

Rhea County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Sick Leave Bank	Descriptor Code: 5.2031	Issued Date: 03/12/15
		Rescinds: 5.2031	Issued: 04/13/00

1 The purpose of the Sick Leave Bank¹ is to provide sick leave to contributors to the Bank in the event of
2 an illness or injury, and provided their available sick leave or any other applicable leave has been
3 exhausted.
4

5 **TRUSTEES**

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7 The Sick Leave Bank shall be administered by a Committee of Trustees in accordance with the
8 provisions outlined below. The Committee shall be composed of five (5) members. The Board of
9 Education and the Rhea County Education Association shall each appoint two (2) persons to serve as
10 trustees, as well as one (1) alternate. The fifth trustee shall be the director of schools, who shall chair the
11 Committee.²
12

13 **PROVISIONS**

- 14
15 1. Membership in the Sick Leave Bank is limited to those individuals who are certified employees.
- 16
17 2. Eligible employees may join the Sick Leave Bank by donating one (1) sick leave day. The
18 trustees may assess additional days as they deem advisable.
- 19
20 3. Sick Leave Bank days may be granted only for instances of illness or injury of the individual
21 member which would prevent the member from satisfactorily performing the duties of his
22 teaching position.
- 23
24 4. A member shall not receive any sick leave from the Bank until after exhausting all accumulated
25 sick and personal leave.
- 26
27 5. Certified employees shall enroll during August, September, or October of each year. Certified
28 employees must have an accumulation of at least two (2) sick leave days to enroll. Enrollment
29 shall be made without regard to pre-existing conditions of health at the time of contribution. New
30 employees may contribute within the first thirty (30) days after their effective dates of
31 employment or at the beginning of the new enrollment period. All donations to the Bank are
32 “final” and will not be returned to the donor unless the Bank is dissolved.³

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2 6. Members of the Sick Leave Bank shall be eligible to make application to the Bank for sick leave
3 only after having been a member of the Bank for thirty (30) days.
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- 5 7. Each member must sign an enrollment card stating that they are aware of the provisions of the
6 Bank and relieving the Board of Education, the Education Association, and the Trustees from
7 any liability as a result of action taken by the Trustees. One copy of the form will be forwarded
8 to payroll as a permanent file copy, one copy will be retained by the Trustees, and one copy will
9 be retained by the employee.
10
- 11 8. Employees shall receive benefits from the Bank for their contracted period of employment. No
12 benefits shall be paid for those days when an employee would not normally be in pay status.
13
- 14 9. Grants of sick leave from the Bank shall not be made to any member on account of elective
15 surgery or illness of any member of the participant's family or during any period the member is
16 receiving disability benefits from Social Security or the state teachers' retirement plan or under
17 the Workers' Compensation Law.
18
- 19 10. The form and manner of application for use of leave from the Bank shall be prescribed by the
20 Trustees and made available at each school and the director of schools office. The Trustees shall
21 either approve or deny all applications within ten (10) days of the receipt of the application. Any
22 recommendation for approval to draw from the Bank must have the support of at least three (3)
23 trustees. The decision of the trustees shall be final.
24
- 25 11. Leave grants from the bank, approved by the Trustees, have statutory limits specified in TCA
26 49-5-808. Presently, grants shall not be more than twenty (20) consecutive days for which the
27 individual would otherwise lose pay. Applicants may submit requests for extensions on such
28 leave grants before or after their prior grants expire. The maximum number of days any
29 participant may receive as a result of any one illness or recurring diagnosed illness or accident is
30 ninety (90) in total, but no greater than sixty (60) in any fiscal year. If a member is physically or
31 mentally unable to make a request to the Sick Leave Bank for use of sick leave days, a family
32 member or agent may file the request.⁴
33
- 34 12. If a member does not use all days advanced from the Bank, the unused days will be returned to
35 the Bank. All days collectively contributed to the Bank and not used in any one fiscal year shall
36 be carried over to the next fiscal year.
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- 38 13. If the Trustees deem it necessary, they may require a physician's certificate of condition from
39 any member requesting additional leave, or an applicant may be required to undergo at the

1 applicant's expense a medical review by a physician approved by the Trustees. Refusal to comply
2 will result in denial of the pending request for use of sick leave days from the Bank. Sick leave
3 granted a member of the Bank need not be repaid by the individual except as all members are
4 uniformly assessed.
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6 14. All records of the Sick Leave Bank shall be kept in or by the central office or finance office
7 which handles regular sick leave records. The Trustees shall inform this office of all applications
8 they approve and the amount of additional leave granted any member. Payments will begin on
9 the next regularly scheduled payroll for the member.
10

11 15. The policies governing the Sick Leave Bank will be reviewed annually (fiscal year) by the
12 Trustees. Any changes will be made in accordance with state law and the needs of the Bank.
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14 16. The Bank shall be dissolved when membership falls below twenty (20) or upon a majority vote
15 of the Trustees following an open hearing by the Bank membership.
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17 17. The enrollment authorization shall remain in effect for the current and subsequent years unless
18 cancelled in writing. Cancellation shall be effective on the following June 30.
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Legal References

1. TCA 49-5-801
2. TCA 49-5-810
3. TCA 49-5-804
4. TCA 49-5-808