

# POLICY

## BOARD OF EDUCATION OF ANNE ARUNDEL COUNTY

**Related Entries:** N/A

**Responsible Office:** DIVISION OF HUMAN RESOURCES

### REEMPLOYMENT AFTER MILITARY SERVICE

#### A. PURPOSE

To establish a policy governing reemployment of teachers or permanent employees of Anne Arundel County Public Schools (AACPS) who have left their position with AACPS because of entry into or service in the armed forces of the United States.

#### B. ISSUE

The Board of Education of Anne Arundel County (Board) recognizes the importance of service in the United States armed forces and supports teachers and permanent employees who leave positions with the Board to serve our country. These individuals should not be penalized for the interruption in their employment due to service in the United States armed forces. Accordingly, the Board supports teachers and permanent employees who wish to return to AACPS employment upon completion of their military service.

#### C. POSITION

1. Maryland education law provides that a teacher or permanent employee of the school system who, as a result of entry into or service in the armed forces of the United States, has left a position with the Board shall be reinstated to the classification the individual held before entering the armed forces or to a position of equal responsibility, qualification, and pay if the teacher or permanent employee:
  - a. Completed the required period of probation before entering the armed forces and the separation from the armed forces was due to a reason other than a dishonorable discharge; and
  - b. Applies for reinstatement within 90 days from the date of separation from service if the employee entered involuntarily, or after the end of the employee's first period of enlistment if the employee entered voluntarily; or
  - c. Applies for reinstatement within 90 days after discharge from hospitalization connected directly with, related to, and immediately following separation from the

armed forces and the period of hospitalization is not greater than 1 year from the date of separation.

2. An employee who qualifies for reinstatement is entitled to commence reemployment at the salary and rate of earnings for leave that the employee would have received if the employee remained continuously employed by AACPS.
3. If an employee is not qualified to perform the duties of the previous position held due to a disability sustained during military service, but is qualified to perform the duties of another position in the employ of the school system, the employee shall be reemployed in a comparable position that will provide the same seniority, status, and pay rate or as near the same as is consistent with the circumstances of the employee's case.

#### 4. **Seniority, Benefits, and Retirement Rights**

- a. An eligible individual who has been reemployed shall be considered as having been on furlough. The time between the date of entry into the armed services and the date of reinstatement or reemployment shall be added to the time the employee has been employed by the Board before entering the armed services to determine:
  - i. Length of service; and
  - ii. Seniority and status.
- b. An eligible individual who has been reemployed is entitled to all benefits and privileges, including rate of pay, that attach to the seniority and status.
- c. The pension and retirement rights of a teacher or permanent employee under this regulation shall be determined in accordance with State law.

### **D. IMPLEMENTATION**

The Superintendent is authorized to develop regulations to implement this policy.

*Policy History:* Technical Edits 11/01/22

*Note Previous Policy History:* Replaces Policy 800.24, revised 11/07/90

*Legal References:* Section 4-128 of the Education Article; Section 1-203 of the Local Government Article; Section 2-701 through 2-707 of the State Personnel and Pensions Article; Code of Maryland Regulations 13A.07.02.03