

<p>TUCSON UNIFIED SCHOOL DISTRICT</p> <p>GOVERNING BOARD POLICY</p>	<p>POLICY TITLE: Medical Leave Assistance Program</p> <p>POLICY CODE: GBGCC</p>
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Medical Leave Assistance Program

This policy establishes a Medical Leave Assistance Program to provide additional paid leave to eligible employees facing a prolonged personal medical condition that results in a substantial loss of income due to the exhaustion of their available paid leave. This program aims to support all eligible district employees, regardless of collective bargaining representation, during times of critical need.

1. Purpose and Objectives:

- a. To provide a source of donated leave for eligible employees who have exhausted their own paid leave due to a prolonged medical condition.
- b. To support employees experiencing a serious medical condition or their family member experiencing a serious medical condition, consistent with the definition used in the Family Medical Leave Act (FMLA), which is Spouse, Parent, or Child.
- c. To encourage voluntary contributions of unused sick leave by eligible employees to assist their colleagues in need.
- d. To ensure fair and consistent administration of the Medical Leave Assistance Program.

2. Definitions:

- a. **Leave Assistance Program:** A district-wide program for donated sick leave is established to provide paid leave to eligible recipient employees.
- b. **Eligible Donor:** A current employee of Tucson Unified School District (TUSD) who has accrued and is eligible to use sick leave and meets the criteria for donating leave as outlined in this policy.
- c. **Eligible Recipient:** A current employee of TUSD who has experienced an eligible medical condition and who meets the criteria for receiving donated sick leave as outlined in this policy.
- d. **Eligible Medical Condition:** A serious medical condition (as defined by FMLA) that:
 - 1) Is expected to last for a continuous period of four or more weeks.
 - 2) Requires the employee to be absent from duty.
 - 3) Results in lost income due to the employee having exhausted all available paid leave, including accrued sick, annual, vacation, and personal leave.

- 4) Is supported by certification from a licensed health care provider.
- 5) **Exclusions:** Generally, this does not include short-term, routine illnesses or conditions covered by Worker's Compensation, or transition to a Governing Board Leave of Absence, to include transition of Paid Parental Leave to Governing Board Leave of Absence for employee's own medical need.

- e. **Available Paid Leave:** An employee's accrued and available leave balances.
- f. **Leave Assistance Committee ("Committee"):** A committee comprised of representatives from the Human Resources Benefits Office and Payroll Office will administer the leave donation process.

3. Eligibility for Donating Leave:

- a. Any current eligible employee who has accrued sick leave may voluntarily donate leave to an eligible recipient.
- b. Donations must be made in daily increments.
- c. Donors may not deplete their own leave balance below thirty (30) days of sick leave.
- d. Donors are limited to a maximum amount of eighty (80) hours of leave they can donate.
- e. Donations are strictly voluntary and irrevocable.
- f. Donors shall specify donations to a specific eligible recipient to receive the donated leave.
- g. Employees who are within thirty (30) days of their separation from the district or become ineligible for leave accrual are not eligible to donate leave.

4. Eligibility for Receiving Donated Leave:

- a. Must be a current employee of TUSD.
- b. Must be on an approved FMLA for a serious medical condition as defined in Section 1b.
- c. Must have exhausted or will exhaust all available paid leave.
- d. Must not be receiving other applicable income replacement benefits such as Worker's Compensation for the same condition.
- e. Must have been employed by the district for a minimum period of twelve months.

5. Application Process for Receiving Donated Leave:

- a. An eligible employee, or their representative if the employee is unable to do so, must submit a written application to the Human Resources Benefits Office, which should also include information regarding the exhaustion of available paid leave and any other information required or requested.

- b. All medical information will be kept confidential.

6. Review and Approval Process:

- a. The Leave Assistance Committee will review all applications for completeness and eligibility based on the criteria outlined in this policy.
- b. The Committee may request additional information or clarification from the applicant.
- c. The Committee will decide to approve or disapprove of the application in a timely manner.
- d. The decision of the Committee will be final and not subject to further appeal, except as may be provided by law or district policy.

7. Use of Donated Leave:

- a. Donated leave can only be used for the approved Eligible Medical Condition.
- b. Requests for donations will be accepted and processed in the order in which they are received.
- c. The amount of donated leave an eligible recipient may receive is limited to a maximum number of 40 days per fiscal year, upon exhaustion of all their accrued time.
- d. Donated leave will be granted in daily increments.
- e. An eligible recipient who receives donated leave will continue to receive their regular rate of pay and benefits, to the extent permitted by law and district policy.

8. Donation Process:

- a. Eligible employees who wish to donate leave must submit a completed donation form to the Human Resources Benefits Office
- b. The donation form will specify amount of leave being donated.
- c. Donations will be accepted and processed in the order received.
- d. The district will maintain records of all donations and distributions of leave.

9. Administration and Oversight:

- a. The Medical Leave Assistance Program will be administered by the Medical Leave Assistance Committee.
- b. The Committee will be responsible for:
 - 1) Developing and maintaining procedures for the implementation of this policy.
 - 2) Reviewing and making decisions on applications for receiving donated leave.
 - 3) Maintaining the confidentiality of employee medical information.

10. Termination of Assistance:

An employee's eligibility to receive donated leave will cease upon the earliest of the following:

- a. The employee returns to work.
- b. The employee is no longer affected by the Eligible Medical Condition.
- c. The employee's employment with the district is terminated.
- d. The employee has used the maximum allowable donated leave.
- e. The Committee determines that the employee no longer meets the eligibility criteria.
- f. Employee transitions to Governing Board Leave of Absence.
- g. Employee may retain up to five days of unused donated leave. Any unused donated leave beyond this limit and remaining at the time of termination of assistance will revert to the donor.

11. Confidentiality:

All information related to an employee's application for and use of donated leave, including medical documentation, will be kept confidential in accordance with applicable laws and district policies.

The Governing Board reserves the right to interpret, administer, and amend this policy as deemed necessary.

ADOPTED: January 13, 2026

LEGAL REF.:

CROSS REF:

[Policy GBGC](#) Employee Health and Safety

[GBGC-R4](#) Employee Sick Leave

[GBGC-R5](#) Prohibition Against Retaliation for Use of Sick Leave