

## MILITARY LEAVE

Reserves/National Guard Annual Training: An employee who is a duly qualified member of the Reserve Component of the Armed Forces, who is a member of the Ready Reserve, who is a member of an organized unit, and who in order to receive Military Training with the Armed Forces of the United States, not to exceed fifteen (15) days in any one calendar year, shall be entitled to an unpaid leave of absence and shall be returned to service, provided they are still able to perform the duties of his/her position without loss of status, provided:

- (a) They have given sixty (60) days notice prior to the time of departure.
- (b) They have satisfactorily performed the requirements of the training prescribed; and
- (c) The employee must return to their position immediately on being relieved from such military service and not later than the expiration of the time herein limited for such leave, unless they are prevented from so returning by physical or mental disability or other cause not due to his own fault, or is required by proper authority to continue in such military service beyond the time herein limited for such military leave.

Active Duty: Any employee unit who is called to active duty in any branch of the armed forces of the United States, shall be on unpaid leave status during the period of time they are on active duty and entitled to reinstatement, provided:

- (a) They make written application for reinstatement to the position held prior to, or within ninety (90) days of their release from the service, or within ninety (90) days after a hospitalization continuing after such release for not more than one (1) year;
- (b) The position with the school district still exists;
- (c) The employee is capable of discharging the duties of the position.
- (d) Separation from the Armed Forces was not a dishonorable discharge.

Adopted: Feb. 11, 1991

Amended: February 11, 2008

Legal Refs: SDCL 3-6-19 through 3-6-25