

**Policy Name: Licensed Personnel Military Leave-Benefits****Policy Code: 3.19H****Date Adopted: R/A 4/16/12**

All teachers, administrators, and non-licensed personnel shall be entitled to leave of absence for the purpose of participating in military training programs or other official duties made available by the National Guard or of the reserve branches of the armed forces. Teachers and administrators shall be entitled to leave of absence for the purpose of participating in the civil defense and public health training programs made available by the United States Public Health Services. Such leave of absence may be for a period of fifteen (15) days, plus travel time in any fiscal year. To the extent that leave is not used in a fiscal year, it will accumulate for use in the succeeding fiscal year until it totals fifteen (15) days at the beginning of a fiscal year. Each employee who requests military leave shall furnish a copy of his/her orders for his/her personnel file.

Whenever any teacher, administrator, or non-licensed employee is granted a leave of absence under the provisions of this section, he/she shall be entitled to his/her regular salary during the time he/she is away from his duties during such leave of absence.

The teacher or administrator will be responsible for paying for the cost of any substitute employed in the teacher's or administrator's absence.

Such leave of absence shall be in addition to the regular vacation time allowed the employee.

#### **EMERGENCY SITUATIONS**

Teachers, administrators, and non-licensed personnel called to duty in emergency situations by the Governor or by the President shall be granted leave with pay not to exceed thirty (30) working days after which leave without pay will be granted. This leave shall be granted in addition to all other leave to which the teacher, administrator, or non-licensed person shall be entitled. "Emergency situation" means any case of invasion, disaster, insurrection, riot, breach of peace, or imminent danger thereof, threats to the public health or security, or threats to the maintenance of law and order.

During any military leave of absence, the employee shall be entitled to preserve all seniority rights, efficiency or performance ratings, promotional status, retirement privileges, life and disability insurance benefits, and any other rights, privileges and benefits to which they have become entitled. The School District shall continue to contribute their portion of any life and disability insurance premiums during the leave of absence on behalf of the teacher, administrator, or non-licensed employee, if requested, so that continuous coverage may be maintained.

The period of military service shall for purposes of computations to determine whether such persons may be entitled to retirement under the laws of the State of Arkansas be deemed continuous service, and the teacher, administrator, or non-licensed employee shall not be required to make contributions to any retirement fund.

For the purpose of this section "fiscal year" shall be the fiscal year now established for the United States Government.

An employee who is drafted or called to active duty in the armed forces of the United States or who volunteers for military leave without pay and upon application within ninety (90) days after the effective date of his/her release from active duty shall be reinstated to the position vacated or an equivalent position at no loss of seniority or any other benefits and privileges of employment. The right of reemployment shall conform with all federal government rules and regulations.

**Any employee who enlists or reenlists for a second consecutive tour or military duty shall be deemed to have forfeited his/her reemployment rights.**

**The state shall continue to contribute its portion of any life or disability insurance premiums during the leave of absence on behalf of the employee, if requested, so that continuous coverage may be maintained.**

**Legal References:** **Act 586 of 1989; REVISED: June 27, 1989; Act 673 of 1991.**