

# Marion County Board of Education

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| Monitoring:<br><b>Review: Annually,<br/>in February</b> | Descriptor Term:<br><b>Military Leave</b> | Descriptor Code:<br><b>5.306</b> | Issued Date:<br><b>04/24/01</b> |
|   |   | Rescinds:<br><b>5.306</b>        | Issued:<br><b>12/15/97</b>      |

1 Employees who are members of any reserve component of the Armed Forces of the United States shall  
2 be granted leave of absence for all periods of military service during which they are engaged in the  
3 performance of duty or training in the service of the state or the United States.<sup>1</sup> Reservists who anticipate  
4 military duty during the school year must give written notice to the director of schools, within thirty (30)  
5 days of the beginning of the school year, of the dates of the anticipated duty. While performing such duty  
6 or training, the employee shall be paid his/her regular salary up to a maximum of fifteen (15) working  
7 days in any one (1) calendar year, plus such additional days as may result from any call to active state  
8 duty.<sup>2</sup> An employee called to active duty by the governor to enforce the laws of the state shall be paid  
9 his/her regular salary for such time as he/she is engaged in the performance of his/her duty, and any time  
10 spent in active state duty shall not count against the fifteen-day period of leave allowed for military  
11 service.<sup>3</sup>

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13 Request for leaves and extension of leaves shall conform to state law and board policy governing all leaves  
14 of absence. Failure to comply with applicable laws and policies shall constitute grounds for dismissal.  
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16 The employee shall supply a copy of the orders for duty, including the dates of departure and return it  
17 to the director of schools prior to, or simultaneous with, requesting leave.  
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35 Legal References:  
36 1. 38 U.S.C.A. § 2024(d)  
37 2. TCA 8-33-109; TCA 49-5-702(a)  
38 3. TCA 58-1-106(d) TCA 58-1-109

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35 Cross Reference:  
36 Long Term Leaves of Absence 5.304