

(DRAFT)**Personnel
Sick Leave Bank****Purpose:**

The purpose of the Sick Leave Bank shall be to provide benefited employees, who voluntarily joined, with additional sick leave days needed for ~~absences due to the death of a spouse or child~~, **immediate family members including a spouse, children, siblings, parents, grandparents, grandchildren, in-laws, same members of the spouse's family, and dependents residing in the household**, or to recover from personal illness or injury, so long as the personal illness or injury is not voluntarily incurred (elective surgery, maternity leave, and other similar voluntarily incurred illnesses or injuries) subject to determination of eligibility. ~~FMLA~~

Banks:

There are two (2) sick leave banks. One bank is specific for certified employees, and one bank is specific for classified, or non-certified, employees. Administration of these banks is as follows:

Administration:

The Sick Leave Banks ~~are is administered~~ **overseen by the Human Resources Department (HR) through the administration of a** the Sick Leave Council ('Council'). ~~The Council which~~ includes two (2) administrators/directors appointed by the Board, ~~and~~ two (2) teachers appointed by the L.E.A., **and two (2) classified staff appointed by the Superintendent**. All members of the Council must also be members of the Sick Leave Bank. **The Council shall be in charge of approving all sick leave bank requests through a vote.** In case of a tie vote, the Superintendent shall cast the deciding vote. The Council will meet, in person, annually to review the Sick Leave Bank prior to the start of the school year. The Council will meet virtually to review requests on an as needed basis. Each Council member will submit their vote to the Human Resources Director who will communicate the decision to the employee. ~~In the event of a tie between the council members, the Superintendent will cast the deciding vote.~~

Human Resources Responsibilities:

Upon employment, new employees will be offered the opportunity to enroll in the Sick

Leave Bank. Enrollment ~~is documented as well as declining enrollment.~~ ~~or declining enrollment must be documented.~~ Human

Resources **HR** will maintain records of membership, accrued days, and bank value. A report will be provided to the Superintendent, LEA president, **and** ~~or~~ the Board, upon request.

Eligibility:

Employees may enroll during the annual open enrollment period. At least one (1) day of accrued personal sick leave, as defined by Idaho Codes §§ 33-1216 and 33-1217, is required for an employee to be eligible to enroll for membership. Employees who have exhausted their personal sick leave are not eligible to enroll.

Membership Requirements:

- Employees are required to donate one (1) day of accrued sick leave **in order to be a member of the Sick Leave Bank.**
- **An employee remains a member of the Sick Leave Bank for an entire school year, even after withdrawing days from the Sick Leave Bank.**
- **Members who withdraw days from the bank must donate one (1) day the following year to remain a member of the Sick Leave Bank.**

Additional days ~~or hours~~ may be required to maintain solvency: ~~by the Sick Leave~~

- ~~Council:~~ **In the event the bank requires additional days to remain solvent, members of the bank will be required to donate one (1) additional day to maintain membership in the bank.**
- **During the year of the request for the bank to remain solvent, new members will not be required to donate an additional day.**
- **The only time members will be asked to donate days is if the Bank needs additional days to be solvent.**
- ~~Members who withdraw from the bank must donate one (1) day the following year to~~
- ~~remain eligible.~~
- ~~If a member donates to rejoin after a withdrawal, they are exempt from any additional~~
- ~~assessments that same year.~~
- ~~In the event the bank requires additional days to remain solvent, new members and~~
- ~~members who have donated during the enrollment period, are not required to donate~~
- ~~additional days in the requested year.~~

Enrollment Period:

- Enrollment is offered at hiring and annually from August 1–15.
- Membership is granted upon submission of a signed enrollment form and the donation of one (1) sick leave day.

- A "day" is defined as the employee's ~~contracted work period~~ **assignment hours** (e.g., .5, .83 FTE). Employees whose ~~contract~~ **assignment hours** changes mid-year may need to adjust their donation.
- Donated days are non-refundable ~~in the event of separation, transfer, or loss of Membership.~~

Bank Capacity:

The **Each** Bank must maintain a minimum **contribution amount of 25% to remain solvent.**
~~equivalence of one day for each member.~~

Withdrawal Limits:

- Total withdrawals in any year shall not exceed the employee's contracted time or assignment within the District.
- An individual may withdraw up to 85 days during their employment with the district whether the employment is continuous or fragmented.
- **For both Certified and Classified employees, the Sick Leave Bank is not a resource to extend the limits of FMLA. If an employee has already reached the limits of their leave per FMLA (90 days or 12 weeks) no additional days can be withdrawn from the Bank, even if the employee has not yet reached their 85 days.**

To access the Sick Leave Bank:

The employee (or designee, if the employee is incapacitated) must:

- Provide written confirmation that all paid leave has been exhausted.
- Submit written medical verification of illness or injury.
- Complete and submit a Sick Leave Bank request form with all required documentation.
- Submit documentation of their expected return-to-work date and details of any part-time accommodations.

For Certified Members: For each unrelated prolonged illness or injury, the first two **days borrowed from the sick leave bank** ~~days of approved sick leave~~ will be unpaid at a rate equal to the current substitute daily rate.

For Classified Members: For each unrelated prolonged illness or injury, the first two days borrowed from the sick leave bank will be unpaid at a rate equal to the employee's current daily rate of pay.

When approval has been decided, human resources will transfer the approved days from the Bank to the employee's leave record. Sick Leave Bank allocations are ~~usually~~ retroactive. Advanced allocations may be issued after review of the provided medical documentation.

Cross Reference:

DRAFT 5406P Sick Leave Bank Procedure (in development as of 8/3/2026)

Legal Reference:

I.C. § 33-1216. Sick and Other Leave

I.C. § 33-1217. Transfer of Sick Leave

I.C. § 33-1228. Severance Allowance at Retirement

29 USC 2601 et seq.,. General Requirements for Leave

29 CFR 825.100 to 825.800. Family Medical Leave Act

Policy History:

Adopted on: May 20, 2026 (split from 5405 sick leave)

Revised on: **September 16, 2026**