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| <b>Dupree School District</b> | <b>NEPN Code: GBAA</b> |
| <b>Policy Manual</b>          |                        |

## **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 such service honorably or under honorable conditions.

In order to determine if the veterans' 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 does 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 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 disabled due to a service connected cause 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 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 officer, board, or person shall interview the applicant. However, nothing within this policy requires the school district to hire a veteran 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 granted veterans 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.

### Legal References

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| SDCL 13-10-12           | Criminal background investigation                              |
| SDCL 3-3-1              | Veterans preferred in public employment                        |
| SDCL 3-3-4              | Restrictions on removal of veteran from employment             |
| SDCL 3-3-6              | Confidential and policy-making positions exempt from chapter   |
| SDCL 3-3-7              | Unmarried spouse of deceased veteran-entitlement to preference |
| SDCL 3-3-8              | Spouse of disabled veteran entitlement to preference           |
| SDCL 33A-2-1            | Veteran defined  |
| USC Title 38 §4301-4335 | Employment and re-employment rights of service members         |

Adopted: 8 August 2016  
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