

**PERSONNEL**

**5407**

Sick Leave Banks

**[NOTE: This policy can also be modified to create a sick leave bank only for classified employees or only for certificated employees.]**

The purpose of the sick leave banks shall be to provide qualifying employees with additional sick leave days as needed to recover from personal illness or injury which causes absence from work and loss of all accumulated personal sick leave. The banks shall not be used as a reserve for time lost due to short-term illness that would normally be covered by the employee's accumulated sick leave, nor for time due to illness in the family, bereavement, or for a purpose other than personal illness.

Administration

There shall be one sick leave bank.

The bank shall be administered by a sick leave council as described in this policy. The council shall be composed of:

1. One to three certificated and one to three classified employees elected by members of the bank;
2. The District business manager;
3. The principal of a District school appointed by the Superintendent; and

In the event of a tie vote by a council, the Superintendent shall cast the deciding vote.

The council members shall be appointed for a term of one year and may be reappointed for successive terms.

Membership

Membership in the bank shall be available to any employee of the District..

Employees who donate one day of sick leave to their bank prior to October 1 shall be members of the bank and eligible for its services throughout the school year.

Donations

Bank members must donate one day per year. When a day of sick leave has been donated to one of the banks it cannot be returned to the employee, even if that employee renounces their membership in the bank.

### Maximum Withdrawal

The maximum number of days that can be given upon each request is 25 days. The member may reapply for more days as needed.

### Employee Use of a Sick Leave Bank

To be eligible to use time from a sick leave bank, an employee must have been a member during the previous 12 months.

In the event a member is physically or mentally unable to apply for days from their bank, a family member or agent may file the request. In such cases, any requirement that documents or applications be signed by the employee shall be waived.

The member, or the family member or agent of an incapacitated member, shall secure written evidence from the District's business office that they have used all of their accumulated sick leave, that they have missed at least 2 days of work without pay, and that they are a current member of the bank.

The member, or the family member or agent of an incapacitated member, shall secure written proof of illness or injury adequate to protect the District against malingering and false claims of illness as provided by Policy 5405 and in Idaho Code 33-1216 and 33-1218.

The member, or the family member or agent of an incapacitated member, shall secure written notification of the member's return to work date. If return to work is on a half day basis, the doctor must specify on the back to work notification. If prolonged illness requires subsequent related periodic visits to the doctor or medical facility during school time, the doctor must specify. Such specified days shall be covered up to the maximum allowed in the Maximum Withdrawal section.

These documents shall be forwarded to the Human Resources Department OR the Business Manager within three days of receipt.

The council for the applicable bank shall give full consideration to the documents and accompanying statements and shall make final approval or disapproval of the request in full or in part in writing to the member within three days of receipt of all required documents.

In the event the Superintendent must cast a tie-breaking vote, they shall decide and notify the member of their decision within three days.

If the member's request is approved, immediate transfer of the approved number of days from the bank to the member shall be made.

In the event of a recurring long term illness, the member, or the family member or agent of an incapacitated member, must reapply for every 25 days of sick leave needed from the Bank.

### Specific Conditions

Leave for a maternity-related disability will be treated as any other disability.

From time to time, persons require elective surgery or medical treatment that is necessary, but does not endanger the health and safety of the affected person if the medical treatment is postponed until school is not in session. Therefore, it will be the policy of the District to carefully review such requests. If questions arise concerning the urgency of such requests, proof of the immediate need will be required by the applicable sick leave council.

### Annual Report

Each council shall provide an annual report to the Board on the activities, policies, and practices of the sick leave bank they oversee.

### Confidentiality and Fairness

Information regarding requests for leave from the banks shall be kept confidential. Employees who share this information outside of their council may be subject to discipline. Each council shall endeavor to consider applications for leave in a consistent and impartial manner.

Cross Reference: 5405 Proof of Illness for Sick Leave

Legal References: IC § 33-1216 Sick and Other Leave  
IC § 33-1228 Sick Leave in Excess of Statutory Minimum Amounts

Policy History:

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Review: 1/14/25, 2/4/25, 3/4/25