

Leaves of Absence Procedures

A. Sick Leave

1. Accumulation of Benefits

At the beginning of each school year, a teacher and support staff shall be credited with one (1) day sick leave allowance for each month of contractual employment or ten (10) days per year. Unused sick leave days shall be accumulated from year to year with no maximum limit.

Sick leave shall be interpreted to mean leave of absence due to illness of a teacher from natural causes, accident, quarantine, or illness or death of a member of the immediate family of a teacher including a teacher's spouse, parents, grandparents, children, grandchildren, brother, sister, mother-in-law, father-in-law, daughter-in-law, son-in-law, brother-in-law, and sister-in-law.

2. Transfer of Sick Leave

The Board shall grant to any teacher upon his or her employment or re-employment the accumulated sick leave earned from previous employment in a Tennessee school system, department or institution of a Tennessee state college or university, if requested in writing within two (2) years after termination of previous employment.

3. Other

In order to keep certified teachers on duty as long as possible, half days may be used for sick leave if substitutes are available.

B. Sick Leave Bank

1. Membership

Teachers employed in the DeKalb County School System who are entitled to sick leave under the provisions of TCA 49-5-710 are eligible to participate in the sick leave bank of this county. Persons electing to participate shall do so during the months of August, September, or October of any year by submitting the necessary forms to the Board of Education office. There shall be a minimum of 20 members for the establishment of the sick leave bank.

Persons who elect to participate in the bank shall initially donate two (2) days to the bank and shall be assessed one (1) or more additional days when the bank drops to one (1) day per member. Donations to the sick leave bank are non-refundable and non-transferable. If a member has no accumulated sick leave at the time of assessment, the first earned days shall be donated as they are accrued.

All records of the sick leave bank shall be kept in or by the office of the DeKalb County School System which handles regular sick leave records.

The Bank should be administered by the Board of Trustees as set forth in TCA 49-5-804.

2. Limitations and Usage

Members of the sick leave bank shall be eligible to make applications to the bank for sick leave only after having been a member of the bank for 30 calendar days. A participant shall not receive any sick leave from the bank until after having exhausted all accumulated sick and personal leave, including all paid Board extensions. Grants of sick leave from the bank shall not be made to any member for any elective surgery, illness of the participant's family, or during any period the member is receiving disability benefits from social security or the state/local teacher's retirement plan.

Maternity leave is not eligible for sick leave from the bank. However, if any additional complications not related to a normal pregnancy leads to additional days of recovery, days from the bank could be granted by the trustees.

Applications for sick leave from the bank may be made only when the illness or accident is of ten (10) or more consecutive school days. In the event a member is physically or mentally unable to make a request to the bank for sick leave, a family member or agent may file the request.

A doctor's statement must accompany all requests for sick leave from the bank.

The Board of Directors or Trustees shall act either affirmatively or negatively on all applications within ten (10) calendar days of the application. Leave grants from the bank, approved by the trustees, shall not be more than 20 consecutive days for which the applicant would have otherwise lost pay. Applicants may submit requests for extensions of such leave grants before or after their prior grants expires. A participant may receive a maximum of 60 days in a fiscal year and a maximum of 90 days for one (1) illness or accident. Days withdrawn from the bank for any known illness existing at the time the teacher elected to participate in the bank shall be limited to no more than ten (10) days.

3. Other

Rules and procedures may be amended by simple majority of the members of the sick leave bank and the board of directors or trustees.

A member shall lose the right to obtain the benefits of the sick leave bank by:

- a. Resignation or termination of employment with the school system
- b. Cancellation of participation which is effective only on June 30 next.
- c. Refusal to honor such assessment as may be required from time to time by trustees.
- d. Being on approved leave of absence with the exception of personal illness or disability leave.
- e. Retirement

In the event the sick leave bank is dissolved, the total days on deposit shall be returned to the then participating members and credited to their personal sick leave accumulation in proportion to the number of days each has contributed individually rounded to the nearest one-half (1/2) day.

C. Temporary Leaves of Absence

Each teacher shall be entitled to the following temporary leaves of absence with full pay each school year:

1. Personal/Professional

A teacher shall be allowed personal/professional leave earned two (2) days. When the two (2) days are being used for professional purposes, they may be taken in succession. If the days are being used for personal reasons, to be in succession must be at the discretion of the principal.

Personal/Professional days may be taken in half (1/2) day increments.

2. Bereavement

Up to one day bereavement from existing sick leave shall be granted.

3. Maternity

Sick leave shall be used for maternity leave purposes during the period of a teacher's disability as determined by a physician.

D. Extended Leaves of Absence

Any person holding a position which requires a teacher's certificate shall be granted a leave of absence for military service, legislative service, jury duty, maternity, adoption, recuperation of health, and educational improvement without forfeiture of accumulated leave credits, tenure status, or fringe benefits.

All leaves shall be required in writing at least 30 days in advance on forms adopted by the local Board and uniformly used throughout the system. The forms shall contain a description of the type of leave requested, the beginning and ending dates of said leave (except in cases of emergency), and a statement of intent to return to original position at the time leave was requested.

Extensions of leave may be granted by the director of schools. Procedures for extensions are the same as those for initial requests.

The teacher shall have the opportunity to continue all fringe benefits at the teacher's expense.

Positions vacated for less than 12 months by teachers on leave shall be filled by an interim teacher for such time as the teacher is on leave. Upon return of said teacher within the 12 months, the interim teacher shall relinquish the position and the teacher shall return thereto. If the leave exceeds 12 months, the returning teacher shall be placed in the same or comparable position upon returning from leave.

Other extended leaves of absence without pay may be requested in writing and approved at the discretion of the director of schools.