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# SICK LEAVE BANK GUIDELINES

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Abilene Independent School  
District

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Revised September 1, 2021

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# **ABILENE INDEPENDENT SCHOOL DISTRICT**

## **SICK LEAVE BANK GUIDELINES**

### **SECTION I - PURPOSE AND DEFINITION**

**A. PURPOSE:**

The purpose of the Abilene ISD Sick Leave Bank (hereinafter called the Bank) is to provide additional sick leave days to the members of the Bank after all accumulated leave days, including comp-time, flex time and vacations days, have been exhausted.

**B. DEFINITION OF BANK DAYS:**

1. Bank Sick leave days (hereinafter called Bank days) are granted to a member who through an absence defined by these guidelines is unable to perform the duties of his/her position. (see SECTION V)
2. Bank days may be granted for an absence necessary for care of an immediate family member. (See SECTION V, B-6)
3. A day is defined as a period of twenty-four hours as a unit of time, reckoned from one midnight to the next. A Bank Day for an employee is the equivalent of the FTE of the position that the employee is in where an FTE of 100% is equal to an 8-hour day (e.g. an employee in a position with an FTE of 75% will equal to a 6-hours day). A reduced bank day will be 65% of the employee's FTE equivalent.

### **SECTION II - GOVERNING COMMITTEE**

- A. The governing committee, which shall approve or disapprove all requests for Bank days, shall be called THE ABILENE INDEPENDENT SCHOOL DISTRICT SICK LEAVE BANK BOARD OF DIRECTORS (hereinafter called the Board).
- B. The Abilene ISD Superintendent or designee shall serve as Executive Officer of the Board.
- C. Members of the Board will have been employed by the Abilene ISD for at least 3 consecutive years prior to the election and be a member of the Bank.
- D. Voting membership of the Board, a total of 11 shall be elected from:
  1. Two representatives from elementary schools (professional staff).
  2. Two representatives from middle schools (professional staff).
  3. Two representatives from high schools (professional staff).
  4. One representative from the district's medical staff (RN).
  5. One representative from paraprofessional personnel (secretarial, clerical, aide).
  6. One representative from maintenance, warehouse, transportation, custodial.
  7. One representative from student nutrition.
  8. One representative from administration.
- E. Non Voting members of the Board
  1. The Executive Officer shall serve as a non-voting member.

2. The Employee Benefits Manager shall serve as a non-voting member.

**F. Terms of Office:**

1. A member of the Board shall serve for 2 years beginning August 1 and ending July 31.
2. A Board member must remain as a member of the Bank to serve on the Board.
3. To establish continuity of the Board, the term of office for half of the members of the original Board will expire August 31, 1987. (NOTE: This was left in the Guidelines simply to explain what happened when the Board was originally established.)

**G. Election Procedures:**

1. Elections will be held in the spring semester. Only members of the Bank are eligible to vote.
2. Members of each group named in D above may file as candidates from their respective group. Candidates must file for office with the Benefits Office. A form will be provided.
3. Voting will be by secret paper ballot. Ballots will be distributed through the school mail and collected in each campus office. Ballots are to be returned to the Benefits Office by a date specified on the ballots. The ballots shall be tabulated under the direction of the current Board. New Board members shall be determined by plurality.
4. In the event that there is only one candidate nominated for each position up for election, the Board shall approve the candidate(s) without a vote by secret ballot.
5. Itinerant members of the Bank will be eligible to vote and/or be elected per the Home Campus assignment.
6. The Executive Officer shall rule on the eligibility of all other employees not covered above as to which group to be assigned for such purposes.
7. In the event no one files as a candidate for one or more of the positions on the Board, the Board shall fill such positions by appointment at the first Board meeting following the election. The selection will be made from the group which would be represented by the vacant position.
8. Vacancies on the Board that arise during the school year will be filled by appointment by the Board. The selection will be made from the group which was represented by the member who vacates the position.

**H. Board Duties and Responsibilities**

1. At the first meeting of the school year, the Board shall select from its group a chairperson, vice chairperson, and secretary.
  - a. The schedule for Board meetings shall be set by the new Board.
  - b. Applications for Bank days shall be reviewed individually by the Board in a regularly scheduled meeting. A quorum shall consist of seven (7) members. A quorum must be present to conduct Bank Board business.
2. Board members are expected to attend regularly scheduled meetings
3. The Board shall determine the number of Bank days approved up to 50. The Board reserves the right to approve, disapprove, modify the days requested, or require additional information. The Board may not award more than 90 days in the lifetime of an employee.

## SECTION III - MEMBERSHIP

### A. ELGIBILITY

1. All personnel eligible for local sick leave days shall be eligible for Bank membership.

### B. PROCEDURES FOR JOINING THE SICK LEAVE BANK

1. Employees eligible to join the Bank may do so by contributing 3 days of local sick leave provided the employee is eligible to earn at least 3 local days from the time of employment until the completion of the total number of days to be worked by the end of the school year.
2. The enrollment period shall be July 1 through September 30.
3. Employees who join the Bank within the enrollment period are eligible for membership beginning with their first official day of work.
4. Employees hired after the enrollment period are eligible to join on their first day of employment. They must be eligible to earn at least 3 days of local sick leave during the current school year and must join within 30 days of start date.
5. Employees joining the Bank shall submit a completed membership application to the Employee Benefits Office. The Benefits Office shall verify the employee's eligibility, approve the application, and enroll the employee in the Bank.

## SECTION IV - DAYS CONTRIBUTED TO SICK LEAVE BANK

- A. The days contributed become the property of the Abilene ISD Sick Leave Bank.
- B. For Bank purposes the school year will coincide with each employee's contract year.
- C. If Bank days fall below **two** times the number of members on September 30, continuing members must contribute **one additional day** effective October 1 of the current school year. If Bank days fall below **one times** the number of members, members must **contribute two additional days**. New members who join by September 30 will contribute a maximum of **three days** for the current school term.
- D. If a member uses 3 or more days from the Bank during a school year, the member will be required to contribute an additional 3 days at the beginning of the following school year in order to have continuing membership in the Bank. If the member uses fewer than 3 days, the member will contribute the number of days actually used.
- E. If a member cancels membership in the Bank, the days contributed remain the property of the Bank. If, at a later date, the individual wishes to rejoin the Bank, the employee may do so during the enrollment period by following the enrollment guidelines found in SECTION II.
- F. Personnel whose employment is terminated with the District forfeit membership in the Bank at the effective date of termination. A returning employee may join the Bank by following the guidelines found in SECTION II. An exception to this policy is any employee hired for a one (1) year contract who is hired the subsequent year; that employee does not have to contribute additional days to rejoin or continue to be a member (except under SECTION IV D). Any other break in service will result in termination of membership.
- G. Personnel on approved leave of absence (non-medical) will retain membership in the Bank and will not be required to donate additional days except under SECTION IV D above.

## SECTION V - GRANTING OF SICK LEAVE BANK DAYS

- A. Bank days may only be granted after the member has exhausted all accumulated state and local sick leave days including comp-time, flex time and vacation days when applicable.
- B. Bank days are available in the event of:
  - 1. Unexpected critical extended illness
  - 2. Non-elective major surgery requiring recuperation
  - 3. Other unexpected temporary disability preventing work
  - 4. Complications arising from pregnancy or delivery (Note: The Board has the option to consider these cases on an individual basis.)
  - 5. Bank days may not be granted for any period of disability when TIBs (Temporary Income Benefits) are paid under the Workers' Compensation Act. If an employee is receiving TIBs from Worker's Compensation for any portion of a 24-hour period, Bank Days will not be awarded for any remaining hours. Bank days may be awarded for a work-related injury as long as TIBs are not paid by Worker's Compensation for that day. If circumstances should arise in which days are received from the Sick Leave Bank and TIBs are paid by Workers' Compensation for the same day(s), then bank days received from the Bank must be reimbursed to the Bank.
  - 6. To care for immediate family members unexpectedly suffering a critical illness or other disability. See SECTIONS 5 E and 5 I. Immediate Family is defined by AISD School Board Policy.
- C. Bank days shall be granted for an absence from work of five or more consecutive days. In cases of cancer treatment, days may be granted for one to four days absence. Days will not be granted in advance.
- D. Bank days shall be granted for absences from scheduled work days and will not be granted for holidays, vacation days, or other days for which the member is not normally paid.
- E. The maximum number of Bank days that may be granted to a member during the contract year will be 30 days at full pay and 20 days at reduced rate. After the 30 days have been granted and the member has been docked five days, the member may request up to, but not to exceed, 20 additional days at a reduced rate of pay (the reduction is the cost of a substitute for certified staff or 35% of daily rate for support staff). The maximum number of days awarded for life per member is 90 days.
- F. If a member has received less than the allowed number of days (30 plus an additional 20) from the Bank returns to work and is later ill with the same or a different illness, the member may apply to the Sick Leave Bank for additional days needed, the total not to exceed 50 days in the aggregate per year. Each separate application must meet the required criteria of approval.
- G. In the event a member is unable to complete the application process for Bank days, a representative may make application for them.
- H. Reimbursement will be made only in the member's regular payroll check for the approved number of days used.
- I. Bank Days may be granted to an employee who must care for an immediate family member for an absence from work of five or more consecutive days. A maximum of 20 days may be granted at the reduced rate (see SECTION E. for explanation). Just as with employee illnesses, with cases of cancer treatment for immediate family, days may be granted for an absence of one to four days but after an absence has occurred whereby the employee was docked 5 days.

**K. Exclusions:**

1. Members of the Bank who are absent for pregnancy and delivery will be eligible to apply for only three Bank days. Complications of pregnancy or delivery may be considered as any other unexpected critical illness assuming it meets that criterion.
2. Stress related illness will be covered for hospitalized days only.
3. A pre-existing condition is any illness or injury \*(excluding pregnancy) for which medical advice, diagnosis, care, or treatment (including prescribed drugs or medicines) has been received from a Health Care Practitioner during the six (6) months prior to the date the employee joined the Bank.

**SECTION VI - PROCEDURES FOR APPLYING FOR BANK DAYS**

- A. A member or representative must submit a completed *Employees Sick Leave Bank Request* form to the Employee Benefits Office within thirty (30) work days after returning to duty. A completed Bank application must contain the member's request and the attending physician's signed report.
- B. The Bank Board may refuse to consider an incomplete application.
- C. During the school year, requests for Bank days will only be considered at regularly scheduled Board meetings.
  1. The Board may require additional information or a member may be required to undergo a medical review by a second opinion physician of the Board's choice at any time, at the expense of the Abilene ISD, upon approval by the Superintendent or designee.
  2. A member may appeal a Bank Board decision to the Executive Officer. The appeal will be submitted to the Bank Board within ten (10) working days of notification of denial. The appeal will be considered at the next regularly scheduled Bank Board meeting. The member may request to appear in person at this meeting.
  3. The decision of the Bank Board on the appeal is final.
- D. During the summer months of June, July, and August requests for Bank days will be considered by the Board via password-protected, electronic means.
  1. The Board will have 3 working days after electronic distribution to respond to requests for Bank days.
  2. If the number of responses does not equal a quorum within 3 working days, the Board's Executive Committee will make the determination and will respond to requests for Bank days. (The Board's Executive Committee consists of Chairperson, Vice Chairperson, and Secretary.)

**SECTION VII - AMENDMENT PROCESS**

- A. These guidelines may be amended upon recommendation of the Board with approval of the Superintendent or designee.
- B. Any substantial change in this program must also be approved by the Board of Trustees of the Abilene ISD.

**SECTION VIII - OTHER**

- A. Any question concerning membership, regulations, or application for Bank days that arise after adoption of this plan and not specifically covered herein shall be submitted to the Board who will make a recommendation to the Superintendent or designee.

*“Flex time” has been added as an accumulated leave that must be exhausted before a member can use Bank days. This change comes from the Superintendent and his Cabinet to be effective 7/1/2017.*

*A lifetime maximum of 90 days was added to the guidelines. This change was recommended by the Sick Bank Board and approved by the Superintendent and his Cabinet to be effective 9/1/2021.*

*Bank days will not be granted when an employee is receiving TIBs (Temporary Income Benefits) payment under the Workers’ Compensation Act. This change was approved by the Superintendent and his Cabinet to be effective 9/1/2021.*