

# Scott County Board of Education

Monitoring: <b>Review: Annually, in February</b>	Descriptor Term: <b>Military Leave</b>	Descriptor Code: <b>5.306</b>	Issued Date: <b>05/08/08</b>
		Rescinds: <b>5.306</b>	Issued: <b>08/08/96</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 per-  
3 formance 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  
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.<sup>2</sup> An employee called to active duty by the governor to enforce the laws of the state  
9 shall be paid his/her regular salary for such time as he/she is engaged in the performance of his/her duty,  
10 and any time spent in active state duty shall not count against the twenty-day period of leave allowed  
11 for military 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  
14 leaves of absence. Failure to comply with applicable laws and policies shall constitute grounds for  
15 dismissal.

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17 The employee shall supply a copy of the orders for duty, including the dates of departure and return it  
18 to the director of schools prior to, or simultaneous with, requesting leave.

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36 Legal References:  
37 1. 38 U.S.C.A. § 2024(d)  
38 2. TCA 8-33-109; TCA 49-5-702(a)  
39 3. TCA 58-1-106(d) TCA 58-1-109

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36 Cross Reference:  
37 Long Term Leaves of Absence 5.304

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