Office of Human Resources

NEW BRAUNFELS INDEPENDENT SCHOOL DISTRICT

1000 N. Walnut, New Braunfels, Texas 78130
local 830.643-5700
fax 830.643-5701

Catastrophic Sick Leave Bank
Rules & Regulations

Catastrophic Sick Leave Bank:
The purpose of the catastrophic sick leave bank is to provide additional sick leave days to members of the bank in the event of a **catastrophic illness** of the employee or an immediate family member or for bereavement as defined below. Days may be requested from the bank only after the member has exhausted all accumulated state leave days, local sick leave days, vacation days (for 260-day employees) and compensatory time (for nonexempt employees).

Sick leave days from the bank are:

1. Days granted to a member who, because of an unexpected catastrophic illness, is unable to perform the duties of his or her position. *A **catastrophic illness or injury** is a severe condition or combination of conditions affecting the mental or physical health of the employee or a member of the employee's immediate family that requires the services of a licensed practitioner for a prolonged period of time and that forces the employee to exhaust all leave time earned by that employee and to lose compensation from the District. Such conditions typically require prolonged hospitalization or are expected to result in disability or death. Conditions relating to pregnancy or childbirth shall be considered catastrophic if they meet the requirements of this paragraph.*
2. Days granted to a member whose spouse, child, or parent has a catastrophic illness.
3. Days granted to a member for bereavement of a spouse, child, or parent. In the case of bereavement, leave days from the bank are limited to a ***maximum of five***.

All full-time 10, 11, and 12-month District employees shall be eligible for membership. The procedure for joining the catastrophic sick leave bank is as follows:

1. An employee who is eligible to join may do so by contributing ***two days*** of accrued or anticipated local sick leave.
2. The enrollment period for current employees shall be July 1– August 31
3. Personnel who join within the enrollment period shall be eligible for membership benefits beginning with their first official day of work.
4. Employees desiring to join shall complete the membership application form and submit it to the Human Resources office who shall verify eligibility.

Regulations concerning contribution of days are as follows:

1. Contributed days shall be subtracted from the member's local sick leave record in September.
2. The two days donated shall become the property of the District's sick leave bank. All donations shall remain in force and shall not be returned, even upon leaving the District or cancellation of membership. If the individual wishes to rejoin the bank at a later date, he or she may do so only during the enrollment period by donating two additional days.
3. For bank purposes, the school year shall be from September 1–August 31. ***If a member uses two or more days from the bank during this period, he or she shall be required to donate an additional two days the following school year (September–August) in order to have continuing membership in the bank.*** If the member uses fewer than two days, he or she shall donate the number of days actually used.

4. If the bank falls below one times the number of members, each member shall contribute one additional day until the bank is replenished to one times the number of members. Members who use days in the year the bank must be replenished shall contribute one day in addition to the days the members shall donate to continue membership. Participants who join at the beginning of the school year shall donate a maximum of two days for the current school term.

The governing committee, which shall approve or disapprove all requests for sick leave bank days, shall be called the New Braunfels School District Catastrophic Sick Leave Bank Board of Directors. Members who have participated in the catastrophic sick leave bank at least one year may serve on the Board of Directors. The Board of Directors shall be composed of the following:

1. Voting members' who shall be elected by the members of the bank and shall include seven members representing the following groups:
   a. Paraprofessionals,
   b. Administrative/professional employees,
   c. Maintenance/transportation employees,
   d. Teachers, and
   e. A nurse, if possible.
2. Nonvoting members who shall serve as follows:
   a. The Chief Human Resources Officer or Director of Human Resources shall serve as Executive Director.
   b. A Human Resources representative shall serve as chairperson of the board with nonvoting status. In the event that the Chief Human Resources Officer or the Director of Human Resources cannot attend a meeting, the chairperson shall be designated to act in his or her place.

The percentage of members by employee group in the Catastrophic Sick Leave Bank Board of Directors should be reexamined every two years. Catastrophic sick leave bank board members shall serve three-year terms that are staggered. If a catastrophic sick leave board member resigns his or her position in the District before the end of the term, the remaining board members may elect a replacement.

The duties and responsibilities of the Board of Directors are as follows:

1. All applications for sick leave bank days shall be reviewed individually by the board in a called meeting.
2. A member may be requested to appear before the board to substantiate his or her case.
3. The board of directors shall determine the number of days approved up to 40 days (contingent on appropriate medical documentation) and reserves the right to approve, disapprove, or modify the days requested.
4. A member may appeal the decision of the board by writing a letter to the Chief Human Resources Officer requesting to appear in person before the board of directors. In the event of an appeal or further review, a board member who did not vote at the original meeting when the case was first initiated shall abstain from voting on the appeal or review.
5. The chairperson shall process all approved sick leave days for members to the payroll department.

Sick leave days shall be granted with the following conditions:

1. Sick leave days from the bank shall be granted for catastrophic illness/injury that necessitates medical treatment or care of five consecutive days or longer, or for absences because of treatment for cancer or serious chronic illnesses.
2. Members may use days from the bank for bereavement or for the catastrophic illness/injury of their spouse, child, or parent.
3. Sick leave days from the bank shall not be used for an illness or surgery that results from a condition that was known to the member on the date that he or she **first** became a member of the bank. Routine pregnancy shall not be covered by the bank. Complications arising from pregnancy or childbirth shall qualify in the same manner as any other illness or disability.
4. A member may apply for days from the bank as soon as the member has appropriate medical documentation.
5. Sick leave bank days shall be granted only for absences from working days and shall not be granted for holidays, vacation days, or other such days for which the member is not paid.

6. The maximum of 40 days from the sick leave bank shall be granted to an employee during the year (September 1– August 31).
7. If a member who has received less than 40 days from the bank returns to work and then is ill again with the same or a different illness, he or she may apply for additional days, the total not to exceed 40 days per year. Each separate illness applied for must meet the initial criteria of just cause except when days are being requested for continued treatment of an illness for which days have already been granted.
8. The maximum number of days that may be granted during the employee's service to the district will be set at 80 days, and will continue through any breaks in service. This lifetime cap **DOES NOT** include any days received by the employee prior to September 1, 2016.
9. All unused sick leave days in the bank at the end of the school year (August 31) shall be carried over to the next school year (September 1–August 31).
10. A contributor shall lose the right to utilize the benefits of the bank only by:
    a. Termination or suspension of employment in the District;
    b. Cancellation of participation by the member;
    c. Being on approved leave of absence; or
    d. Choosing not to pay back the required number of days.

Should the member have a need, as qualified above, for additional days after all accumulated state and local sick leave days have been used, the member may submit a request for days from the bank.

A member who requests days from the bank must submit to the Chief Human Resources Officer or the Director of Human Resources within 30 workdays after returning to duty, forms containing the following information:

1. A statement signed by the member attesting to the fact that the condition that necessitated the request for days from the bank was unknown to the employee at the time he or she became a member of the bank.
2. The attending physician's statement, which includes:
    a. Identification of the nature of the illness and/or extent of the injury;
    b. Date of initial onset of this particular condition;
    c. Anticipated date eligible to return to work on a full-time basis; and
3. Dates of absences from work for the illness or injury.
4. Anticipated days, if any, for follow-up examinations.

Forms for the above purposes have been prepared and shall be available from each school, website or Human Resources office.

The Board of Directors may refuse to consider an application that does not contain the required information.
If a member is critically ill and unable to file an application, the school principal, immediate supervisor, or department head may initiate the application form at the request of the member or someone in the member's family.

Any questions concerning membership, regulations, or application for sick leave days that may arise after adoption of this plan and not specifically covered herein, shall be submitted to the board of directors of the catastrophic sick leave bank, and the board shall then make a recommendation to the Superintendent.