

Mena Public Schools
Mena, Arkansas

Request for Withdrawal from Sick Leave Bank

Please check the appropriate response:

yes no Have you missed at least 20 consecutive days of work?

yes no Have you used all of your accumulated sick leave?

Please briefly explain your situation and why you are requesting to withdraw from the bank:

Signature

Date

(Please submit this form and a doctor's statement of disability.)

If an employee wishes to resign during leave, he or she must give written notification to the Superintendent thirty (30) days before expiration of the leave his or her intention to return to the employ of the Board of Education or submit his or her resignation.

The FMLA (policy 3.31) will take precedence over this policy (3.8) in any area where this is conflict between the two policies.

Sick Leave and Outside Employment

Sick leave related absence from work (e.g. sick leave for personal or family illness or accident, Workers Comp, and FMLA) inherently means the employee is also incapable of working at any source of outside employment. Except as provided in policy 3.44, if an employee who works a non-district job while taking district sick leave for personal or family illness or accident, Workers Comp, or FMLA shall be subject to discipline up to and including termination.

3.9—LICENSED PERSONNEL SICK LEAVE BANK

Purpose:

This Sick Leave Bank is for the protection of participating employees during long-term disability of the employee, or member of the immediate family. The immediate family shall include spouse, children, parents or other relatives living in household.

Participation:

Each staff member may voluntarily contribute one day for nine (9) and ten (10) month contracted employees and two days for eleven (11) and twelve (12) month contracted employees of his/her sick leave allowance to a Sick Leave Bank. Enrollment in the District's Sick Leave Bank will be prior to September 1 each school year for non-members and for new personnel in the District. Any new personnel employed after September 1 will have 20 calendar days to enroll in the Bank.

Membership in the Bank shall be continuous unless the employee informs the Superintendent's office of his/her intent to withdraw from the Bank prior to September 1 each year. Days contributed to the Bank may not be returned.

Governance:

A nine (9) member committee shall, with the assistance of the Superintendent, oversee the administration of the Sick Leave Bank. The committee shall be comprised of four (4) classroom teachers, one from each building, one (1) administrator, one (1) school board member, and three (3) classified employees. Committee members must have contributed days to the Sick Leave Bank. The committee members will be selected at the same time the member of the Personnel Policies Committee are selected. Each building will select a teacher representative. Administrators will select their representative, the school board should select its representative in their August meeting, and classified employees, district wide, will select their representatives. Committee members will serve three (3) year terms except the initial committee.

In order to have rotating teams, the initial committee will draw for terms of office as follows:

- 4 members with 3 year terms
- 4 members with 2 year terms
- 2 members with 1 year terms

The committee will choose its own chairperson each year.

Rules of Operation:

The Sick Leave Bank Committee shall administer the Bank according to the following rules:

The sick leave bank is for all Mena Public Schools employees who are members of the sick leave bank and have exhausted all accumulated sick leave due to catastrophic and unavoidable circumstances. In order to use the sick leave bank services, the situation must be severe.

To become a member of the sick leave bank, *prospective members must donate one (1) day per year for three (3) years.*
(Clarification)

When a Mena Public Schools employee has exhausted all accumulated sick leave and has missed at least 20 consecutive days of work, then the employee may petition the sick leave bank committee for a maximum of 40 days to be used as additional sick days. (Special circumstances such as an employee who does not miss 20 consecutive days because he/she tries to be at work as often as possible will be taken under consideration by the committee for exception.)

Medical documentation attesting to the severity of each situation must be provided to the committee.

If the sick leave pool is depleted, the source of additional days will be the accumulated sick leave of other employees. After an employee petitions for additional days, each campus committee member will forward that information to the campus faculty.

If the results for an alcohol test administered to a driver is equal to or greater than 0.02, but less than 0.04, the driver shall be prohibited from performing safety-sensitive functions for a period not less than 24 hours from the time the test was administered. Unless the loss of duty time triggers other employment consequence policies, no further other action against the driver is authorized by this policy for test results showing an alcohol concentration of less than 0.04.

3.8--- SICK and PERSONAL LEAVE

Sick Leave--Licensed personnel shall be granted sick leave with full pay at the rate of one (1) day per month or major portion thereof for which the teacher is contracted until one hundred twenty (120) days have been accumulated. A teacher shall be entitled to such leave for the reasons of personal illness or illness in the immediate family. (Immediate family shall include the teacher's spouse, child, parent, or any other relative living in the same household as the teacher.) Additional days absence shall result in full pay deduction.

SICK LEAVE BY CONTRACT DAYS			
Contract Days	Sick Leave Days	Contract Days	Sick Leave Days
190	10	220	11.5
200	10.5	230	12
210	11	240	12

With spousal approval, married couples employed by the Mena School District may draw sick leave days from their spouse providing one has exhausted his/her accumulated sick leave days (Act 40 of 1999).

Arrangements to access a spouse's sick leave days must be made through the Superintendent's Office.

The Superintendent may require a physician's certificate in any case involving an absence of three or more days.

In cases of catastrophic illness extending beyond the total of accumulated sick leave days, licensed personnel shall be granted up to six (6) additional weeks of sick leave with payroll deduction equal to the pay of a qualified substitute.

Should the individual wish to take additional time beyond that stated above, six (6) weeks without pay shall be granted and the person shall be guaranteed their position of employment upon return to work.

Whenever a school teacher is absent from his or her duties in a public school as a result of personal injury caused by either an assault or other violent criminal act committed against the school teacher while in the course of their employment, the school teacher shall be granted a leave of absence from school with full pay for up to one (1) year from the date of the injury. The leave of absence for personal injury from an assault or other violent criminal act shall not be charged to the school teacher's sick leave (Act 1115 of 1993). Teachers who suffer personal injury while intervening in student fights, restraining a student or protecting a student from harm shall be considered to be injured as a result of an assault or a criminal act. (ACT 1494 of 1999)

At the beginning of a new contract year, each certified employee shall be credited with as many additional sick leave days as his or her contract allows. Any unused sick leave days will accumulate to the next year. Two (2) paid personal days will be granted upon request annually. The two (2) paid personal days will change to sick days the next contract year, if not used, as follows: One personal day will transfer to one-half (1/2) sick day and two personal days will transfer to one (1) sick day. In addition, five days of personal leave per year will be allowed with deduction equal to the pay of a qualified substitute. Any additional days will result in full pay being deducted. The employee should make application for such leave at least two (2) days in advance of the occurrence. Where such advance notice cannot be given, the application for leave should be made as soon as possible. The principal must approve the personal days in advance to ensure the absence to be will not cause a severe hardship on the educational program for that day. Personal days may not be transferred to a spouse or another employee.

At the beginning of a new contract year, any certified employee who would have a balance above one hundred twenty (120) sick leave days shall have the balance reimbursed to them at the rate of sixty (\$60) dollars per day. Payment for these days will occur at the regular pay period in January. Regular deductions other than teacher retirement are applicable.