

## Instructional Staff Military Leave

An employee who as a member of a reserve or national guard unit or any other branch of the military organized under state or federal law who is required to take annual active duty during the school year shall be granted military leave with a right of reinstatement in accordance with state and federal law.

The employee shall receive full salary and benefits during such leave up to a maximum of 15 calendar days annually. All remaining leave to fulfill the annual military obligation shall be unpaid leave.

An employee taking leave under this policy shall forward a copy of their military orders to the superintendent or their designee.

Military leave of absence without pay shall be granted to any regular, full-time employee who enlists for military duty with any branch of the United States armed forces or who is called into active military service in time of war or other emergency declared by the proper authority of the state or United States. The employee shall be considered on a leave of absence during military service.

Upon completion of military service, the employee shall be reinstated in the same or a similar position of like seniority, status and pay if such is available at the same salary and benefits which the employee would have received if the employee had not taken leave, subject to the following conditions:

1. The position has not been abolished.
2. The employee is not physically or mentally disabled from performing the duties of the position.
3. The employee submits an honorable discharge or other form of release indicating that their military service was satisfactory.
4. The employee notifies the district of intent to return to work within the time period set out in law.

Upon reinstatement, the employee shall have the same rights with respect to vacation, sick leave and other benefits as if the employee actually had been employed during the time of such leave.

Adopt: 04/11/91  
Revised: 5/19/16

LEGAL REFS.: 38 U.S.C-§2021, Veterans Re-employment Rights Act  
C.R.S. 28-3-601 et seq.

*NOTE: This sample policy also applies to support staff members. The identical wording should be used on a document coded as: GDBDE\*-Support Staff Military Leave.*

Monte Vista School District No. C-8, Monte Vista, Colorado