

**Cumberland County Board of Education
Cumberland County Education Association
Sick-Leave Bank Guidelines**

I. PURPOSE

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 personal sick leave is exhausted.

II. ADMINISTRATION

The sick leave bank shall be administered by a Committee of five Trustees: two (2) members appointed by the School Board from its membership, two (2) members appointed by the Cumberland County Education Association from its membership and the director of schools who shall serve as chairperson. Decisions made by the Committee must be by majority vote (a majority of three out of five).

III. RULES

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) teachers 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 during the months of August, September, or October of any year. Donations of sick leave to the Bank are nonrefundable and nontransferable.
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 Committee shall assess each member one (1) or more days of accumulated sick leave. 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. By written notice to the Committee a member may withdraw from the Bank participation on any June 30. Membership withdrawal shall result in the forfeiture of all days contributed.
5. 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.

6. A participant shall not receive sick leave from the Bank until after having exhausted all accumulated sick leave, personal leave, vacation leave, and/or annual leave, including all paid Board extensions. A teacher may request sick days from the bank only when the accident or illness necessitates an unpaid absence of a minimum of ten (10) or more consecutive days. The teacher can draw pay for the ten (10) or more days after approval. The ten day minimum may be waived by the Trustee Committee in cases in which the member is following a prescribed chemo and/or radiation therapy regimen confirmed through doctor's or provider's statement(s).
7. An application for a grant of days from the Bank may be denied if the majority of the Trustee Committee finds that the applicant has consistently abused the sick-leave system prior to the request. To make this determination, the Committee will review the applicant's sick-leave record, taking into account such factors as years of service and the impact of any previous medical needs (member, spouse, children, parents) on the member's attendance.
8. Leave grants from the Bank, approved by the Committee, shall not be more than twenty (20) consecutive days for which the individual applicant would have otherwise lost pay. Applicants may submit requests for extensions of such leave grants before or after 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 a result of any one or the same illness or accident in 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. If the Committee determines it necessary, it may require a physician's certificate of condition from any member requesting additional leave. Refusal to comply will result in denial of the pending request for use of sick leave days from the Bank.
11. Sick leave granted a member from the Bank need not be repaid by the individual except as all members are uniformly assessed.
12. Grants of sick leave from the Sick Leave Bank shall not be made to any member on account of any elective surgery, normal pregnancy, or illness of any member of the participant's family, or during any period the member is receiving any disability benefits (this includes social security and/or any commercial disability plan), or the state or local retirement plan.
13. A member shall lose the right to obtain the benefits of the sick leave bank by:
 - (a) Resignation or termination of employment.
 - (b) Cancellation of participation effective on June 30.
 - (c) Refusal to honor such assessment as may be required by the Committee.
 - (d) Being on approved leave of absence with the exception of personal illness or disability leave.
 - (e) Retirement.

IV. PROCEDURES

1. Contributions to the Bank must be made on a Sick Leave Bank Donation Form.
2. All requests to draw upon the Bank must be made upon a Sick Leave Bank Request Form and submitted to the Committee within thirty (30) calendar days of the first dates bank usage is requested. In extreme and unusual cases, exceptions may be approved. With the Committee's approval, sick leave granted from the bank may be applied retroactively to non-paid days already missed that accumulated during this approval procedure.
3. The Committee shall act affirmatively or negatively on all applications within ten (10) calendar days of the application.
4. All requests to draw from the Bank must be accompanied by a physician's statement on the approved form confirming the cause of illness or injury and must be signed by the physician.
5. An applicant may be required to undergo, at his/her expense, a medical review by a physician approved by the Committee.
6. 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.
7. All records of the Sick Leave Bank shall be kept in the central office of the school system which handles regular sick leave records. The Committee shall inform this office of all applications they approve and the amount of additional leave granted the member.
8. A new teacher to the system can join his/her first year and two (2) days sick leave can be used in advance to join.
9. Existing teachers must have accumulated two (2) days by November 1 of any year to join.
10. A participant may donate some of his/her days to the sick bank at any time and/or upon retirement.
11. These guidelines may be amended by majority vote of the Committee as long as the Guidelines remain consistent with The Tennessee Teachers' Sick Leave Bank Act. (Tennessee Code Annotated 49-5-801)