



Employment Preference for Veterans and Former Foster Children

Purpose

The purpose of this policy is to ensure that Stephen F. Austin State University, a member of the University of Texas System (SFA) complies with applicable regulations for the statutory preferences for veterans and former foster children during the recruitment process.

Persons Affected

This policy applies to all SFA applicants and employees.

Definitions

Qualified Former Foster Child: An individual 25 years of age or younger who was under the permanent managing conservatorship of the Texas Department of Family and Protective Services on the day preceding the individual's 18th birthday.

Qualified Individual: The following individuals qualify for a veteran's employment preference: (A) a veteran, including a veteran with a disability; (B) a veteran's surviving spouse who has not remarried; and (C) an orphan of a veteran if the veteran was killed while on active duty.

Veteran: A person who (A) has served in (i) the Army, Navy, Air Force, Coast Guard, or Marine Corps of the United States or the United States Public Health Service under 42 U.S.C. Section 201, et seq., as amended, (ii) the Texas National Guard, Texas State Guard, and any other military forces organized under state law; or (iii) an auxiliary service of one of those branches of the armed forces; and (B) has been honorably discharged from the branch of the service in which the person served.

Veteran with a Disability: A veteran who is classified as disabled by the United States Department of Veteran Affairs or its successor or a branch of the service in which the veteran served and whose disability is service-connected.

Policy

1. Veteran's Preference

Qualified individuals are entitled to a preference in employment with or appointment to SFA over other applicants for the same position who do not have a greater qualification. SFA shall provide qualified individuals entitled to a preference in employment or appointment over other applicants for the same position who do not have a greater qualification an employment preference in the following order of priority: (a) a veteran with a disability; (b) a veteran; (c) a veteran's surviving spouse who has not remarried; and (d) an orphan of a veteran if the veteran was killed while on active duty. A qualified individual is not disqualified from holding a position with SFA because of age or an established service-connected disability if the age or disability does not make the individual incompetent to perform the duties of the position.



2. Former Foster Child Preference

A qualified former foster child is entitled to a preference in employment over other applicants for the same position who do not have a greater qualification. However, SFA is not required to provide this preference to (a) a job acting as a private secretary or deputy of an executive administration of SFA or (b) an individual holding a strictly confidential relation to the employing official.

Procedures

1. SFA will comply with Regents' Rule 30107 and Chapter 657 of the Texas Government Code in providing employment preferences for veterans.
2. SFA will comply with Regents' Rule 30108 and Chapter 672 of the Texas Government Code in providing employment preferences for former foster children.
3. Complaint Regarding Employment Decision – Individuals may grieve a (a) hiring or appointment or (b) a decision not to retain the individual due to a reduction in force by filing a written complaint with the SFA President within ten (10) business days of the date the individual is notified of the decision. The SFA President shall respond to the complaint no later than the 15th business day after receipt of the complaint. The SFA President may render a different decision than the decision that is the subject of the complaint if it is determined the applicable preference was not applied

Related Statutes or Regulations, Rules, Policies, or Standards

Executive Order No 12985

Tex. Gov't Code Ch. 657, 672

Tex. Gov't Code §§ 437.001(14), 2308.251

Regents' *Rules & Regulations*, Rule 30107, Veteran's Employment Preferences

Regents' *Rules & Regulations*, Rule 30108, Employment Preferences for Former Foster Children

Responsible Executive

Vice President for Finance and Administration

Forms

Human Resources website

Revision History

September 1, 2023 (original)