

MILITARY LEAVE

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An employee will be eligible for all considerations of military leave in accordance with State Board of Education policy and the federal Uniformed Services Employment and Reemployment Rights Act (USERRA).

Short periods of required active duty should be scheduled during vacation periods so as not to interfere with regular duties of the individual's employment. If it is impossible to schedule short-term military duty in this manner, an employee may request to be absent to meet this obligation. The employee must provide to the superintendent advance written or oral notice, except in cases of emergency assignment or other conditions that make notice impossible or unreasonable. The employee must provide either written documentation evidencing performance of military duty or identify the military command in order for the school to verify the request.

If the individual reapplies following separation from military duty, his or her reemployment will be governed by the provisions of the USERRA.

Employees on leaves of absences for state or federal military duty under honorable services status, for required training, or for special emergency management service shall be paid the difference in military base pay and state salary, including non-performance based bonuses, when the military pay is less than the state salary. Differential pay shall be paid from the same source of funds as the employee's public school salary.

Under certain circumstances, an employee may receive teaching experience credit and retirement credit for service in the military, in accordance with State Board regulations.

Legal References: 38 U.S.C. §4301 et seq.; G.S. 115C-12, -47, -302.1(g1); 25 NCAC 1C.0802, -0812, -0815-18; 16 NCAC 6C.0406

Legal References: 38 U.S.C. §2201 et seq.; [G.S. 115C-12](#), [-47](#); [25 NCAC 1C.0802](#), [-0812](#), [-0815-18](#).