



Book	Policy Manual
Section	Special Update - Sept 2024 Revisions
Title	Copy of MILITARY LEAVE
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Legal	F.S. 115.07 F.S. 115.09 F.S. 115.14 F.S. 121.111 F.S. 250.341 F.S. 1012.23 38 U.S.C. 2021 et seq. 38 U.S.C. 4312 38 U.S.C. 4323
Adopted	June 21, 2022

3430.07 - **MILITARY LEAVE**

The School Board supports individuals willing to serve in the armed forces of the United States or the State of Florida to protect our country and State. In accordance with State and Federal laws, instructional staff members who must be absent from work for military service are entitled to take a military leave of absence in accordance with this policy.

Instructional staff members called to duty are required to notify the Superintendent immediately unless notice is impossible or prevented by military necessity or, under all of the relevant circumstances, the giving of such notice is otherwise impossible or unreasonable.

Reserve or Guard Training

All instructional staff members in this District who are commissioned reserve officers or reserve enlisted personnel in the United States military or naval service or members of the National Guard are entitled to leaves of absence from their respective duties, without loss of vacation leave, pay, time, or efficiency rating, on all days during which they are engaged in training ordered under the provisions of the United States military or naval training regulations for such personnel when assigned to active or inactive duty.

Compensation allowed for military leave to participate in required training exercises shall not exceed 240 hours in any one (1) annual period as provided in F.S. 115.07. Such leave is not charged as vacation. It shall be established that the period selected is not at the convenience of the employee but a military necessity, if it falls within the school year. Upon the recommendation of the Superintendent, leaves of absence for additional or longer periods of time for assignment to duty functions of a military character shall be without pay and may be granted by the Board and when so granted shall be without loss of time or efficiency rating.

When an instructional staff member's assigned employment duty conflicts with ordered active or inactive duty training, it is the responsibility of the Board to provide a substitute employee, if necessary, for the assumption of such employment duty while the employee is on assignment for the training.

Active Military Service

Instructional staff members who are service members of the National Guard or a reserve component of the Armed Forces of the United States shall be granted leave to perform active military service, the first thirty (30) days of any such leave to be with full pay for Federal military service that is equal to or greater than ninety (90) consecutive days.

Leave of absence for additional or longer periods of time for assignment to duty functions of a military character shall be without pay. Instructional staff members on military leave may substitute accrued paid vacation for unpaid leave.

Re-Employment

Re-employment of all instructional staff members granted military leave shall be governed in accordance with 38 U.S.C. 4312. An instructional staff member who is granted military leave for active duty shall, upon the completion of the tour of duty, be returned to employment without prejudice, provided that the instructional staff member gives notice and files an application for re-employment within the time limitations contained in Federal law. Instructional staff members will be returned to duty in the same or a similar position as previously held in accordance with Federal law.

Benefits During Military Leave

The Board shall continue to provide all health insurance and other existing benefits to instructional staff members as required by the Uniformed Services Employment and Reemployment Rights Act, Chapter 43 of Title 38 U.S.C.

Voluntary Services

When an employee enters voluntarily into any branch of the Armed Forces for temporary or an extended period of service, military leave shall be granted at the Board's discretion. An employee whose absence will interfere with the orderly operation of the school program shall be denied military leave, except in unusual cases.

Bargaining unit members should refer to the collective bargaining agreement for more information pertaining to military leave.