer within 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. Completion of the attending physician's statement which includes:
    - a. Identification of the nature of 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 or part-time basis.
    - d. Statement from the physician that the condition is not a pre-existing condition.
  - 3. Anticipated days, if any, for follow-up examinations. (May be limited by the Catastrophic Sick Leave Board of Directors)
- C. Forms for the above purpose have been prepared and are available from the Payroll & Benefits office.
- 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 catastrophic sick leave days from the Bank, the school principal, immediate supervisor, or department head may initiate the application form at the request of the family.
- F. An applicant may be required to undergo a medical review by a physician garnering a second opinion. The physician will be of the Board's choosing at any time, at the expense of San Angelo ISD and upon approval of the Coordinator of Financial Services.

**SECTION VI: GOVERNING COMMITTEE**

**A. NAME**

The governing committee, which will approve or disapprove all requests for sick leave bank days, shall be called "The San Angelo ISD Catastrophic Sick Leave Bank Board of Directors."

**B. COMPOSITION OF MEMBERSHIP OF BOARD OF DIRECTORS**

The Coordinator of Financial Services or designee shall be the Executive Officer (Chairperson) of the Board of Directors. The Executive Officer shall not be a voting member of the Board except in the event of a tie vote.

- 1. Members of the Bank must have been employed by the school district for at least two years prior to serving on the Board.

2. The Board shall have the following composition:
  - a. Two representatives from elementary schools (teachers)
  - b. One representative from middle schools (teacher)
  - c. One representative from freshman campus (teacher)
  - d. Two representatives from senior high schools (teachers)
  - e. One representative from alternative schools
  - f. One representative from administration
  - g. One representative from paraprofessionals
  - h. One representative from maintenance, custodial, food service, or transportation

TOTAL - 11 members (including the Chairperson)

3. TERM OF OFFICE

The term of office will be two years, with initial members drawing lots for one or two year terms in order to establish staggered terms. The term of office shall run from June 1 to May 31. A member may serve a maximum of two consecutive terms.

4. SELECTION PROCEDURES

- a. Selections will be made during the month of May. Only members of the Bank are eligible to serve.
- b. Members of each group named above may be selected from their group. "Group" means one of the eight categories listed in Section VI. B. 2.
- c. Members may be selected by: (1) being appointed by the group they represent, (2) being elected by the group they represent, or (3) volunteering to represent their group with no opposition.
- d. Counselors, librarians, music teachers, special education teachers, nurses, etc. who are members of the Bank will be selected as representatives per the "home school" assignment.
- e. The Executive Officer shall rule on the eligibility of all other personnel not covered above.
- f. In the event no one is appointed, elected, or volunteers for one of the positions on the Board of Directors, the Board shall fill such position by appointment at the first Board meeting following the month of May. The selection will be made from the group which would be represented by the vacant position.
- g. If a member of the Board is representing one group on the Board and accepts or is transferred to a new classification, then he/she must resign his/her position and another member appointed.

### C. DUTIES AND RESPONSIBILITIES OF THE BOARD OF DIRECTORS

1. At the first meeting of the year the Board shall select from it, vice chairperson and secretary.
2. All applications for sick leave bank days shall be reviewed individually by the Board in a called meeting. A quorum shall consist of a least five members.
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 30 days based on a medical statement, 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 Chairperson 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 arise during the school year will be filled by the Board at the next Board meeting. The selection will be made from the group which was represented by the member who resigned.
8. The Coordinator of Financial Services or designee shall serve as the Executive Officer of the Board of Directors and process all approved catastrophic sick leave days for members.
9. The details of individual cases brought before the Catastrophic Sick Leave Bank Board of Directors are confidential. A breach of confidentiality could result in removal from the Board.

### **SECTION VII: USE OF CATASTROPHIC SICK LEAVE BANK FOR IMMEDIATE FAMILY**

To make the Bank a more significant benefit for the San Angelo ISD employees, the committee has included the immediate family.

#### A. PURPOSE

To provide additional sick leave days for members whose immediate family or a relative for whom the member is the major care giver has suffered catastrophic illness or injury.

#### B. DEFINITION OF IMMEDIATE FAMILY

Immediate family shall include and be limited to the spouse and any children who meet all of the following criteria:

1. The employee's unmarried, dependent, natural or legally adopted children under age 25.
2. The employee's unmarried, dependent stepchildren under age 25, if they live in the employee's home on a permanent basis in a parent/child relationship and are legally dependent on the employee for financial support.
3. Other unmarried, dependent children under age 25, if they live in the employee's home on a permanent basis in a parent/child relationship and are legally dependent on the employee for financial support.

4. Children may remain covered after age 25 if they are physically or mentally handicapped and primarily dependent on the employee for support and maintenance.
- C. To apply for catastrophic sick leave days, the member must follow the procedures set out in Section IV and Section V.
- D. All regulations pertaining to the use and issuing of catastrophic sick leave days will also be applied to the illness or injury of the family member.
- E. Regulations that pertain to use of the bank for members of family:
  1. The Bank will provide sick leave days to members only after they have experienced loss of three days of salary.
  2. The maximum number of days that may be granted to an employee for use with the sickness or injury of a \*family member is 15 days per occurrence with a maximum of thirty (30) days.  
  
\*(Documentation is required to determine that the covered employee is the immediate family member's [i.e. parent] primary caregiver.)

#### **SECTION VIII: PROCEDURES FOR OTHER ISSUES THAT MAY ARISE**

Any questions 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 who will make a recommendation to the Superintendent for a final decision.

#### **SECTION IX: AMENDMENTS**

These guidelines may be amended upon recommendation of the Board of Directors of the Bank followed by approval of the Superintendent of San Angelo ISD.