

PERSONAL ILLNESS AND INJURY/HEALTH AND HARDSHIP

The board will consider requests for extension of sick leave benefits on a case-by-case basis.

**Date:**           **Reviewed:**       **January 7, 2013**  
**Adopted:**         **March 13, 2013**

Legal References:    Use legal reference sheet.

Cross References:   List your appropriate policies. See legal reference sheet for possibilities.

Key Words

Leaves, Sick Leave, Attendance, Attendance Patterns, Employee Attendance

**Legal References**

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**Other Reasons:**

It is a good idea to have a policy statement that extended sick leave benefits will be decided on a case-by-case basis only. The Ramsey case cited points out that a board cannot give or negotiate away its obligations under N.J.S.A. 18A:30-6.

**Recommendation:**

A policy stating the board's legal obligation to decide extension of sick leave benefits on a case-by-case basis.

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|---------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b><u>Legal References:</u></b> | <u>N.J.S.A. 18A:6-6</u><br><u>N.J.S.A. 18A:6-66</u><br><br><u>N.J.S.A. 18A:16-2</u><br>through -5<br><u>N.J.S.A. 18A:27-4</u><br><br><u>N.J.S.A. 18A:30-1</u><br><u>N.J.S.A. 18A:30-2</u><br><u>N.J.S.A. 18A:30-6</u><br><u>N.J.A.C. 6A:32-6.1 et seq.</u> | No sex discrimination<br>Rights and benefits of personnel (educational services commission)<br><br>Physical examinations; drug testing; requirement<br>Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder<br>Definition of sick leave<br>Sick leave allowable<br>Prolonged absence beyond sick leave period<br>School Employee Physical Examinations |
|---------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Ramsey Teachers Ass'n v. Ramsey Bd. of Ed., 1979 S.L.D. 862, St. Bd. rev'g 1978 S.L.D. 518, aff'd App. Div., 1980 S.L.D. 1528

Cole v. Essex County Vocational School District Bd. of Ed., 1986 S.L.D. 1855

**Possible**

|                                 |                                          |
|---------------------------------|------------------------------------------|
| <b><u>Cross References:</u></b> | 4150 Leaves<br>*4151 Attendance patterns |
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\*Indicates policy is included in the Critical Policy Reference Manual.