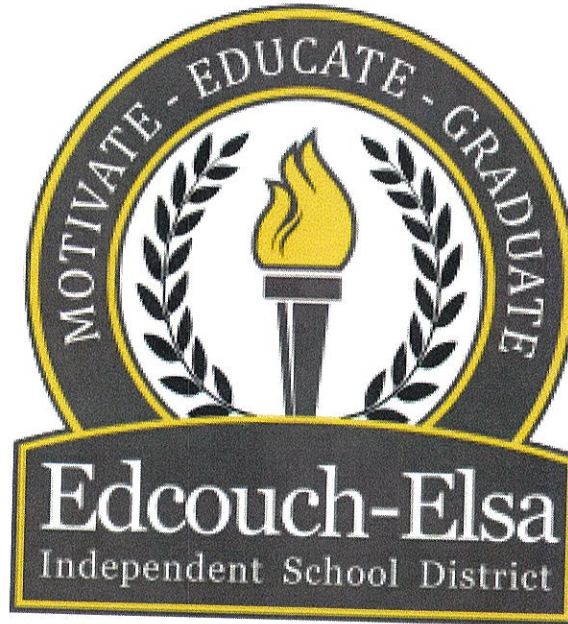


EDCOUCH-ELSA ISD

2026–2027

Sick Leave Bank Handbook and Guidelines



Guidelines and Forms can be found at

<https://www.eeisd.org/page/resources-directory>

SICK LEAVE BANK ENROLLMENT FORM

2026 – 2027

The purpose of the Sick Leave Bank is to provide additional sick leave days to members of the Bank in the event of a catastrophic illness or injury. An individual becomes a member by a donation and in return is eligible to withdraw from the bank under the guidelines and rules of the bank. Copies of the Sick Leave Bank (SLB) rules and guidelines are available on the EEISD website. Review these and complete this SLB form regardless whether you wish to become a member. Return the completed form to the Human Resource/Benefits Department.

SUMMARY OF SICK LEAVE BANK REGULATIONS

- Professional, paraprofessional, clerical, and auxiliary personnel working twenty (20) or more hours/week may join
- Must enroll in September
- Must donate one (1) local personal leave day to Bank
- Maximum number of days granted to any employee during any one Bank Year shall be based on the following categories:

Category 1: Up to ten (10) days if committee determines that the illness required no surgery and the illness was determined to be not catastrophic as per doctor recommendation.

Category 2: Up to twenty (20) days if committee determines that surgery was necessary and determined to be catastrophic as per doctor recommendation.

Category 3: Up to forty-five (45) days if committee determines that the illness is catastrophic and life threatening such as heart attack, cancer, stroke and defined as catastrophic as per doctor recommendation.

- Pre-existing conditions and pregnancy have special restrictions and qualifications •
Absence must be at least ten (10) consecutive days
- Member must use all accumulated leave first
- Absences for elective procedures and those covered by Workers' Comp. are not covered •
Physicians verification is required
- This leave must run concurrently with the Family Medical Leave

ALL ELIGIBLE EMPLOYEES MUST COMPLETE THE FORM THAT IS LOCATED AT <https://www.eeisd.org/page/resources-directory>

By reading this Sick Leave Bank Handbook and Guidelines, I understand that **to join the Bank** I must **contribute one local personal leave day** to the Bank, and that this day will become the property of the Bank. I understand that if I withdraw any days from the Bank, then I must continue as a member during the next enrollment period by donating one personal leave day to the Bank.

Edcouch-Elsa Independent School District Sick Leave Bank

Section I Purpose and Definition

The purpose of the Sick Leave Bank is to provide additional paid sick leave days to members of the Bank in the event of a catastrophic illness or injury. Leave from the Bank may not be used for disabilities which qualify the member for Workers' Compensation benefits. Benefits are only for personal illness/injury of the member, and are not for absences due to illness or injury of family members or others. Benefits for pre-existing conditions and pregnancy are outlined under Guidelines for Benefits.

Examples of illness/injuries generally considered severe enough to be catastrophic include but are not limited to:

- stroke with residual paralysis or weakness;
- severe heart attack;
- major surgery (for example, heart bypass surgery);
- cancer-related surgery or treatments;
- potentially fatal tumors; or
- amputations.

Section II Membership

Eligibility is limited to all full-time professional, paraprofessional, clerical, and auxiliary personnel of the Edcouch-Elsa Independent School District. Full-time shall be defined as 20 hours or Teacher Retirement System (TRS) eligible hours of duty per week.

Eligibility for membership begins on the first official workday.

An employee must be able to earn at least two local leave days from the beginning of his/her employment to the end of the Sick Leave Bank Year to become a member.

Application for membership must be made during the enrollment period at the beginning of each school year.

Section III Sick Leave Bank Regulations

The Sick Leave Bank Year begins on September 1 and ends on August 31 of each school year.

Enrollment applications for membership in the Sick Leave Bank will be available to all eligible employees with the beginning of school. New employees receive a brief description of the Sick Leave Bank and an enrollment application.

Application for membership must be made during the enrollment period at the beginning of each school year or within thirty (30) days of employment or eligibility for membership.

The annual enrollment period for applications will be determined at the beginning of each school year. There is no grace period for the return of applications for mid-year employees enrolling

under the thirty (30) day rule. These applications must be in the Human Resource/Benefits Department by the close of business within thirty (30) days of employment or eligibility.

Contribution of Day:

Upon acceptance of the application, one local leave day will automatically be subtracted from the employee's sick leave balance. They become the permanent property of the Bank and cannot be returned. Each deposit remains the property of the Bank, even in the event of termination, resignation, or cancellation of membership of the employee. Unused Bank days carry over to the next banking year.

Withdrawal of Days:

Only Bank Members are eligible to withdraw days.

Days will be granted only after the member has exhausted all accumulated state and local sick leave and if applicable, all of the District extended leave days.

A member may apply for days after ten (10) consecutive days of absence for reasons of personal illness or injury. A member may apply for days for planned absences such as surgery or hospitalization in advance if it is anticipated that the absence will exceed ten (10) days and the member will have insufficient sick and personal leave to prevent loss of pay.

Benefit days are retroactive to the first day of eligible absence once all criteria are met.

No benefit days will be granted unless an actual absence from normal duty occurs. No benefit days will be granted to cover absences for holidays, vacations, or other non-duty days.

No benefit days will be granted for elective absences, elective surgical or medical procedures, or procedures that could be safely and reasonably postponed to extended school breaks.

Section IV The Application Process

The Application for Sick Leave Bank Days must be submitted electronically to the Human Resource/Benefits Department of the Edcouch-Elsa ISD. If the member is too ill to complete the applications, his/her building or area administrator may begin the process in his/her behalf. It will be necessary for a family member to sign the application if a physician's statement is not waived by the committee.

The deadline for electronically submitting the application to the Human Resource/Benefits Department is thirty (30) workdays after return to duty. An application is not considered complete until all the information requested on the form has been submitted to the Human Resource/Benefits Department. If the member anticipates a delay in the return of the application from the physician's office, the member may send a duplicate application with an explanatory note to the Human Resource/Benefits Department. This will extend the deadline until the statement is received; however, no action may be taken by the Committee until the statement is available. This may cause a delay in the realization of any benefits by the member.

The Committee may elect to waive the physician's statement if it is decided that there is sufficient information to determine the eligibility of the claim without that statement. This will not occur unless the information provided to the Committee by the member, his/her administrator or a family member clearly indicates that the seriousness of the member's situation or condition warrants such a waiver.

Each illness or injury must be applied for separately and each must meet the criteria for approval of benefits on its own merits. This may not apply, except in certain circumstances in recurring absences due to the same illness. See Guidelines for Benefits.

The Committee will make the final determination of the eligibility of the member and of his/her application. If all criteria are met, the Committee will approve a maximum number of days (by category) that the member may withdraw from the Bank. In no circumstance, may the member withdraw any days that exceed his/her actual absence for the period covered by the approved application.

In effect, the member will receive his/her usual pay for the number of days approved by the Board. The Board tries to meet at regular intervals to assure that any decision will be made prior to the cutoff date for payroll determination. If the cutoff date is missed on an individual applicant, the Payroll Office will make corrections on the next payroll check as supplemental pay. You may determine the cutoff date for your position by checking with Payroll or your administrator. The Payroll Office will not be able to issue special checks.

Applicants who wish to discuss their particular situation may contact:

Human Resource/Benefits Department for questions regarding Committee meetings
Payroll Office for questions on pay and leave balances
Committee Members for questions on Committee activities and responsibilities
No individual is authorized to make Sick Leave Bank or application decisions.

Section V Guidelines for Benefits

The maximum number of days granted to any employee during any one Bank Year shall be based on the following categories:

Category 1: Up to ten (10) days if committee determines that the illness required no surgery and the illness was determined to be not catastrophic as per doctor recommendation.

Category 2: Up to twenty (20) days if committee determines that surgery was necessary and determined to be catastrophic as per doctor recommendation. **Category 3:** Up to forty-five (45) days if committee determines that the illness is catastrophic and life threatening such as heart attack, cancer, stroke and defined as catastrophic as per doctor recommendation.

A member who has not used the yearly maximum may apply for days for any absence that meets all regulations governing the withdrawal of days from the Bank.

Illness or injuries that occur during the enrollment period will automatically be covered for individuals who were members during the previous Bank Year. Any benefits used during the enrollment period will be subtracted from the individuals balance in the Bank Year covered by the enrollment period.

A member must usually be absent for ten (10) consecutive days before any benefit can be granted. The Committee may grant an exception to this rule in the event of on-going, intermittent therapy related to an earlier illness or injury. This might occur during chemotherapy, physical therapy or dialysis. (See follow-up and Treatments). The pre-existing restriction in the next paragraph applies.

Absences caused by conditions existing at the time of application for Bank membership will not usually be covered. However, upon approval of the Committee of the Sick Leave Bank, members who present physician verification that the condition was not active or was under control at the time of application for membership may have absences related to that condition approved for benefits. (See Pre-Existing).

Absences due to elective procedures or any procedures or absences that could be scheduled at a time more compatible with the member's work responsibilities without detriment to his/her health is not covered. (See examples under Surgical).

No days will be granted for any non-member. Days may not be donated from or by the Bank for use by non-members.

Sick Leave Bank days shall not be granted for any disability or absence when these are covered under the Workman's Compensation Act.

Absences related to pregnancy or childbirth will not be covered by Sick Leave Bank benefits unless problems arise during the pregnancy that is also health problems that non-pregnant employees could develop. (See examples under Obstetrical).

The Committee may seek outside consultation from the district nurse when determining the category for maximum number of days granted to any employee.

Examples: Surgical Benefits

Prior to any non-emergency surgery, Bank members are advised to have their physician complete the information on the application form to verify that the surgery cannot be scheduled during one of the longer school breaks of the Bank Year. Failure to obtain this information could lead to loss of benefits. Please refer to the following:

Example: A ten (10) month employee is advised to have a surgical repair of the knee to increase its stability. The surgery could be scheduled during the summer break, in the opinion of the physician, without being detrimental to the employee's health or recovery. The employee would NOT be eligible for benefits.

Example: A twelve (12) month employee is advised to have the same surgery as the employee above. This employee does not have a prolonged summer break and there would be no time during the year when a surgery would not interfere with his/her work, this employee would be eligible.

Examples: Obstetrical Benefits

Only complications during pregnancy not of pregnancy would afford an employee benefits under the Sick Leave Bank plan. These would represent complications that do not result from the pregnancy itself, but may be aggravated or provoked by the pregnancy. These would be the medical and surgical complications during pregnancy.

Without attempting to provide a complete list, some medical and surgical complications during pregnancy might include stroke, thyroid diseases, pituitary dysfunction, slipped disc, heart disease, liver disorders, etc. To help clarify please refer to the examples:

Example: An employee discovers she is having twins and her physician advises her to discontinue working during the last two months of pregnancy in order to prevent early delivery. This absence would not be covered.

Example: An employee is advised to stay in bed either at home or in the hospital for the last three months of her pregnancy because of signs of pre-eclampsia (high blood pressure, swelling, headaches). This is not an unusual complication of pregnancy and would not be covered by Sick Leave Bank benefits.

Example: The employee above is on bed rest for possible toxemia, develops a blood clot in her leg. The benefits could begin with the diagnosis of the blood clot because this represents an illness or complication not arising from pregnancy itself.

Example: The doctor recommends a Cesarean Section. This procedure is not unusual in pregnancies and would not be covered.

Example: An employee decides to have a tubal ligation during the Cesarean Section and later develops a wound infection. None of the absences would be covered as she was already scheduled to be off duty. However, her absence had to be extended for two more weeks for wound treatment. These two week's periods would be covered.

Examples: Follow-up and Treatment

The Board will generally accept the recommendations prescribed by physicians, osteopaths and dentists licensed to practice in the United States. Procedures recommended by practitioners of other disciplines and those without licenses to practice in the United States will not usually be accepted.

Many illnesses and injuries require follow-up and/or therapy after the initial treatment. Generally, these can be scheduled with a minimum of time off, such as three hours per week of physical therapy or office visits, to evaluate the progress after hospitalization. These would not generally be covered absences since these could usually be completed in two (2) or three (3) hours. The problem of over-scheduling appointments by physicians cannot be remedied by the Bank.

There are, however, other situations that require longer absences over periods of time because of the intensity or side effects of the therapies or treatments, or because of the distance the employee must travel to obtain the therapy. Examples of these may include kidney dialysis, major burn therapy and chemotherapy. These might be considered by the Committee to be a continuation of the original condition which met the eligibility criteria. The total benefits for a school year would remain unchanged, however, the Committee may elect to waive the ten (10) day rule in one (1) year to continue therapies for an illness or injury that qualified in the previous Bank Year.

Some follow-up treatments would be considered elective and would not be considered to be covered by Sick Leave Bank benefits. Some examples are below:

Example: A scar revision for cosmetic purposes of an earlier covered surgery is not usually covered unless the second surgery was recommended or planned as part of the original surgery.

The surgical site for removal of a malignant melanoma is allowed to heal with a plan to revise the scars as soon as it is healed would be covered.

The closing of an ostomy is considered a continuation of the original surgery and is covered.

Breast re-constructive surgery planned after the healing is complete would be covered; re-constructive surgery decisions made at a later date on the wish of the employee would be covered.

Example: A member decides to travel to Mexico to try experimental therapy for a chronic illness. This would not normally be covered unless the original recommendation for this therapy was made by a physician licensed to practice in the States.

Example: An optometrist, licensed in the United States, recommends extensive vision therapy to improve reading ability and reduce eye fatigue. An optometrist is not a physician as determined by medical boards, and therefore, this application would be rejected.

Pre-existing Conditions:

Generally, a pre-existing condition will not be covered, but complications of that condition that represent a **significant change** will be. If the condition itself changes significantly from that at the time of enrollment in the Bank, then the application could be approved. The goal of the Sick Leave Bank is not to exclude members who have pre-existing conditions, but to provide its members with benefits for those **unexpected** events and illnesses.

Example: A member with previously diagnosed diabetes is hospitalized to evaluate and establish better control of his condition. This would not be covered.

A member with previously diagnosed diabetes is hospitalized with complications of his diabetes, e.g., circulatory impairment to extremities, kidney failure, retinal detachment. These would be covered.

Example: A member with previously diagnosed heart disease is advised to have bypass surgery. This has been recommended in the past, but the member decided against the surgery. This would not usually be covered, unless the member could demonstrate that the decision was made due to a significant change in his health.

A member with previously diagnosed heart disease has a heart attack. This is a new complication of an existing problem and would be covered.

Example: A member with previously diagnosed cancer was told that the cancer had been removed but it did recur. This would be a covered condition.

A member with previously diagnosed cancer was told that the cancer would recur, would generally not be covered, unless the cancer was considered inactive at the time of enrollment as demonstrated by the general health of the member or statement of the physician.

Section VI Notification and Appeals

A member shall be notified within ten (10) working days of the decision of the Committee. The member then has ten (10) working days to appeal any decision to the Committee. All appeals must be in writing and sent to the Human Resource/Benefits Office. Supporting documentation should be included. Human Resources will then notify the Committee members of the appeal and a meeting called to review the original application and any new information and documents.

A member has the right to appear before the Committee to present his/her case, or the Committee may request (in writing) that the member appear before the Committee to substantiate his/her claim. Request to appear before the Committee should be in writing and sent to Human Resource/Benefits Office.

The actual rehearing will not be held until all requested documents or statements are received by the Committee.

Section VII Sick Leave Bank Board of Directors

The governing body for the Edcouch-Elsa ISD Sick Leave Bank shall be the Sick Leave Bank Committee, hereafter referred to as the Committee.

Membership on the Committee is restricted to personnel who are members of the Bank for at least three years at the time of the fall appointment, and who agree to fulfill the obligations of a Committee member

Committee Composition

The bank shall be administered by the following personnel who shall be referred to as the sick leave bank committee:

1. Superintendent
2. Deputy Superintendent
3. Assistant Superintendent for Student Services and Operations
4. Director of Human Resource
5. Director of Finance

Term of Committee Service

Committee representatives serve a minimum of two (2) year terms beginning on September 1 of the first year and ending on August 31 of the second year. If re-appointed, a representative may serve consecutive terms. There are no term limits. A representative may not serve on the Committee after ending employment with the District for whatever reason. A Committee member may also be removed from the Committee for failure to attend three (3) consecutive meetings.

Vacancies

The Committee has full authority to fill any vacancies that occur during a Bank Year whether the vacancy occurs by resignation or by failure of a Committee member to attend three (3) consecutive meetings.

Meetings

Meeting times and locations are determined by Committee members. Some flexibility is necessary due to schedules of members and the filing of applications and appeals.

A simple majority of the total number of voting Committee members shall be sufficient to conduct official business.

Committee members may choose to handle summer applications by mail and/or telephone. The Committee will decide prior to the summer break the procedures it will follow to ensure that summer employees can receive Bank benefits without undue delay. The Committee may elect to waive the meeting requirement and adopt procedures that protect the intent of the Bank rules without violating the confidentiality of the applicant.

It is recommended that each representative receive by mail a photocopy of each application for benefits. The member would be required to register his/her vote by telephone or fax within five (5) working days with the individual(s) designated by the Committee. This individual could be one of the Bank Officers or a designee of one of the permanent advisors.

Duties and Responsibilities

We must protect individual health information in any form. As members of the Sick Leave Bank Committee, you cannot release in any form any protected health information (PHI) you may become privy to due to your membership on the committee.

The Committee shall select (with the advice and consent of the Director of Human Resource) the individual(s) who will receive and process all applications for Bank membership and benefits, keep membership lists, process all approved benefits and facilitate the functioning of the Bank.

The Committee shall review all application for benefits and determine the maximum number of days to be approved, if any. Approval of the application and the number of days shall be by a simple majority of voting members casting a vote.

Tie votes shall be broken by the permanent advisors in attendance.

The Committee shall specify the reasons if an application is rejected or not approved.

The Committee shall be responsible for hearing all appeals of its decisions.

No Committee member may vote on an application of any member of his/her family whether the relationship is by blood or marriage.

The Committee shall be responsible to oversee the actions and attendance of Committee

members and may remove any member when it is deemed in the best interest of the Bank and its members to remove that member. Simple majority rules; ties are broken by the Permanent Advisors.

The Committee will have full and final authority to address any topics or questions not covered herein. Recommendations concerning regulations or rules shall be developed in consultation with the Permanent Advisors to the Sick Leave Bank Committee.

The Committee must submit for approval any proposed rule or regulation that may have an effect on a department or this District to the head of that department or to the Superintendent of Schools as appropriate.

Duties and Responsibilities of the Officers

The **Director of Human Resources** is responsible for coordinating and conducting all official meetings of the Committee, signing all official decisions and conducting official communications with advisors, Committee Representatives and Sick Leave Bank members. The Superintendent has the authority to designate duties to other representatives and to agree to arrangements with District departments that will facilitate the activities of the Committee.

EDCOUCH-ELSA ISD

AUTHORIZATION FOR THE RELEASE OR USE OF PROTECTED HEALTH INFORMATION (PHI)

SECTION A:

Name: Address:

Phone:

I, hereby authorize Edcouch-Elsa ISD to disclose protected health information to the Sick Leave Bank for the purpose of Sick Leave Bank Benefits.

The Protected Health Information (PHI) is to be mailed or faxed to:
Edcouch-Elsa ISD Human Resource Department
920 W Santa Rosa Ave
Edcouch, TX 78538
Ph: 956.262.6000
Fax: 956.262-6032

SECTION B:

The specific protected health information to be released is: Medical documents pertaining to request for Sick Leave Bank Benefits.

SECTION C: By signing below, I understand that:

- ❖ This authorization shall expire on or until revoked by me in writing, whichever comes first. (Date or completion of "event")
- ❖ I have the right to revoke or cancel this authorization at any time by providing notice in writing to this office.
- ❖ If I revoke or cancel this authorization, it is not effective for the use or for the disclosure of my protected health information that has already occurred.
- ❖ Any information used or disclosed as per this specific authorization may be re-disclosed by the person or entity receiving the information. In such a situation, it may no longer be protected by federal or state law.
- ❖ I am not required to sign this authorization.
- ❖ I have a right to inspect or copy the protected health information that will be used or disclosed as per this authorization.

SECTION D:

Signature of Individual or Authorized Representative: Print name of individual:

Representative's legal authority to individual: Print name of Authorized Representative:

Date:

Important information and instructions for completing this form are on the reverse side

IMPORTANT INFORMATION AND INSTRUCTIONS FOR COMPLETING

I. Edcouch-Elsa ISD may release information pursuant to this signed authorization only if the form is completed thoroughly and all conditions listed on the completed form are met.

II. Instructions

Section A:

- 1) "Name," "Address," and "Phone Number" of the individual whose protected health information (PHI) is being released. If the form is being completed by an authorized representative or other legal authority, enter the name and address of the authorized representative or legal authority and enter the billing number of the individual whose PHI is being released. If the billing number is not known enter the "Social Security Number" of the individual whose PHI is being released.
- 2) "Name of individual" is the individual whose PHI is being released.
- 3) "Name of covered entity" is the agency or organization who has the individual's PHI which will be released.
- 4) "Who will receive the information?" is the person or organization who will obtain the PHI when it is released.
- 5) "Describe why this information is being released" means that you need to write why the PHI is being released to a third party.
- 6) Ensure to provide a complete address for the entity you want to receive the information.

Section B: Thoroughly specify what PHI is being released. Federal regulations (45 CFR 164.502) require that only the MINIMUM NECESSARY information needed to accomplish the intended purpose may be released.

Section C: The signed authorization is valid until the completion of the "event" or until it is revoked in writing by the individual who signed it, whichever comes first. "Event" may be defined as the reason the signed authorization is needed. For example, if the signed authorization is needed for an insurance claim to be processed and paid, the signed authorization is only valid until that occurs. It is recommended that the length of an authorization not exceed one year. In some situations, the law may not allow us to release information to the entity you specified. If in such a situation you want us to instead mail copies of the protected health information directly to you, write your initials in the space provided.

Section D: The individual whose PHI is being released should sign and date the form. However, if the individual is not able to sign the form, the individual's authorized representative should sign and date it. If the form is signed by an authorized representative, the representative's "legal authority" to act on the part of the individual must be indicated. Legal authority includes but is not limited to a parent who signs the form for a minor child or an individual who has power of attorney over the affairs of the individual whose PHI is being released.

