

Personnel

General Personnel - Temporary Illness or Temporary Incapacity

The contractual, continued-service status of an employee will not be affected by absences caused by temporary illness or temporary incapacity.

Temporary illness or temporary incapacity is defined by the Board of Education as follows:

Any illness or other capacity of ill being which renders an employee physically or mentally unfit or unable to perform his or her assigned duties and causes the employee to be continually absent from such duties for a period of not more than ninety (90) calendar days, after exhaustion of accumulated sick leave, during a single school year. During the period of disability, the employee shall be entitled to use accumulated sick leave benefits. However, income received from other sources (teacher retirement, worker's compensation, District paid insurance programs, etc.) shall be deducted from the District's compensation liability to the employee. The intent of the District is that in no case shall the employee who is temporarily disabled receive more than 100 percent of his/her gross salary.

Those insurance plans privately purchased by the employee and to which the District does not contribute, are not applicable to this policy.

If illness, incapacity or any other condition renders an employee physically or mentally unfit or unable to perform his or her duties and causes the employee to be continuously absent from such duties for more than ninety (90) calendar days, after the exhaustion of accumulated sick leave, during a single school year, the employee shall be considered permanently ill or permanently incapacitated, and such absence may be considered cause for dismissal, unless the teacher demonstrates by medical examination that the illness or incapacity is, in fact, temporary. The District will comply with such notice and/or hearing provisions as may be required by law.

LEGAL REF.: Illinois School Code, Sec. 10-22, 10-22.4, 24-12, and 24-13 (105 ILCS 5/10-22, 5/10-22.4, 5/24-12, and 5/24-13); Elder v. Board of Education, 60 Ill.App.2d 56, 208 N.E. 2d 423 (1st Dist. 1965); and Board of Education v. Illinois State Board of Education, 154 Ill.App.3d 375, 507 N.E.2d 134, 107 Ill.Dec. 470 (1st Dist. 1987)

CROSS REF.: 5.185, 5.250, 5.330

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