

Personnel

Veterans Preference Act

I. Purpose

The school district complies with the Minnesota Veterans Preference Act (“VPA”) that provides preference points for veterans applying for employment, as well as additional rights for some veterans in the employment discharge process.

II. General Statement of Policy

- A. The school district complies with VPA mandates regarding veterans preference rights and preference points to veterans and spouses of deceased veterans or disabled veterans.
- B. The district complies with the VPA mandate that no covered veteran may be removed from public employment except for incompetency or misconduct shown after a hearing, upon due notice, upon stated charges, and in writing. This paragraph does not apply to some district employees, including the position of teacher.

III. Application for Employment

- A. Eligibility for and application of veteran preference points, the definition of a veteran, and the definition of a disabled veteran are pursuant to the VPA.
- B. In the application process, the school district notifies applicants that they may elect to use veteran’s preference and the election process.
- C. If the district does not select an interviewed applicant who has received veteran’s preference, the district will notify the applicant in writing of the reasons for the rejection and retain the notification.
- D. The provisions in Section III do not apply to the position of private secretary, superintendent, head of a department or any person holding a strictly confidential relation to the school board or school district, or other positions not covered under Minn. Stat. § 197.46.

IV. Veterans Preference Hearing

- A. In accordance with the VPA, an honorably discharged veteran will not be discharged from a position of employment except for incompetency, misconduct, or good faith elimination of the position. This provision does not apply to teachers or others as indicated in Section B, below.

1. A covered veteran has the right to request a hearing within 60 days of receipt of the notice of intent to discharge.
 2. A covered veteran's failure to request a hearing within the provided 60-day period constitutes a waiver of the right to a hearing.
 3. Incompetency or misconduct must be shown after a hearing, upon due notice, upon stated charges, in writing.
 4. A veteran must irrevocably elect to be governed either by the VPA or by procedures set forth in a collective bargaining agreement in the event of a proposed discharge.
- B. The provisions in Section IV do not apply to the position of teacher, private secretary, superintendent, head of a department, or any person holding a strictly confidential relation to the school board or school district, or other positions not covered under Minn. Stat. § 197.46.

Legal References:

Minn. Stat. § 43A.11 (Veterans Preference)
 Minn. Stat. § 197.455 (Veterans Preference Applied)
 Minn. Stat. § 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)

Cross Reference:

Policy 401 (Equal Employment Opportunity)

Policy
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INDEPENDENT SCHOOL DISTRICT 273
 Edina, Minnesota