

INDEPENDENT SCHOOL DISTRICT 196  
Rosemount-Apple Valley-Eagan Public Schools  
*Educating our students to reach their full potential*

Series Number 405.9AR Adopted April 2011 Revised October 2016

Title Veterans Preference Rights

**1. Veterans Preference**

- 1.1 The school district complies with the requirements of the Minnesota Veterans Preference Act (VPA) regarding veterans preference rights and mandated preference points to veterans and spouses of deceased veterans or disabled veterans.
- 1.2 The school district also complies with the VPA requirement that no covered veteran may be removed from public employment except for the incompetency or misconduct shown after a hearing upon due notice and in writing.
- 1.3 The VPA and the provisions of this policy do not apply to the position of private secretary, superintendent, head of a department or its chief deputy, or any person holding a strictly confidential relation to the School Board or school district. The VPA and the provisions of this policy apply to teachers only with respect to the hiring process.

**2. Hiring**

- 2.1 The requirements of the VPA shall govern the eligibility for and application of veterans preference points, the definition of a veteran, and the definition of a disabled veteran.
  - 2.1.1 The school district shall notify applicants that they may elect to use veterans preference.
  - 2.1.2 The VPA does not require the school district to hire a veteran over a non-veteran, however it shall be used to assign points for purposes of determining finalists to interview for a position.
  - 2.1.3 If a 100-point hiring system is not used for filling a position, preference points will not be added, but all eligible veteran applicants who have proper licensure qualifications for the position will be granted an interview for the position.
  - 2.1.4 If the school district rejects a member of the finalist pool who has claimed veterans preference, the school district shall notify the finalist in writing of reasons for the rejection and file the notice with the school district's Human Resources Director.
- 2.2 Veterans preference points will be applied pursuant to applicable law as follows:
  - 2.2.1 A credit of ten points shall be added to the 100-point evaluation system of a nondisabled veteran, who so elects, provided that the veteran obtained a passing rating on the evaluation without the addition of the credit points.

2.2.2 A credit of 15 points shall be added to the 100-point evaluation system of a disabled veteran, who so elects, provided that the veteran obtained a passing rating on the evaluation without the addition of the credit points. There shall be added to the competitive promotional examination rating of a disabled veteran, who so elects, a credit of five points provided that:

2.2.2.1 The veteran obtained a passing rating on the examination without the addition of the credit points, and

2.2.2.2 The veteran is applying for a first promotion after securing public employment.

2.2.3 A preference may be used by the surviving spouse of a deceased veteran and by the spouse of a disabled veteran who, because of the disability, is unable to qualify.

- 3. Removal** - In accordance with the VPA, after any initial hiring probationary period expires, no honorably discharged veteran shall be removed from a position of employment except for incompetency, misconduct, or good faith abolishment of position. The school district will notify eligible veterans in writing of the intent to remove and the right to request a hearing within 30 days of receipt of the notice of removal. This provision does not apply to teachers or the position of private secretary, superintendent, the head of a department or its chief deputy or any person holding a strictly confidential relation to the School Board or school district. Initial hiring probationary periods shall be determined by the applicable collective bargaining agreement or, in the absence of a collective bargaining agreement, shall be two years solely for the purpose of VPA.

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**References:**

- Minnesota Statutes 197.455 Veteran's Preference Applied
- Minnesota Statutes 197.46 et seq. Veterans Preference Act
- Hall v. City of Champlin, 463 N.W.2d 502 (Minn. 1990)
- Young v. City of Duluth, 410 N.W.2d 27 (Minn. App. 1987)