POLICIES AND PROCEDURES

Military Leave of Absence, Withdrawal, and Readmission

ISUPP 5060

POLICY INFORMATION
Policy Section: *Student Affairs*
Policy Title: *Military Leave of Absence, Withdrawal, and Readmission*
Responsible Executive (RE):
Sponsoring Organization (SO):
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I. INTRODUCTION

Idaho State University recognizes the service and sacrifice of its students who are members of the uniformed services. This policy communicates the rights of Service Members and their spouses and/or Dependents who must interrupt or suspend their studies because of a Military Service Obligation. It provides for Short-Term Military Absences, Long-Term Leaves of Absence, Military Withdrawal for long-term absences, protection of tuition and financial aid, prompt readmission following Military Service, the return of unearned Federal Tuition Assistance, and the resolution of related grievances.

II. DEFINITIONS

A. Active Duty. Full-time active military service of the United States, including full-time training duty, annual training duty, and attendance, while in the active military service, at a school designated as a service school.

B. Dependent. A spouse or a Dependent child of a Service Member, as recognized under applicable federal and University standards.

C. Federal Tuition Assistance (FTA or TA). Funds provided by a Military Service to a Service Member to pay tuition and fees for approved courses, administered under DoD Instruction 1322.25 and the DoD Voluntary Education Partnership Memorandum of Understanding.

D. Military Leave of Absence. The leave from a student's education that the University grants when a qualifying student is called or ordered to military service.

E. Military Service Obligation. A call or order to service in the uniformed services, including unanticipated orders to mobilize, activate, deploy, relocate, or report for a temporary duty assignment.

F. Military Withdrawal. A withdrawal from one or more courses, or from the University, that the University approves for a Service Member (and, where applicable, a spouse or Dependent) whose Military Service Obligation requires a long-term absence.

G. National Guard. The Army National Guard or Air National Guard, in either state or federal service, including the Idaho National Guard.

H. Reserve. A Reserve component of the U.S. Armed Forces.

I. Service in the Uniformed Services. Service in the Armed Forces, including service by 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, or under a call or order to Active Duty of more than 30 consecutive days.

J. Service Member. A person who is a member of, applies to be a member of, performs, has performed, applies to perform, or has an obligation to perform, service in the uniformed services.

K. Short-Term Military Absence. An interruption of a student's academic pursuit of no more than two weeks caused by unanticipated military orders received during the semester.

L. State Active Duty. Duty performed by a member of the Idaho National Guard when called or ordered by the Governor, as distinct from federal Active Duty.

III. AUTHORITY AND RESPONSIBILITIES

A. Instructors. Work with a student on a Short-Term Military Absence to identify reasonable options to complete, make up, or otherwise mitigate missed coursework consistent with course requirements.

B. Dean of Students. Assist students in resolving short-term absence arrangements that cannot be settled with the instructor.

C. Office of Academic Advising. Receive notice of a student's departure, expected length of absence, and intended return date, and assist the student in planning for return and

readmission. The Office of Academic Advising is the office designated to receive the notice of service and the notice of intent to return.

D. Office of Financial Aid and Scholarships. Ensure that scholarships and grants awarded are preserved or credited as required, and coordinate the treatment of financial aid on a Military Withdrawal.

E. Office of the Registrar. Receive and verify military orders; process administrative course cancellations, Military Withdrawals, tuition and fee refunds or credits, and transcript notations; and administer the return of unearned FTA.

F. Students (Service Members, spouses, and Dependents). Provide notice of a Military Service Obligation to the designated University office as far in advance as is reasonable under the circumstances, present military orders and supporting documentation when requesting a short-term absence, Military Withdrawal, or readmission, and provide notice of intent to return within the periods stated in this policy.

IV. POLICY STATEMENT

It is the policy of Idaho State University to support students who must interrupt or suspend their studies because of a Military Service Obligation. This policy applies to all enrolled students who are members of the Active Duty, Reserve, or National Guard components of the U.S. Armed Forces, and, where expressly stated, to their spouses and Dependents. It governs absences necessitated by a Military Service Obligation, whether short-term, long-term, or resulting in a withdrawal, across all programs, campuses, and modes of instruction, including web-based courses. The University will make reasonable efforts, at no extra cost to a returning student, to enable the student to resume or complete the student's program. The University does not deny readmission to a Service Member on the basis of membership in, application to, performance of, application for, or obligation to perform service in the uniformed services.

V. GENERAL

A. University Commitments.

1. The University grants a Military Leave of Absence to every qualified enrolled student and accommodates:

    a. Short-Term Military Absences;

    b. Long-Term Leaves of Absence;

    c. Military Withdrawals; and,

    d. The needs of Service Members' spouses and Dependents.

2. The University does not charge tuition to a student for an approved Military Withdrawal and, on a qualifying Military Leave of Absence, refunds or credits the student's tuition, fees, scholarships, and grants at the student's option.
3. Upon release from military duty, the University restores a student to the educational status the student had attained before being ordered to duty, without loss of academic credits earned, scholarships or grants awarded, or tuition and other fees paid before the military duty began.
4. The University does not deny readmission to a Service Member on the basis of membership in, application to, performance of, application for, or obligation to perform service in the uniformed services, and promptly readmits a returning Service Member with the same academic status.
5. The University protects the resident-tuition classification of Service Members, National Guard members, and their qualifying Dependents.
6. The University returns unearned Federal Tuition Assistance to the sponsoring Military Service as required by the DoD Voluntary Education Partnership Memorandum of Understanding, and works with an affected Service Member so that the return does not result in a debt owed to the University.
7. The University provides a grievance and appeal process for complaints related to this policy, culminating in review by the Idaho State Board of Education.

B. Student Responsibilities.
1. Student notice. A student shall give the Office of Academic Advising as much notice as possible of the student's departure, the expected length of the absence, and the intended return date, so that ISU can support the student's educational needs and plan for readmission.
2. Supporting documentation.
    a. A student requesting a short-term absence, a Military Withdrawal, or readmission shall provide the military orders and supporting documentation.
    b. ISU may not require a particular format for the notices and may not demand documentation that does not exist or is not readily available.
3. Pre-enrollment disclosure. Before enrollment, the University provides Service Members with information on the University's drop/add, withdrawal, and readmission policies and procedures, including the potential impact of military duties, such as unanticipated deployment, mobilization, activation, and temporary duty assignments, on the student's academic standing and financial responsibilities, together with an explanation of the University's grievance policy and process.

VI. SHORT-TERM MILITARY ABSENCE

A. Applicability. This section applies when a Service Member receives unanticipated military orders during the semester that will interrupt the student's academic pursuit for no more than two weeks.

B. Notice. The Service Member shall notify the affected course instructor(s), the Dean of Students, and the Office of the Registrar by email as soon as possible after receiving the orders.

C. Course arrangements. The Service Member shall discuss with each affected instructor options to complete work in advance, make up missed work, or take other reasonable steps that satisfy course requirements and mitigate the absence.

D. Assistance from the Dean of Students. If the Service Member cannot make satisfactory arrangements with an instructor, the Service Member may request the assistance of the Dean of Students to develop a solution.

E. Administrative cancellation and refund. If a resolution cannot be achieved with the instructor(s) and the Dean of Students, a Service Member who provides verified military orders for the absence may have the affected course(s) administratively canceled and receive a refund of 100% of the tuition for the canceled course(s).

F. Relationship to other sections. A Short-Term Military Absence under this section is separate from a Military Leave of Absence or Military Withdrawal. An absence that qualifies under Idaho Code § 33-3719 or that results in a withdrawal is governed by Section VII of this policy, regardless of its length.

VII. MILITARY LEAVE OF ABSENCE AND WITHDRAWAL FOR LONG-TERM ABSENCE

A. Grant of Military Leave of Absence.

1. ISU grants a Military Leave of Absence to an enrolled student who is:

    a. An active member of the Idaho National Guard called or ordered by the Governor to State Active Duty for 30 or more consecutive days, or to duty other than for training under Title 32, U.S.C.;

    b. Called or ordered by competent federal authority into active federal service under Title 10, U.S.C., for duty other than for training for 30 or more consecutive days; or

    c. A member of any Reserve component of the U.S. Armed Forces ordered to active federal service.

2. A Military Leave of Absence under this section is available without regard to whether the student is required to relocate, and applies when the student is unable to meet class attendance and other participation requirements, including web-based activities.

B. Eligibility for Military Withdrawal.

1. A Service Member whose Military Service Obligation requires a long-term absence may request a Military Withdrawal from one or more courses or from the University.
2. A Military Withdrawal is also available to a Service Member who is serving in an Active Duty, Reserve, or National Guard capacity (and not as a contractor or civilian employed by the military) and who is ordered to relocate or deploy.
3. The spouse and Dependents of an eligible Service Member may request a Military Withdrawal in connection with the Service Member's orders.

C. Request and Documentation.

1. To request a Military Withdrawal, the student shall contact the Office of the Registrar and present a copy of the student's military orders together with formal correspondence signed by the unit commander requesting the withdrawal.
2. The correspondence shall include the commander's contact information and verification of the duration and location of the pending assignment.
3. The University may not delay or avoid processing a withdrawal by demanding documentation that does not exist or is not readily available.

D. Duration of leave.

1. A Military Leave of Absence or Withdrawal is ordinarily approved for up to eight (8) consecutive semesters, and may be approved for up to five years in cases such as extended deployment, consistent with federal guidelines.
2. These periods are default administrative guidelines and do not limit a student's statutory right under Idaho law to be restored to the educational status attained before the military duty, or the student's federal readmission rights.

E. Effect of Military Withdrawal. A student whose Military Withdrawal is properly processed under this policy:

1. Shall not be charged tuition for the semester of withdrawal, and shall receive the refund, credit, and financial-aid protections in Section VIII;
2. Is eligible for military re-enrollment and readmission and may return to the same major and campus with no re-enrollment fees; and,
3. Shall have a notation on the transcript indicating a "Military Withdrawal" for the approved period.

VIII. TUITION, FEES, SCHOLARSHIPS, AND GRANTS

A. No tuition charge for Military Withdrawal.

1. The University does not charge tuition to a student for a semester in which the student completes an approved Military Withdrawal.
2. The student may re-enroll with no re-enrollment fees.

B. Refund or credit at the student's option.

1. For a student on a Military Leave of Absence, ISU refunds tuition or fees, or credits the tuition, scholarships, grants, and fees to the next academic semester or term after the leave of absence terminates.
2. The choice between a refund and a credit rests with the student.
3. This applies to tuition and other fees paid for the affected term.

C. Preservation of academic credits, scholarships, and grants.

1. Upon release from military duty, the student is restored to the educational status attained before the orders, without loss of academic credits earned, scholarships or grants awarded, or tuition and other fees paid before the military duty began.

D. Resident-tuition status.

1. A Service Member remains classified as a resident student for tuition purposes if:
    a. The Service Member entered service as an Idaho resident and has maintained Idaho resident status;
    b. The Service Member is stationed in Idaho on military orders; or,
    c. The Service Member is a member of the Idaho National Guard.
2. A Dependent child who qualifies as a resident student a Service Member as described above does not lose resident status if, after the child enrolls at ISU, the parent or guardian is transferred out of Idaho on military orders.
3. The University maintains the resident-tuition classification of these students on Military Leave of Absence, Military Withdrawal, and readmission.

IX. READMISSION OF SERVICE MEMBERS

A. Readmission.

1. ISU readmits returning Service Members in accordance with applicable law and extends these provisions to a Service Member who is temporarily unable to attend class for

fewer than 30 days within a semester or similar enrollment period due to a Military Service Obligation when that absence results in a withdrawal under University policy.

2. This section also applies to a student approved for a Military Withdrawal.

B. Prompt readmission to the same academic status.

1. ISU promptly readmits a returning Service Member with the same academic status the student had when the student last attended or was last admitted.

2. "Promptly" means readmission into the next class or classes in the student's program beginning after the student provides notice of intent to re-enroll, unless the student requests a later date or unusual circumstances require a later date.

3. "Same academic status" means admission:

a. To the same program to which the student was last admitted or, if that program is no longer offered, the most similar program, unless the student requests or agrees to a different program;

b. At the same enrollment status, unless the student requests or agrees to a different status;

c. With the same number of credit or clock hours previously completed, unless readmitted to a different program to which those hours do not transfer; and,

d. With the same academic standing the student previously had.

C. Tuition and fees on readmission.

1. For the first academic year in which the student returns to the same program, ISU assesses the tuition and fee charges the student was or would have been assessed for the academic year in which the student left.

2. If veterans' education benefits or other servicemember education benefits will pay the excess, ISU may assess up to the amount other students in the program are charged for that year.

3. For a different program, and for subsequent years in the same program, ISU assesses no more than the charges other students in the program are assessed.

D. Conditions of entitlement to readmission.

1. A student whose absence is necessitated by service in the uniformed services is entitled to readmission if:

a. The student (or an appropriate officer of the Armed Forces or official of the DoD) gives advance oral or written notice of the service to the Office of the Academic Advising as far in advance as is reasonable under the circumstances;

b. The cumulative length of the absence and all previous service-related absences from ISU, counting only time actually spent performing service, does not exceed five years; and,

c. The student gives oral or written notice of intent to return to the Office of the Registrar not later than three years after completing the period of service, or, for a student hospitalized for or convalescing from a service-connected illness or injury, not later than two years after the end of the period necessary for recovery.

E. Notices.

1. ISU does not require these notices to follow any particular format.
2. The notice of service is not subject to any timeliness rule. Timeliness is determined by the facts of each case.
3. The notice of service need not indicate whether the student intends to return.
4. Exceptions to advance notice.

a. Advance notice of service is not required if precluded by military necessity, such as a classified mission or a mission that could be compromised by public knowledge.

b. A student who did not give advance notice may satisfy the notice requirement by submitting, at the time the student seeks readmission, an attestation that the student performed service that necessitated the absence.

F. Exclusions from the five-year limit.

1. A student's cumulative length of absence does not include service required beyond five years to complete an initial period of obligated service, service during which the student could not obtain release orders before the five-year period expired through no fault of the student, or the categories of involuntary or emergency Active Duty.

G. Effect of a missed deadline.

1. A student who fails to provide timely notice of intent to return does not automatically forfeit eligibility for readmission, but is subject to the University's established leave-of-absence policy and general practices found in ISUPP 5040 *Official Student Absence*.

H. Documentation.

1. A student applying for readmission shall provide documentation establishing that the student has not exceeded the five-year service limitation and that eligibility has not been terminated.
2. Acceptable documentation includes, but is not limited to:

a. DD-214 Certificate of Release or Discharge from Active Duty;

b. Endorsed duty orders; or

c. A letter from a commanding officer.

3. ISU may not delay or avoid readmission by demanding documentation that does not exist or is not readily available.

I. Reasonable efforts to enable completion.

1. If ISU determines that a returning student is not prepared to resume the program with the same academic status at the point where the student left off, or will not be able to complete the program, the University will make reasonable efforts at no extra cost to the student to help the student become prepared or complete the program, including providing refresher courses and allowing the student to retake a pretest.

2. ISU may decline to readmit the student only if, after reasonable efforts, it determines

a. The student is not prepared or is unable to complete the program; and,

b. No reasonable efforts can prepare the student.

3. "Reasonable efforts" are actions that do not impose an undue hardship on the University. ISU carries the burden of proving by a preponderance of the evidence any determination that justifies a denial of readmission.

J. Termination of readmission eligibility. A Service Member's eligibility for readmission under this section terminates upon a separation from the Armed Forces with a dishonorable or bad-conduct discharge.

X. RETURN OF FEDERAL TUITION ASSISTANCE (FTA) FUNDS

A. Return of Funds.

1. ISU returns unearned military Federal Tuition Assistance (FTA) funds directly to the sponsoring Military Service, and not to the student, whenever a Service Member withdraws, is administratively withdrawn, or otherwise stops attending an FTA-funded course, under the following requirements of the DoD Voluntary Education Partnership Memorandum of Understanding:

a. ISU returns all FTA funds (100%) to the appropriate Military Service, up to the start date of a course, if the Service Member does not begin attendance at the University or does not start the course, regardless of whether the student starts other courses.

b. ISU returns 100% of the FTA funds paid for any course that ISU cancels.

2. For a Service Member who begins attendance and then withdraws, ISU returns unearned FTA funds on a proportional basis through at least the 60% point of the

enrollment period. FTA funds are earned proportionally as the enrollment period progresses, and unearned funds are returned based on when the student stops attending.

B. When a Service Member stops attending because of a Military Service Obligation, ISU works with the affected Service Member to identify solutions so that the return of unearned FTA funds does not result in a debt owed to the University by the student.

C. Because ISU does not charge tuition to the student for an approved Military Withdrawal, that treatment addresses the student's out-of-pocket cost. This section separately documents how the corresponding FTA funds are returned to the Military Service as required by the FTA Memorandum of Understanding.

XI. GRIEVANCES AND APPEALS

A. A Service Member with a complaint or grievance related to this policy, or to any other academic or non-academic policy, procedure, or decision, shall contact the Office of the Dean of Students, which coordinates both the academic and non-academic complaint and grievance processes.

B. Academic complaints or grievances. The student first meets with the instructor or responsible official, then the department chair, then the dean of the college, and may then appeal in writing to the Provost and Vice President for Academic Affairs, who will investigate and issue a decision within 10 business days.

C. Non-academic complaints or grievances. The student first meets with the University official responsible for the policy, procedure, or decision, then with that official's supervisor, and may then appeal in writing to the Vice President for Student Affairs, who will investigate and issue a decision within 10 business days.

D. Review by the Idaho State Board of Education. A student who has exhausted these institutional grievance processes may apply to the Idaho State Board of Education for review of a final institutional decision, in accordance with the State Board of Education Governing Policies and Procedures.

XII. RELATED LAWS AND POLICIES

A. Idaho Code § 33-3719 — Student Called to Active Duty (Military Leave of Absence; restoration of educational status; refund or credit of tuition, fees, scholarships, and grants).

B. Idaho Code § 33-3717B — Residency Requirements (resident-tuition classification of Service Members, National Guard members, and Dependents).

C. 20 U.S.C. § 1091c — Readmission Requirements for Servicemembers.

D. 34 C.F.R. § 668.18 — Readmission Requirements for Servicemembers.

E. DoD Voluntary Education Partnership Memorandum of Understanding

F. 32 C.F.R. Pt. 68, App. A

G. DoD Instruction 1322.25, Voluntary Education Programs (readmission policy requirement and return of unearned Federal Tuition Assistance).

H. Idaho State Board of Education Governing Policies and Procedures

I. ISUPP 5040 *Official Student Absence*