

## General Personnel

### **5:180 Temporary Illness or Temporary Incapacity**

A temporary illness or temporary incapacity is an illness or other capacity of ill-being that renders an employee physically or mentally unable to perform assigned duties. During such a period, the employee must use accumulated sick leave benefits and any leave benefits available under the Family and Medical Leave Act (FMLA). 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 their gross salary.

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

Any employee who is absent because of illness, disability, or incapacity, shall be deemed temporarily disabled for up to 90 consecutive work days, or 90 out of 180 work days from the same illness or incapacity, as calculated from the employee's first day of absence, and will be granted a leave of absence for the period of temporary disability. This temporary disability leave time shall run concurrently with the employee's use of any accumulated sick days and FMLA time, if eligible.

If illness, incapacity, or any other condition causes an employee to be absent, after exhaustion of all available leave, for more than 90 consecutive work days, or 90 out of 180 work days from the same illness, such absence may be considered a permanent disability and the Board may act to terminate the employee subject to State and federal law, including the Americans with Disabilities Act. Time periods under this policy are computed anew at the start of each new school year. However, if an employee remains ill or incapacitated at the start of a new school year from the same or a related condition that caused the employee to be absent the previous school year, then the time period will not be computed anew but will be continued from the previous school year. The Board of Education, in its sole discretion, may grant an employee whose temporary disability period has expired an extended leave of absence. 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. 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 federal law.

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.

#### LEGAL REF.:

42 U.S.C. §12101 et seq., Americans with Disabilities Act.

105 ILCS 5/10-22.4, 5/24-12, and 5/24-13.

Elder v. School Dist. No.127 1/2, 60 Ill.App.2d 56 (1st Dist. 1965).

School District No. 151 v. ISBE, 154 Ill.App.3d 375 (1st Dist. 1987).

CROSS REF.: 5:30 (Hiring Process and Criteria), 5:40 (Communicable and Chronic Infectious Disease), 5:185 (Family and Medical Leave), 5:250 (Leaves of Absence), 5:330 (Sick Days, Vacation, Holidays, and Leaves)

Adopted: October 21, 2025

**Arlington Heights SD 25**

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