

## MATH AND SCIENCE ACADEMY

*Adopted: June 20, 2023*

### 405 VETERAN'S PREFERENCE

*[Note: The provisions of this policy substantially reflect legal requirements.]*

#### I. PURPOSE

The purpose of this policy is to comply with the Minnesota Veterans Preference Act (VPA) which provides preference points for veterans applying for employment with political subdivisions, including charter schools, as well as additional rights for veterans in the discharge process.

#### II. GENERAL STATEMENT OF POLICY

- A. Math and Science Academy's policy is to comply with the VPA regarding veteran's preference rights and mandated preference points to veterans and spouses of deceased veterans or disabled veterans.
- B. Math and Science Academy's policy is also to comply with the VPA requirement 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 the position of teacher.
- C. Veteran's preference points will be applied pursuant to applicable law as follows:
  - 1. A credit of ten points shall be added to the competitive open examination rating of a non-disabled veteran, who so elects, provided that the veteran obtained a passing rating on the examination without the addition of the credit points.
  - 2. A credit of fifteen points shall be added to the competitive open examination rating of a disabled veteran, who so elects, provided that the veteran obtained a passing rating on the examination without the addition of the credit points.
  - 3. A credit of five points shall be added to the competitive promotional examination rating of a disabled veteran, who so elects, provided that (a) the veteran obtained a passing rating on the examination without the addition of the credit points and (b) the veteran is applying for a first promotion after securing public employment.
  - 4. 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.
- D. Eligibility for and application of veteran's preference, the definition of a veteran,

and the definition of a disabled veteran for purposes of this policy will be pursuant to the VPA.

- E. When notifying applicants that they have been accepted into the selection process, Math and Science Academy shall notify applicants that they may elect to use veteran's preference.
- F. Math and Science Academy's policy is to use a 100-point hiring system to enable allocation of veteran's preference points. The school may or may not use a 100-point hiring system for filling teaching positions. If a 100-point hiring system is not used for filling a teaching position, preference points will not be added, but all veteran applicants who have proper licensure for the teaching position will be granted an interview for the position.
- G. If Math and Science Academy rejects a member of the finalist pool who has claimed veteran's preference, the school shall notify the finalist in writing of the reasons for the rejection and file the notice with the school's personnel officer.

***[Note: A charter school may require a veteran to complete an initial hiring probationary period as defined in Minnesota Statutes section 43A.16.]***

- H. In accordance with the VPA, no honorably discharged veteran shall be removed from a position of employment except for incompetency, misconduct, or good faith abolishment of position.
  - 1. Incompetency or misconduct must be shown after a hearing, upon due notice, upon stated charges, in writing.
- I. The VPA and the provisions of this policy do not apply to the position of private secretary, executive director, head of a department, or any person holding a strictly confidential relation to the Math and Science Academy board or Math and Science Academy. The VPA and the provisions of this policy apply to teachers only with respect to the hiring process, as set forth in Paragraph F., above.

***Legal References:*** Minn. Stat. § 43A.11 (Veterans' Preference)  
Minn. Stat. § 197.455 (Veterans' Preference Applied)  
Minn. Stat. § 197.46 (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. Ct. App. 1987)

***Cross References:*** MSBA/MASA Model Policy 401 (Equal Employment Opportunity)