

Veteran's Preference

If a veteran possesses the qualifications necessary to discharge the duties of the position involved, the veteran shall receive preference for employment and promotion. For the purposes of this policy, the term "veteran" means any person who:

- (1) Has served the full obligation for active duty, reserve, or National Guard service in the military, or received an early discharge for a medical condition, hardship, reduction in force, or at the convenience of the military; and,
- (2) Has been separated or discharged from service honorably or under honorable conditions.

In order to determine if the veteran's preference applies, each applicant for employment shall complete an employment application on which the applicant is asked if the applicant is a veteran. All veterans are subject to criminal background check requirements as set forth in state law.

Age, loss of limb, or other physical impairment which do not in fact incapacitate, does not disqualify the veteran. A veteran who has a service-connected disability shall be given a preference over a nondisabled veteran.

The unmarried spouse of a veteran who died while in service, or later died from a service connected cause, is entitled to the preference given to the veteran if the spouse possesses the qualifications and business capacity necessary to discharge the duties of the position involved. If a veteran is disabled, due to a service connected cause and is unable to exercise the right to a veteran employment preference due to the disability, the veteran's spouse is entitled to the preferences given to the veteran if the spouse possesses the qualifications and business capacity necessary to discharge the duties of the position involved.

If a veteran applies for appointment for employment under this policy, the Bon Homme School District shall, before employing anyone to fill the position, investigate the qualifications of the applicant. If the applicant possesses at least the minimum qualifications necessary to fill the position, the school district officers shall interview the applicant. However, nothing within this policy requires the Bon Homme School District to hire a veteran that is interviewed. At the conclusion of the hiring procedure and protocol, should a veteran and nonveteran be equally qualified for the position, the veteran shall be provided the veteran's preference and shall be offered employment in the position.

A veteran may be removed for incompetency or misconduct shown after a hearing, upon due notice, upon stated charges, and with the right of the employee or appointee to a review pursuant to law.

State Reference: SDCL 13-10-12, SDCL 3-3-1, SDCL 3-3-4, SDCL 3-3-6, SDCL 3-3-7, SDCL 3-3-8, SDCL 33A-2-1.

Federal Reference: USC Title 38.

Adopted: August 8, 2016