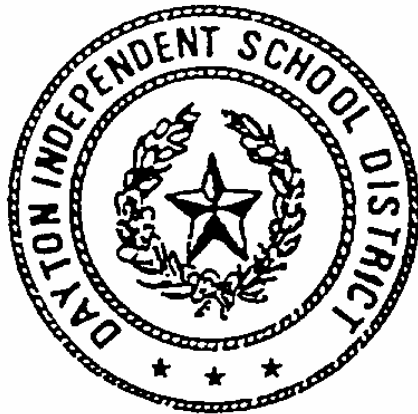


***SICK
LEAVE
BANK***



DAYTON INDEPENDENT SCHOOL DISTRICT

**SICK LEAVE BANK REGULATIONS
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DISD EMPLOYEE SICK LEAVE BANK

This Organization shall be called the DAYTON INDEPENDENT SCHOOL DISTRICT SICK LEAVE BANK and shall be governed by the regulations and policies herein. The administration of these guidelines and policies will be an elected Board of Directors representing membership of the Sick Leave Bank and an Executive Officer and Designee appointed by the Superintendent.

RATIONALE FOR THE SICK LEAVE BANK

Each year, staff members are faced with catastrophic events in their personal lives, which may create the need for an extended absence from their school duties. Due to the close knit relationships among our school family, it is not uncommon for other staff members to offer a portion of their sick days to provide assistance and support for their fellow employee. Following the present sick leave guidelines, there are no administrative procedures in place to allow for such donations. An officially established Employee Sick Leave Bank will provide the management system necessary to give additional support to qualifying members during their time of need. Specific administrative procedures will need to be followed to ensure accurate accounting and equitable benefits.

PURPOSE AND PHILOSOPHY

The purpose of the Sick Leave Bank is to provide additional sick leave days to the members of the bank who due to the following situations are unable to perform the duties of his/her position:

- (1) **catastrophic illness** or disability affecting the employee or an immediate family member as defined in DEC (local) –
 - (a) spouse
 - (b) son or daughter, including a biological, adopted, or foster child, son or daughter-in-law, a stepchild, a legal ward, or a child for whom the employee stands in *loco parentis*
 - (c) parent, stepparent, parent-in-law, or other individual who stands in *loco parentis* to the employee
- (2) **critical illness**
- (3) **critical surgery**
- (4) **temporary disability**

**DEFINITIONS OF “CATASTROPHIC”, “CRITICAL”
AND “TEMPORARY DISABILITY”**

- (1) Catastrophic Illness – Medical conditions that interfere with work performance are not all catastrophic, or critical. For the purposes of this regulation, “catastrophic illness or disability” shall be defined as an illness, injury or disability certified by a licensed medical physician to be a life-threatening condition.
- (2) Critical Illness – “A condition of an extremely serious nature,” as determined by a licensed medical physician, that could worsen if treatment is delayed; condition may be life threatening. This applies to members only.
- (3) Critical Surgery – A non-elective surgery that must occur immediately and results in a member being unable to perform the duties of his/her position. The surgery must be certified by a licensed medical physician and applies to members only.
- (4) Temporary Disability – Continued limitations resulting from a critical illness, critical surgery, or critical injury that prevents a member from being able to perform his/her duties. This applies to members only.

CONDITIONS NOT COVERED

- (1) Minor Accidents
- (2) Pre-existing Conditions
- (3) Pregnancy – For the purposes of this regulation, pregnancy and normal delivery are not considered catastrophic illness or disabilities with the exception of life-threatening medical complications directly related to the pregnancy or delivery.
- (4) Elective Surgery – Surgery not deemed critical or life-threatening enough to require immediate action.
- (5) Chronic Health Problems – These are medical conditions that re-occur on a regular basis and do not fit in any of the four (4) criteria covered by the Sick Leave Bank, listed on page 1, PURPOSE AND PHILOSOPHY.
- (6) Any other health conditions that do not meet the four (4) criteria covered by the Sick Leave Bank, listed on page 1, PURPOSE AND PHILOSOPHY.

PRE-EXISTING CONDITIONS

“Pre-existing conditions” for the purposes of the Sick Leave Bank are defined as conditions that the member received prescribed medical treatment for, or consulted a physician for during the twelve (12) months prior to applying for membership.

Pre-existing conditions known to exist by the employee on or before the date of joining the Sick Leave Bank will NOT be covered under the guidelines of the bank.

ELIGIBILITY FOR JOINING

All District Personnel of DISD shall be eligible for membership IF:

- (1) He/She has been employed for one (1) or more years in DISD
- (2) He/She has earned and accrued three (3) local sick days

SUBSTITUTES ARE INELIGIBLE

PROCEDURES FOR JOINING

Any employee who meets all of the above eligibility requirements may join the Sick Leave Bank during the open enrollment period by requesting a member application form from their principal or supervisor and submitting to the Executive Officer at the Administration Building. By submitting this application, an employee is giving permission for three of his/her accrued local sick days to be subtracted from his/her total number and placed in the Sick Leave Bank. An employee need only to contribute three (3) local days one time for membership unless:

- (1) The employee has used days from the bank, or
- (2) The bank has a shortage (See PAYING BACK DAYS GRANTED, page 5, and ADDITIONAL DONATIONS, page 6).

Employees who have accrued a total of thirty (30) days of local sick days may join by donating three (3) days to be accrued during the membership year for which they are enrolling.

Upon verification by payroll of a member's eligibility, he/she will be notified by the Personnel Office Coordinator.

The three days donated become the property of the DISD Sick Leave Bank. All donations will remain in force and CANNOT be returned, even upon cancellation of membership.

ANNUAL OPEN ENROLLMENT PERIOD

Inaugural Enrollment – The open enrollment period for inauguration of the Sick Leave Bank may be set at any time after February 1, 2002 by the Sick Leave Bank Board, once the Board

Members are elected and convened as a quorum. No subsequent exceptions may be made to the established period for open enrollment.

The regular annual open enrollment period begins the first day of instruction and ends on the tenth day of instruction each school year. The effective date of membership of all employees enrolling during this period shall be October 1.

Eligible employees who do not elect to join this Sick Leave Bank during the open enrollment period will not be permitted membership in the bank until the subsequent annual open enrollment period the following year.

SCHOOL MEMBERSHIP YEAR

For Sick Leave Bank purposes, the Sick Leave Bank membership year shall be October 1 through September 30 and shall be referred to as the “school membership year.”

Inaugural Year – The inaugural year membership year shall run from the inaugural date set by the Sick Leave Bank Board through September 30.

WHEN CAN SICK LEAVE DAYS BE REQUESTED

Sick leave days may be requested only by an employee belonging to the Sick Leave Bank after the employee has exhausted all personal leave, state and local sick leave, compensatory leave and accrued vacation days.

Every different illness, after meeting the initial criteria, requires a new petition for days.

PROCEDURES FOR REQUESTING DAYS

A member needing to request days from the bank must obtain the following forms

(As Applicable):

- (1) “Certification of Health Care Provider” is a form that must be filled out by a licensed medical physician and submitted by the petitioner to the District Executive Officer which includes:
 - (a) Identification of the nature of the illness and/or extent of injury and certification that the injury is of such a critical nature that the employee is unable to perform his/her regular assigned duties.
 - (b) Date of initial onset of this particular condition.
 - (c) Anticipated date eligible to return to work.
- (2) "Request for Days" form is used to request local sick days from the Sick Leave Bank. All applications for Sick Leave Bank Days shall be reviewed individually by the Sick Leave Bank Board in a called meeting.

- (3) "Family Information" form is completed only if the request for days from the sick leave bank is because of an illness of a member of your family.

Sick Leave Bank days shall be granted only for absences from working days and will not be granted for holidays, vacation days, or other such days for which the member is not paid.

If a member who has received less than 45 days from the Sick Leave Bank returns to work and then is ill again with the same or a different illness, he/she may apply to the Sick Leave Bank for additional days needed. The total not to exceed 45 days per year. Each additional illness applied for must meet the initial criteria.

APPEAL PROCESS

Any questions concerning membership, regulations, or application for sick leave days that may arise shall be submitted to the Executive Officer who will make a recommendation to the Superintendent of Schools for a final decision.

MAXIMUM NUMBER OF DAYS

The maximum number of days during the school membership year that the Sick Leave Board or Superintendent can grant any one member who qualifies as a full time employee is 45 days.

The maximum number of days granted a part-time worker would be commensurate with his/her part time status. Any unused days granted during a specific school membership year will be carried over to the following school membership year.

PAYING BACK DAYS GRANTED

The maximum number of days a member, who was granted days by the Sick Leave Board during the school membership year, has to pay back during the next annual open enrollment, in order to continue active membership, is three (3) accrued local days.

A member granted less than three days, only has to pay back the actual number of days used. Regardless of the number of days granted to a member in the school membership year, no Sick Leave Bank member will ever pay back more than three (3) days. Failure to do so will result in suspension of active membership and eligibility until the next open enrollment period during the school membership year at which time three (3) accrued local sick days must be donated.

TERMINATION/SUSPENSION OF MEMBERSHIP

A member will lose the right to utilize the benefits of the bank only by:

- (1) Termination of employment or suspension without pay from the Dayton Independent School District
- (2) Cancellation of participation made by the member at any time (this must be submitted in writing to the Sick Leave Bank Board)

- (3) Not re-paying during the next open enrollment period, the minimum required accrued sick days after having being granted days from the Sick Leave Bank Board the previous year
- (4) Not contributing additional required days, if needed, to keep the balance of days to membership in the bank. (See ADDITIONAL DONATIONS)
- (5) The termination of the Sick Leave Bank by the Dayton ISD Board of Trustees

Personnel who resign their employment with the district forfeit membership in the bank at the effective date of termination. If the employee wishes to regain membership in the bank upon his/her return to the District, he/she must donate, during the open enrollment period, three (3) accrued local sick days.

Members who are on suspension for inability to pay back days on the next open enrollment period and wish to rejoin will have to complete another membership application and submit to the Personnel Office Coordinator, who checks with payroll for days available for donation. If at that time that member again qualifies, he/she will be notified by the Personnel Office Coordinator and membership will be reinstated.

PERSONNEL ON DISTRICT, BOARD APPROVED, LEAVE OF ABSENCE

Personnel belonging to the Sick Leave Bank on District Board approved “developmental leave-of absence” (granted only for one year for educational purposes) will not be required to donate additional days upon return to continue employment with the district.

If for any reason a leave of absence extends beyond one (1) year, a petitioner will have to re-apply and contribute three (3) additional accrued local days.

SICK LEAVE BANK/WORKERS COMPENSATION

Sick leave days from the bank may not be granted for the period of disability when monies are paid to the member under the Workers Compensation Act.

ADDITIONAL DONATIONS

If at any time the number of days donated by the sick leave bank membership falls below two times (2X) the number of participating members on September 30, continuing previous participants must contribute one extra day effective October 1. If it falls below one time (1X) the number of members, he/she must contribute two days.

If this becomes necessary, new participants (those who just joined during the most recent open enrollment period) will not be expected to contribute these days, unless the following year a deficit again occurs.

This clause shall not be construed to hold the district responsible in the event the number of days falls below minimum requirement.

Additional contributions from current Bank Members, when deemed necessary by the Sick Leave Bank Board may be made only from accrued local sick days.

GOVERNING BODY NAME

The governing body, which will enforce the established guidelines and policies herein, as well as approve or disapprove all requests for sick leave days shall be called “DAYTON INDEPENDENT SCHOOL DISTRICT SICK LEAVE BANK BOARD OF DIRECTORS.”

MEMBERSHIP ELIGIBILITY OF BOARD OF DIRECTORS

To be eligible for elected Sick Leave Bank Board membership, a member of the bank must have been employed by the school district for at least three consecutive years prior to election.

VOTING MEMBERS

Membership of the Sick Leave Bank Board shall be composed of ten employees who are members of the Sick Leave Bank:

- (a) Three (3) representatives from elementary school level (Grades K-5)
- (b) Two (2) representatives from middle school level (Grades 6-8)
- (c) Two (2) representatives from high school level (Grades 9-12)
- (d) One (1) representative from paraprofessional staff (secretarial/clerical/aide)
- (e) One (1) representative to be elected from ancillary employees
- (f) One (1) representative from central administration staff or school administrative staff

NON-VOTING MEMBERS

Membership of the Sick Leave Bank Board of Directors shall also include three non-voting designees of the Superintendent referred to as Executive Officer and the Assistant to the Executive Officer and one representative of the nursing profession to either be the Director of Health Services or the Nurse designee.

Voting Exception – In case of a tie vote in a quorum of the Sick Leave Bank Board, the Executive Officer shall cast a vote to break the tie.

NOTE: Due to conflicts of interest, Payroll personnel may only serve as non-voting members.

TERMS OF OFFICE

Inaugural Board Members – The term of office for inaugural board members will begin on the day of the first convened meeting of a quorum of the Sick Leave Bank Board following the election

of board members. The two year term of office for election purposes for inaugural members shall begin on October 1 following the first convened meeting of a quorum of the board.

Staggered Terms of Inaugural Board – At the first convened quorum of the Sick Leave Bank Board, a random drawing shall be held to determine the five (5) members who will serve a one year term. One (1) of the two members from the high school, one (1) of the two members from the jr. high school, and one (1) of the three members from the elementary school must be drawn to serve a one year term. The other two one year terms will be drawn from among the three remaining board members.

An elected member of the Sick Leave Bank Board shall serve as a voting member for two years beginning October 1 of the school membership year and ending September 30. To establish continuity of the Sick Leave Bank Board, the term of office for one-half of the membership of the existing board will expire September 30 (the last day of the school membership year). In subsequent years, one-half of the Sick Leave Bank Board will be re-elected in alternating years.

In the event that a board member is unable to serve the entire term of election, a replacement board member shall be appointed by the Superintendent to serve the remainder of the term. The replacement may stand for re-election once the appointed term has been served, subject to the provisions described under "LIMITATION OF TERMS SERVED".

LIMITATION OF TERMS SERVED

No elected member can serve more than two consecutive terms (four years). He/she may re-qualify to run after one term (2 years) has expired.

SICK LEAVE BANK BOARD OF DIRECTORS ELECTION PROCEDURES

Elections will be held on the first week in May, with the exception of the inaugural year when elections may be held prior to May. Only members of the bank are eligible to vote.

Members of each group named (see Voting Members) may file as candidates from their group. Candidates must file for office with the Executive Officer by April 1 of each year. Forms for nomination will be sent to all bank members to nominate additional candidates, or to self nominate, if they so desire.

Support personnel such as psychologists, counselors, social workers, diagnosticians, nurses, etc. will be eligible to vote and/or be elected as a representative per the “home school” assignment.

Administrative personnel, such as principals, associate or assistant principals, directors-of-instruction, supervisors, coordinators, etc., will be eligible to vote and/or be elected to represent the administrative group.

Itinerant professional personnel will be eligible to vote and/or elected as representatives in the senior high school group.

The Executive Officer will rule on the eligibility of all other personnel, not covered above, as to which group is to be assigned for such purposes. In the event that no one files as a candidate for any one or more of the positions on the Sick Leave Bank Board of Directors, the Sick Leave Bank Board shall fill such positions by appointment at the first Sick Leave Bank Board meeting following the filing deadline. The selection must be made from the group, which would be represented by the vacant position.

Voting will be by secret paper ballot. Ballots will be distributed to the individual Sick Leave Bank members through the inter-office mail. Members are to return the ORIGINAL ballot (copies of the original ballot sent in will not be counted) to the DISD Administration Building or to campus administrators, who shall deliver them to the Administration Building.

Election Results - The Executive Officer and the Personnel Coordinator shall tally the results for the inaugural election. In subsequent elections, the Sick Leave Bank Board of Directors shall tabulate the ballots. Nominees receiving the most votes shall become members of the Sick Leave Bank Board. Their official term of office shall begin October 1 of the following year and end two years later on September 30, except for those who receive a one year term during the inaugural year.

OVERLAP/TRAINING TIME FOR NEW SICK LEAVE BANK BOARD MEMBERS

The newly elected Sick Leave Bank Board members will officially take office on October 1, but will attend meetings beginning August 1 with the out-going members and be non-voting, until October 1, the actual beginning of the Sick Leave Bank membership year. The two month non-voting interim period will serve as a training period for the new Sick Leave Bank Board members.

DUTIES AND RESPONSIBILITIES

At the regular September meeting, the Sick Leave Bank Board shall elect from its group, by secret ballot, a new chairperson, vice chairperson and secretary. Ballots will be counted by the outgoing officers, with the exception of the inaugural year, when votes will be tallied by the Executive Officer and Personnel Coordinator. With the exception of inaugural members, only those Sick Leave Bank Board members who have served one year or longer on the board are eligible for nomination. The paraprofessional representative is not limited to the secretarial position, nor is it a "given" that this representative will automatically serve as secretary. Representation of a special group should not limit that person from serving in any capacity. If a member, during the course of his/her elected term, changes job assignments, and is no longer representative of the group for which he/she was elected, he/she will continue to serve for the remainder of his/her membership term. The position will then be filled by election. These officers shall perform the duties prescribed by these guidelines and policies herein.

REVIEW OF APPLICATIONS

All applications for sick leave bank days shall be reviewed individually by the Sick Leave Bank Board in a called meeting. A quorum shall consist of at least seven (7) Sick Leave Bank Board members. For approval, the majority rules. The Sick Leave Bank Board shall determine the number of days approved, and reserves the right to approve, disapprove, or modify the days requested (the majority rules).

CHAIRPERSON RESPONSIBILITIES

The Chairperson shall:

- (1) Preside at all meetings of the Sick Leave Bank
- (2) Coordinate the announcements and procedures for the annual open enrollment for Sick Leave Bank membership
- (3) Receive immediate notification from the Personnel Office when a request for days is obtained
- (4) Contact the District Health Coordinator or her designee to initiate the verification of the medical information submitted by the petitioning member and licensed medical physician
- (5) Be responsible for the compliance of the board to the guidelines, procedures, and philosophy set forth in this document
- (6) Serve as a liaison between the administration and the governing Sick Leave Bank Board members
- (7) Represent, when necessary, the Sick Leave Bank Board at any meetings outside Sick Leave Bank Board meetings
- (8) Provide Sick Leave Bank Board members information upon request
- (9) Assist the Vice Chairperson, Secretary, or Personnel Office Coordinator, if the need arises

VICE CHAIRPERSON RESPONSIBILITIES

The Vice Chairperson shall:

- (1) Preside in the absence of the Chairperson
- (2) Become Chairperson for the unexpired term should the Chairperson resign
- (3) Serve as Assistant Election Chairman
- (4) Perform such duties as the Chairperson may assign

SECRETARY RESPONSIBILITIES

The Secretary shall:

- (1) Keep in permanent form the minutes of the Sick Leave Bank
- (2) Shall record all revisions of the guidelines and procedures
- (3) Be in charge of the minutes from each Sick Leave Bank Board meeting
- (4) Secure the approval of the Sick Leave Bank Board of Directors of the minutes and, after the approval, obtain the signature of the Chairperson
- (5) Maintain a permanent binder to contain the minutes, guidelines and policy revisions
- (6) Notify all Sick Leave Bank Board members of scheduled meetings, including contacting Sick Leave Bank Board Members regarding date, time and location of “special” called meetings
- (7) Maintain all correspondence from and to the Sick Leave Bank Board
- (8) Arrange for a conference room for all meetings
- (9) Insure that timelines are met after receiving a request for days

- (10) Be responsible for collecting from the Board Members all confidential copies of the petitioning member's request for days

DIRECTOR OF HEALTH SERVICES OR NURSE DESIGNEE RESPONSIBILITIES

This position is non-voting and shall:

- (1) Be responsible for contacting the petitioning member to verify the Sick Leave Bank request
- (2) Contact the licensed medical physician for verification of a medical report
- (3) Answer any questions which may arise from the Sick Leave Bank Board of Directors in reviewing a request for sick leave days
- (4) Contact the petitioning member should the Sick Leave Bank Board request a second medical opinion

EXECUTIVE OFFICER RESPONSIBILITIES

The Executive Officer of The Sick Leave Bank shall be appointed by the Superintendent of Dayton Independent School District. The Executive Officer is a non-voting member of The Sick Leave Bank Board and will be present at all meetings to offer support, guidance and clarification of the guidelines and policies if needed, and to insure that decisions are in compliance with the DISD policy. He/she will be responsible for collecting all records in the possession of officers at the expiration of their terms.

Voting Exception – In case of a tie vote of the Sick Leave Bank Board, the Executive Officer shall cast a vote to break the tie.

ASSISTANT TO THE EXECUTIVE OFFICER

The Assistant to the Executive Officer, the Personnel Coordinator shall:

- (1) Be responsible for verifying the eligibility of all employees applying for membership in the Sick Leave Bank
- (2) Keep accurate records of the membership, including an up to date balance of available Sick Leave Bank days
- (3) Notify the Executive Officer and the chairperson if the number of days in the Sick Leave Bank fall below a certain minimum number, thus requiring members to contribute more days
- (4) Process approved applications for payment
- (5) Act as Election Chairperson and, as such, will distribute nominating forms to all applicable sick leave bank members, with instructions for using
- (6) Verify nominee eligibility
- (7) Prepare ballots with a biographical sketch of nominees
- (8) Prepare and distribute ballots to all active members
- (9) Be responsible for notifying all election nominees of the election results
- (10) Be responsible for contacting members using Sick Leave Bank days of their option for repayment of days used in order to avoid termination of membership
- (11) Receive all requests for days and review and verify days absent with Payroll

- (12) Contact the Chairperson and send copies of forms of petitioning members to the Chairperson, Secretary and Nurse Designee
- (13) Provide to the Sick Leave Bank Board of Directors
 - a) A report of days requested and used days
 - b) A list of active membership

SICK LEAVE BANK BOARD MEETINGS

The Sick Leave Bank Board of Directors of the Dayton ISD Sick Leave Bank shall regularly meet in September, November, January, March and May of each school year if there is business to address. The time and place will be specified by the secretary after communicating with the chairperson. Other special or emergency meetings may be called by the Chairperson or Executive Officer as deemed necessary, with due notice being given the Sick Leave Board Secretary or Designee of the Chairperson. The inaugural meeting may occur as soon as possible after the election of members to the Sick Leave Bank Board.

FINAL DECISIONS

Any questions concerning membership, regulations, or application for sick leave days that may arise after adoption of this plan and not covered herein, shall be submitted to the executive officer who will make a recommendation to the Superintendent of Schools for a final decision.

REVISION PROCESS

The Board of Directors of the Sick Leave Bank may recommend changes of these regulations to the Superintendent of Schools.

RECOGNITION OF SERVICE OF BOARD MEMBERS

Members serving on the Board of Directors for the Dayton Independent School District Sick Leave Board should be recognized for their service with a letter of membership/appreciation, to be placed on their personnel file, and a Certificate of Recognition presented at the end of their elected term.

Membership Application
Sick Leave Bank
Dayton Independent School District

A response is necessary only if an employee wishes to join.

I have read the rules and regulations concerning the Sick Leave Bank benefits and desire to participate by donating to the Bank three (3) of my accrued local sick leave days.

I understand that these three (3) days, once donated to the Bank to become a member, will be subtracted from my accrued local sick leave days available. All donations to the Bank become the property of the Bank and cannot be returned even upon cancellation of membership.

My authorization to place three (3) local sick leave days in the Dayton ISD Sick Leave Bank and deduct three (3) days from my accumulated sick leave is verified by my signature and the information below:

Employee: _____
(Please print full name)

Social Security No: _____

School/Department: _____ **Position:** _____

Length of Time Employed by DISD: Years: _____

Signature: _____ **Date:** _____

Please return this form to the Personnel Office

Request for Days
Sick Leave Bank
Dayton Independent School District

Name: _____ Date: _____

Address: _____ Zip Code: _____

Social Security No: _____

Position/Assignment: _____ School/Dept: _____

Length of time employed by DISD: Years: _____

I have donated three (3) days of my sick leave and have been a member of the Sick Leave Bank since (date) _____

Reason for requesting days from the Sick Leave Bank:

I have used all of my available state and local sick leave days and any vacation days accrued for this year, and I am requesting sick leave days because of:

- _____ **Personal illness**
- _____ **Illness of a member of my family**
(please attach Family Information form)

Number of sick leave days requested:

Number of days requested from the Bank: _____

Sick Leave Bank days should begin: _____
Month Day Year

Number of Sick Leave Bank days used during current year: _____

(The maximum number of days allowed per enrollment year per member is 45 days)

Do you anticipate any additional days to be needed for follow-up examination or treatment?

Yes No

If yes, please explain. _____

Please describe the illness or injury for which the days are requested. _____

Approval status (action taken by Board of Directors)

- Approved for** _____ **days**
- Not approved**
- Other** _____

Signature of Board Chair

Date

