Employment Preference for Former Foster Children

An individual may qualify for a former foster child employment preference, which gives the individual a preference in employment over other applicants for the same position who do not have greater qualifications, if the individual meets the following conditions:

- The individual was under the permanent managing conservatorship of the Department of Family and Protective Services on the day preceding the individual’s 18th birthday, and
- The individual is under the age of 25.

These provisions apply to a department, commission, board, office, or other agency in the executive branch of state government, including an institution of higher education. It does not apply to the position of private secretary, deputy to an official or department, or a position that has a strictly confidential relation to the employing officer.

An individual entitled to the former foster child employment preference that is aggrieved by a state agency’s hiring decision or a workforce reduction that affects the individual may appeal the agency’s decision by filing a written complaint with the agency’s governing board. The governing board is required to respond to a written complaint no later than 15 business days after the date the governing body received the complaint. The governing board may render a different hiring decision if the governing board determines that the former foster child employment preference was not properly applied.

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1 Texas Government Code, Section 672.002(a).
2 Texas Government Code, Section 672.005.
3 Texas Government Code, Section 672.001.
4 Texas Government Code, Section 672.002 (b).
5 Texas Government Code, Section 672.004.