

Personnel**Temporary Illness or Temporary Incapacity**

Temporary illness or temporary incapacity is an illness or other capacity of ill-being which renders an employee physically or mentally unable to perform assigned duties. During such a period, the employee can use accumulated sick leave benefits. However, income received from other sources (worker's compensation, District-paid insurance programs, etc.) will be deducted from the District's compensation liability to the employee. The Board of Education's intent is that in no case will the employee who is temporarily disabled receive more than 100 percent of gross salary.

Those insurance plans privately purchased by the employee and to which the District does not contribute are not applicable to this policy. 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 a teacher or other licensed employee to be absent, 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 begin dismissal proceedings subject to State and federal law, including the Americans with Disabilities Act and applicable case law and administrative regulations. This paragraph shall not be considered a limitation on the Board's authority to take any action concerning an employee that is authorized by State and/or federal law, including when the teacher or other licensed employee returned to work intermittently in order to avoid this paragraph's application.

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, a licensed advanced practice registered nurse, or a licensed physician assistant if the examination is job-related and consistent with business necessity.

In accordance with applicable law, it is the policy of the Rockford Board of Education to pay benefits to an employee whose injury is determined by the Rockford Board of Education to arise out of and in the course of employment pursuant to the requirements of the Illinois Workers' Compensation Act. These benefits include, but are not limited to, temporary total disability benefits and medical benefits, all as mandated and/or limited by provisions of the Act. Nothing herein is meant to limit the rights of an injured employee under the Act

LEGAL REF.: 42 U.S.C. §12101 et. Seq.;105 ILCS 5/10-22, 5/10-22.4, 5/24-12, and 5/24-13.

Elder v. Board of Education, 208 N.E.2d 423 (1st Dist. Ill. 1965).
School District no. 151 v. ISBE 154 Ill.App.3d 375(1st Dist. Ill.
1987).

CROSS REF.: 5.30, 5.40, 5.185, 5.187, 5.250, 5.330

Adopted: July 8, 1997

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