



**OFFICIAL POLICY**

**12.1.9**

**Military Service Leave of Absence Policy**

**3/13/23**

**Policy Statement**

This policy, in compliance with the Department of Defense, outlines the procedures governing leave of absence for veteran and military students at the College of Charleston, specifically active-duty military service absence readmission requirements, leave of absence for military duty eligibility, limitations on leaves of absence, intent to return and military service leave of absence notification exceptions.

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**Policy Manager and Responsible Department or Office**

Division of Academic Affairs

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**Departments/Offices Affected by the Policy**

All departments/offices, excluding the Board of Trustees.

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**Procedures Related to the Policy**

The College of Charleston shall designate an office or offices for students to notify of their absence for and return from service in the Armed Forces of the United States. [[34 CFR § 668.18 \(c\)\(2\)\(i\)](#)]

- Federal law requires that post-secondary institutions establish and maintain a policy to accommodate students called to serve on active duty in the Armed Forces of the United States. This policy outlines College of Charleston campus responsibilities and student rights established by federal law.

### **Active-Duty Military Service Absence Readmission Requirements**

The readmission requirements in this policy apply to servicemembers who perform service in the uniformed services, whether voluntary or involuntary, in the Armed Forces, including service as a member of the National Guard or Reserve, on active duty, active duty for training, or full-time National Guard duty under Federal authority, for a period of more than 30 consecutive days under a call or order to active duty of more than 30 consecutive days. The readmission requirements apply to servicemembers who have been absent from an institution for a period of service of more than 30 consecutive days. They do not apply to how an institution handles a servicemember's absence from class to attend training.

### **Leave of Absence for Military Duty Eligibility**

Military servicemembers and veterans who were absent from the College of Charleston for service in the Armed Forces are eligible to return to campus based on the following provisions:

- Absence is due to active-duty service in the Armed Forces, including the National Guard or Reserves, for more than 30 days.
- The servicemember or veteran provides the designated office with verbal or written advance notice of the need for a leave of absence due to military service.

A student informing the college of absence for military service must provide:

- Notice of absence for service must be provided by the servicemember or an appropriate officer of the Armed Forces or official of the Department of Defense authorized to give such notice.
  - Example of such documentation include a copy of military orders, etc.
- The notice of absence for service must be submitted in the form of a Leave of Absence request through the Center for Academic Performance and Persistence (CAPP) office via: <https://capp.cofc.edu/leave-of-absence/index.php>.

Leave of Absence requests and military orders must be submitted as far in advance as is reasonable under the circumstances.

### **Limitations**

The cumulative length of a servicemember's absences from the institution for service includes the time the servicemember spent performing service in the uniformed services plus one-year post-service. A period of absence from the institution before, after, or in between performing service does not count (for example, the period between completing service and returning to the institution).

### **Intent to Return**

Notice of intent to return must be provided by the servicemember to the Center for Academic Performance and Persistence (CAPP) office via email at: [capp@cofc.edu](mailto:capp@cofc.edu) or by phone at: 843.953.5674

Notice of intent to return must be provided not later than three years after the completion of the period of service. For servicemember who is hospitalized for or convalescing from an illness or injury incurred in, or aggravated during, the performance of service, notice must be provided not later than two years after the end of the period that is necessary for recovery from such illness or injury.

**Military Service Leave of Absence Notification Exceptions**

Advance notice is not required if it is precluded by military necessity (for example, a mission, operation, exercise, or requirement that is classified; or a pending or ongoing mission, operation, exercise, or requirement that may be compromised or otherwise adversely affected by public knowledge). If advance notice was not given and was not precluded by military necessity, the servicemember or appropriate officer of the Armed Forces or official of the Department of Defense may submit an attestation when seeking readmission that the servicemember performed service that necessitated the servicemember's absence.

**Policy guidelines pursuant to federal guidelines**

[Public Law 110 - 315 - Higher Education Opportunity Act](#)

[Department of Education Guidelines](#)

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**Related Policies, Documents or Forms**

*Faculty/Administration Manual*

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**Issue Date: 3/9/23**

**Date of Policy Revision: N/A**

**Next Review Date: 3/9/28**

**POLICY APPROVAL  
(Division of Academic Affairs)**

Provost: Suzanne Austin

Date: March 13, 2023