

I. PURPOSE

The purpose of this policy is to ensure that qualified teachers are employed by NWSISD and to fulfill its duty to ascertain the licensure status of its teachers. A school board that employs a teacher who does not hold a valid teaching license or permit places itself at risk for a reduction in state aid. This policy does not negate a teacher's duty and responsibility to maintain a current and valid teaching license.

II. GENERAL STATEMENT OF POLICY

- A. A qualified teacher is one holding a valid license to perform the particular service for which the teacher is employed by NWSISD.
- B. No person shall be a qualified teacher until that person has filed for record with the Executive Director a license, or a copy thereof, authorizing that person to teach in NWSISD and perform the particular service for which the teacher is employed.
- C. NWSISD has a duty to ascertain the licensure status of its teachers and ensure that the NWSISD teacher license files are up to date. NWSISD shall establish a procedure for annually reviewing its teacher license files to verify that every teacher's license is current and appropriate to the particular service for which the teacher is employed by NWSISD.

III. PROCEDURE

- A. The Executive Director or designee shall establish a schedule for the annual review of teacher licenses.
- B. Where it is discovered that a teacher's license will expire within one year from the date of the annual review, the Executive Director or designee will advise the teacher in writing of the approaching expiration and that the teacher must complete the renewal process and file the license with the Executive Director prior to the expiration of the current license. However, failure to provide this notice does not relieve a teacher from his/her duty and responsibility of ensuring that his/her teaching license is valid, current and appropriate to his/her teaching assignment.
- C. If it is discovered that a teacher's license has expired, the Executive Director will immediately investigate the circumstances surrounding the lack of license and will take appropriate action. The teacher shall be advised that the teacher's failure to have the license reinstated will constitute gross insubordination, inefficiency and willful neglect of duty, which are grounds for immediate discharge from employment.

- D. The duty and responsibility of maintaining a current and valid teaching license appropriate to the teaching assignment as required by this policy shall remain with the teacher, notwithstanding the Executive Director's failure to discover a lapsed license or license that does not support the teaching assignment. A teacher's failure to comply with this policy may be grounds for the teacher's immediate discharge from employment.

Legal References: Minn. Stat. §122A.16
Minn. Stat. §122A.22
Minn. Stat. §122A.40, Subd. 13
Minn. Stat. §127A.42
Vettleon v. Special Sch. Dist. No. 1, 361 N.W.2d 425 (Minn. App. 1985)
Lucio v. School Bd. of Independent Sch. Dist. No. 625, 574 N.W.2d 737 (Minn. App. 1998)
In the Matter of the Proposed Discharge of John R. Statz (Christine D. Ver Ploeg), June 8, 1992, *affirmed*, 1993 WL 129639 (Minn. App. 1993)

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