

Hardin County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Military Leave	Descriptor Code: 5.306	Issued Date: 06/09/08
		Rescinds: 5.306	Issued: 11/04/02

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 per-
3 formance of duty or training in the service of the state or the United States.¹ Reservists who anticipate
4 military duty during the school year must give written notice to the director of schools, within thirty
5 (30) days of the beginning of the school year, of the dates of the anticipated duty. While performing
6 such duty or training, the employee shall be paid his/her regular salary up to a maximum of twenty
7 (20) working days in any one (1) calendar year, plus such additional days as may result from any call
8 to active state duty.² This time may not be used for weekend drills unless the employee is regularly
9 scheduled to work on that weekend. Such requested leave shall be supported with copies of the armed
10 forces orders. An employee called to active duty by the governor to enforce the laws of the state shall
11 be paid his/her regular salary for such time as he/she is engaged in the performance of his/her duty, and
12 any time spent in active state duty shall not count against the twenty-day period of leave allowed for
13 military service.³

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15 Request for leaves and extension of leaves shall conform to state law and board policy governing all
16 leaves of absence. Failure to comply with applicable laws and policies shall constitute grounds for
17 dismissal.

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19 The employee shall supply a copy of the orders for duty, including the dates of departure and return it
20 to the superintendent prior to, or simultaneous with, requesting leave.

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Legal References:

- 1. 38 U.S.C.A. § 2024(d)
- 2. TCA 8-33-109; TCA 49-5-702(a)
- 3. TCA 58-1-106(d) TCA 58-1-109; OP Tenn. Atty. Gen. 91-13 (Jan 31, 1991)

Cross Reference:

Long Term Leaves of Absence 5.304