

**LOS ANGELES COMMUNITY COLLEGE DISTRICT  
PERSONNEL COMMISSION**

LAW AND RULES

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July 31, 2024

**618 VETERANS' CREDIT**

**Education Code Section(s)**

**88113. "Veteran"** as used in this article means any person who has served in the United States armed forces in time of war, or national emergency declared by the President of the United States of America, and who has been discharged or released under conditions other than dishonorable, proof of which shall be submitted to the commission at the time of the examination. "Armed forces" means the United States Air Force, Army, Navy, Marine Corps, Space Force, or Coast Guard.

**88114. "Disabled Veteran"** as used in this article means any veteran, as defined in Section 88113, who is currently declared by the United States Veterans Administration to be 10 percent or more disabled as a result of service in the armed forces. Proof of disability shall be deemed conclusive if it is of record in the United States Veterans Administration.

**88115.** In the case of all entrance examinations, veterans with 30 days or more of service who become eligible for appointment by attaining the passing mark established for the examination, shall be allowed an additional credit of five points and disabled veterans shall be allowed an additional credit of 10 points, which shall be added to the percentages attained in the examinations by the veterans. Veterans shall be placed on eligible lists and be eligible for appointment in the order and on the basis of the percentages attained by them in examinations after the credit of five points, or 10 points in the case of disabled veterans, is added.

**88116.** (a) Whenever, during the absence of an employee of a community college district or student body association operating under Sections 76060 to 76065, inclusive, in the active military service of the United States of America during any period of national emergency declared by the President of the United States of America, or during any war in which the United States of America is engaged, the position held by that employee at the time of his or her entrance into that military service is placed within the classified service of the district and an eligible list is established for that position through competitive examination, the employee shall, at his or her request made within six months after leaving the active military service under honorable conditions, be given immediately an examination of substantially the same character and scope as the competitive examination through which the original eligibility list was established. The grade secured by that employee in that examination shall be deemed to be the grade the employee would have secured had he or she taken the competitive examination as a veteran, and the employee shall be placed on the original eligibility list accordingly with all the rights and privileges to which he or she would have been entitled had he or she had that place on the original eligibility list at the time of its establishment.

(b) Notwithstanding subdivision (a), any member of the Military Reserve or the National Guard who is called to active duty, either voluntarily or involuntarily, during any period of national emergency declared by the President of the United States of America, or during any war in which the United States of America is engaged, shall be entitled to any rights, in addition to the rights accorded under subdivision (a), that are accorded that member under the federal Veterans' Reemployment Rights Law or any other applicable provision of federal law.

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**Code of Federal Regulations**

**Title 5 211.102. Definitions** For the purposes of preference in Federal employment, the following definitions apply:

(a) Veteran means a person who has been discharged or released from active duty in the armed forces under honorable conditions, or who has a certification as defined in paragraph (h) of this section, if the active duty service was performed:

- (1) In a war;
- (2) In a campaign or expedition for which a campaign badge has been authorized;
- (3) During the period beginning April 28, 1952, and ending July 1, 1955;
- (4) For more than 180 consecutive days, other than for training, any part of which occurred during the period beginning February 1, 1955, and ending October 14, 1976;
- (5) During the period beginning August 2, 1990, and ending January 2, 1992; or
- (6) For more than 180 consecutive days, other than for training, any part of which occurred during the period beginning September 11, 2001, and ending on August 31, 2010, the last day of Operation Iraqi Freedom.

(b) Disabled veteran means a person who has been discharged or released from active duty in the armed forces under honorable conditions performed at any time, or who has a certification as defined in paragraph (h) of this section, and who has established the present existence of a service-connected disability or is receiving compensation, disability retirement benefits, or a pension because of a statute administered by the Department of Veterans Affairs or a military department.

(c) Sole survivor veteran means a person who was discharged or released from a period of active duty after August 29, 2008, by reason of a sole survivorship discharge (as that term is defined in 10 U.S.C. 1174(i)), and who meets the definition of a “veteran” in paragraph (a) of this section, with the 5 CFR Ch. I (1–1–22 Edition) exception that he or she is not required to meet any of the length of service requirements prescribed by paragraph (a).

(d) Preference eligible means a veteran, disabled veteran, sole survivor veteran, spouse, widow, widower, or parent who meets the definition of “preference eligible” in 5 U.S.C. 2108.

- (1) Preference eligibles other than sole survivor veterans are entitled to have 5 or 10 points added to their earned score on a civil service examination in accordance with 5 U.S.C. 3309.
- (2) Under numerical ranking and selection procedures for competitive service hiring, preference eligibles are entered on registers in the order prescribed by §332.401 of this chapter.
- (3) Under excepted service examining procedures in part 302 of this chapter, preference eligibles are listed ahead of persons with the same ratings who are not preference eligibles, or listed ahead of non-preference eligibles if numerical scores have not been assigned.
- (4) Under alternative ranking and selection procedures, i.e., category rating, preference eligibles are listed ahead of individuals who are not preference eligibles in accordance with 5 U.S.C. 3319.
- (5) Preference eligibles, other than those who have not yet been discharged or released from active duty, are accorded a higher retention standing than non-preference eligibles in the event of a reduction in force in accordance with 5 U.S.C. 3502.
- (6) Veterans’ preference does not apply, however, to inservice placement actions such as promotions.

(e) Armed forces means the United States Army, Navy, Air Force, Marine Corps, and Coast Guard.

(f) Active duty or active military duty:

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- (1) For veterans defined in paragraphs (a)(1) through (3) and disabled veterans defined in paragraph (b) of this section, means active duty with military pay and allowances in the armed forces, and includes training, determining physical fitness, and service in the Reserves or National Guard; and
- (2) For veterans defined in paragraphs (a)(4) through (6) of this section, means full-time duty with military pay and allowances in the armed forces, and does not include training, determining physical fitness, or service in the Reserves or National Guard.

(g) Discharged or released from active duty means with either an honorable or general discharge from active duty in the armed forces. The Department of Defense is responsible for administering and defining military discharges.

(h) Certification means any written document from the armed forces that certifies the service member is expected to be discharged or released from active duty service in the armed forces under honorable conditions not later than 120 days after the date the certification is submitted for consideration in the hiring process, at the time and in the manner prescribed by the applicable job opportunity announcement. Prior to appointment, the service member's character of service and qualifying discharge or release must be verified through a DD form 214 or equivalent documentation.

**Title 38 3.2 Periods of War.** This section sets forth the beginning and ending dates of each war period beginning with the Indian wars. Note that the term period of war in reference to pension entitlement under 38 U.S.C. 1521, 1541 and 1542 means all of the war periods listed in this section except the Indian wars and the Spanish-American War. See § 3.3(a)(3) and (b)(4)(i).

(a) Indian wars. January 1, 1817, through December 31, 1898, inclusive. Service must have been rendered with the United States military forces against Indian tribes or nations.

(b) Spanish-American War. April 21, 1898, through July 4, 1902, inclusive. If the veteran served with the United States military forces engaged in hostilities in the Moro Province, the ending date is July 15, 1903. The Philippine Insurrection and the Boxer Rebellion are included.

(c) World War I. April 6, 1917, through November 11, 1918, inclusive. If the veteran served with the United States military forces in Russia, the ending date is April 1, 1920. Service after November 11, 1918 and before July 2, 1921 is considered World War I service if the veteran served in the active military, naval, or air service after April 5, 1917 and before November 12, 1918.

(d) World War II. December 7, 1941, through December 31, 1946, inclusive. If the veteran was in service on December 31, 1946, continuous service before July 26, 1947, is considered World War II service.

(e) Korean conflict. June 27, 1950, through January 31, 1955, inclusive.

(f) Vietnam era. The period beginning on November 1, 1955, and ending on May 7, 1975, inclusive, in the case of a veteran who served in the Republic of Vietnam during that period. The period beginning on August 5, 1964, and ending on May 7, 1975, inclusive, in all other cases.

(g) Future dates. The period beginning on the date of any future declaration of war by the Congress and ending on a date prescribed by Presidential proclamation or concurrent resolution of the Congress.

(h) Mexican border period. May 9, 1916, through April 5, 1917, in the case of a veteran who during such period served in Mexico, on the borders thereof, or in the waters adjacent thereto.

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(i) Persian Gulf War. August 2, 1990, through date to be prescribed by Presidential proclamation or law.

- A. All veterans who have achieved an overall passing score on an entrance examination and are eligible to be placed on an open eligibility list and are eligible for veteran's credit shall have five points added to their final score. In the case of veterans with a service-incurred disability, ten points shall be added to their final score. Veterans' credit shall not be applied in examinations in which dual certification procedures are invoked.
- B. To be eligible for Veterans' credit, a veteran must have been released or discharged under conditions other than dishonorable and must have served on active duty in the armed forces of the United States (U.S. Air Force, Army, Navy, Marine Corps, Space Force, or Coast Guard only) during one of the following periods:
1. During a war with a minimum 30-day active duty service, defined as follows:
    - a. World War II (December 7, 1941 –through December 31, 1946)
    - b. Korean Conflict ( June 27, 1950 through January 31, 1955)
    - c. Vietnam Era (November 1, 1955 through May 7, 1975, in the case of a veteran who served in the Republic of Vietnam during the time period, and August 5, 1964 through May 7, 1975 in all other cases)
    - d. Persian Gulf War (August 2, 1990 through January 2, 1992)\*
  2. During the period April 28, 1952 through July 1, 1955 (minimum 30-day active duty service within this period)
  3. A period of more than 180 consecutive days, other than for training, any part of which occurred during the period January 31, 1955 through October 15, 1976
  4. In a campaign or expedition for which a campaign medal has been authorized (any Armed Forces Expeditionary medal or campaign badge, including El Salvador, Lebanon, Granada, Panama, Southwest Asia, Somalia, and Haiti qualifies for preference) \*
  5. A period of more than 180 consecutive days, other than for training, any part of which occurred during the period September 11, 2001 through August 31, 2010, the last date of Operation Iraqi Freedom.
- Additional eligibility may be granted based on future changes to the law and verification from the Veteran's Administration.
- C. In order to receive veteran's credit as a disabled veteran, a veteran must be currently declared by the United States Veteran's Administration to be 10% or more disabled as a result of service in the armed forces and must meet the requirements for veteran's credit in Paragraph B. above.

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- D. Proof of Active Duty Service: Any candidate who claims credit as a veteran must present evidence of active service to the Personnel Commission. Documents such as discharge papers DD Form 214, DD Form 217A, or other records from the United States Veteran's Administration are acceptable evidence if they include date of active service, the character of discharge or separation, and are dated on or after the day of separation or discharge from active service.
- E. Proof of Service-Incurred Disability: Any candidate who claims credit as a disabled veteran must provide evidence to the Personnel Commission of the present existence of a service-incurred disability. Recent certification (6 months) from the United States Veteran's Administration which indicates the present existence of a service-incurred disability of 10% or greater shall be considered acceptable proof of disability.