

DeKalb County Board Of Education

Sick Leave Bank

Certified Employees

The purpose of the sick leave bank is to provide sick leave to contributors who have suffered an unplanned personal illness, injury, disability, or quarantine and whose paid leave is exhausted.

The sick leave bank shall be administered by a Committee of Trustees. The Committee shall be composed of five (5) members: two (2) members appointed by the Board, two (2) members appointed by the Teachers Association and the Director of Schools who shall serve as chairperson. In the event any member is unable to be present at any meeting of the sick leave bank trustees, the member may appoint a representative to serve during a particular meeting if authorization is given in writing by the absent trustee.

The Committee of Trustees shall be appointed for three-year staggered terms and can be replaced only because of death, retirement, resignation and /or discontinuation of employment with the board of education or at the expiration of a term; any vacancy shall be filled for the remainder of the term by the appointing authority in the same manner as the original appointments were made; trustees are eligible to succeed themselves; and the four (4) trustees originally appointed by the board of education and the employee organization shall draw lots for two (2) positions for three (3) years, and two (2) positions for two years, to become effective August 1; thereafter all terms begin on August 1.

The Trustees shall provide rules and regulations not inconsistent with the provisions of TCA 49-5-805. These rules and regulations shall be filed with the office of the commissioner of education and the local school system within sixty (60) days of the authorized establishment of the Bank pursuant to TCA 49-5-803 and shall be available for public inspection during regular office hours.

The following rules apply:

1. All persons employed in the school system who are entitled to sick leave under the provisions of TCA 49-5-710 shall be eligible to participate in the sick leave bank; however, a minimum participation of twenty (20) members shall be required to establish the Bank.
2. Any teacher who elects to participate in the bank shall initially have two (2) days of sick leave deducted from his/her personal accumulation and deposited to the sick leave bank. Teachers electing to participate shall do so only during the months of August, September, or October of any year. Donations of sick leave to the Bank are nonrefundable and nontransferable, unless the Bank is dissolved.

3. If at any time the number of days in the sick leave bank is less than twenty (20), or one (1) per member if there are more than twenty (20) members, or at any time deemed advisable, the Trustees shall assess each member one (1) or more days of accumulated sick leave. The number of days assessed from each member shall not exceed three days per assessment. If a member has no accumulated sick leave at the time of assessment, the first earned days shall be donated as they are accrued by the teacher.
4. In the event of an assessment, the membership must be notified in writing at least thirty (30) days prior to the effective date of assessment. At the end of the thirty (30) day notification period, transfers will be made from the sick leave balances of members to the bank, except in cases where members have notified the trustees in writing of the unwillingness to honor the assessment. Failure to comply with any assessment established by the sick leave bank trustees will result in cancellation of membership, and forfeiture of all donated days.
5. By written notice to the Trustees, a member may withdraw from the bank participation effective June 30 next. Membership withdrawal shall result in the forfeiture of all days contributed.
6. Members of the sick leave bank shall be eligible to make application to the Bank for sick leave only after having been a member of the Bank for thirty (30) calendar days.
7. A participant shall not receive any sick leave from the Bank until after having exhausted all accumulated paid leave, including all paid Board extensions, and then only after satisfying a five (5) day waiting period.
8. Leave grants from the Bank, approved by the Board of Trustees, shall be in units of no more than twenty (20) consecutive pay days for the individual applicant. Applicants may submit requests for extensions of such leave grants before their prior grants expire. The maximum number of days any participant may receive in any fiscal year is sixty (60). The maximum number of days any participant may receive as any one or recurring diagnosed illness, or accident is ninety (90) days.
9. In the event a member is physically or mentally unable to make a request to the sick leave bank for use of sick leave days, a family member or agent may file the request.
10. All requests to utilize days from the Bank shall be accompanied by a physician's statement verifying the cause of the illness or injury and attesting to the individual's inability to perform assigned duties. Refusal to supply such a statement shall result in the request being denied.
11. Sick leave granted a member from the Bank need not be repaid by the individual except as all members are uniformly assessed.

12. The determination of grants from the sick leave bank for any elective surgery, plastic surgery, or illness of any member of the participant's immediate family shall be at the discretion of the Board of Trustees.
13. Grants of sick leave from the sick leave bank shall not be made to any member during any period the member is receiving disability benefits from social security or a state or local retirement plan.
14. A member shall lose the right to obtain the benefits of the sick leave bank by:
 - Resignation or termination of employment;
 - Cancellation of participation which is effective on June 30 next;
 - Refusal to honor such assessment as may be required by the Board of Trustees;
 - Being on approved leave of absence with the exception of personal illness or disability leave;
 - Retirement

All actions of the Trustees shall require three (3) affirmative votes and shall be final and binding.

The following procedures apply:

1. Contributions to the bank must be made on a sick leave bank Donation Form established by the Board of Trustees.
2. The Trustees shall act affirmatively or negatively on all applications within ten (10) calendar days of the completed application.
3. At the request of a majority of the Trustees, an applicant may be required to undergo at his/her expenses a medical review by a physician approved by the Board of Trustees.
4. Any person submitting a request to draw on the Bank must have made his/her proper contribution for the fiscal year in which the request is made.
5. All records of the sick leave bank shall be kept in the Central Office of the school system. The Trustees shall inform this office of all applications they approve and the amount of additional leave granted the member.
6. Any days approved by the Trustees but not utilized by an applicant shall be returned to the Bank.

7. Pay for approved sick leave bank days shall be made on the next regularly scheduled payroll date for that individual.
8. Enrollment in the bank shall be for the current year and subsequent years unless revoked in writing. Such cancellation shall be effective June 30 next.
9. The Trustees shall be responsible for developing all necessary forms for the implementation and administration of the Bank.
10. Each member shall sign an authorization form stating that they are aware of the provisions of the sick leave bank and also relieving the Board, the Association, and the individual Trustees from any liability as a result of action taken by the Trustees.