

## **424 LICENSE STATUS**

### **I. PURPOSE**

Southside Family Charter School values all instructional and support staff as fundamental to the education of its students and fulfillment of the school mission. The school is committed to maintaining full compliance with all state regulations based on licensure status, and structuring classrooms accordingly.

The purpose of this policy is to ensure that qualified teachers are employed by Southside Family Charter School and to fulfill its duty to ascertain the licensure status of its teachers. Failure to do so can result in legal and financial penalties that would jeopardize the health of the school. This policy does not negate a teacher's duty and responsibility to maintain a current and valid teaching license when required.

### **II. GENERAL STATEMENT OF POLICY**

- A. A qualified teacher is one possessing the appropriate credentials to perform the particular service for which the teacher is employed by the school, including licensure when required by state law.
- B. In filling positions requiring licensure, the school shall employ, recommend for employment, and assign only appropriately licensed personnel, or persons for whom the school has been granted a variance.
- C. No person shall be considered a licensed teacher until the school verifies through the Minnesota education licensing system available on the Minnesota Department of Education website that the person holds a valid license consistent with state law.
- D. The school has a duty to ascertain the licensure status of its teachers and ensure that teacher license files are up to date. The school 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 the school.

### **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 with the teacher.
- 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 (Highly Qualified Teacher Defined)  
Minn. Stat. § 122A.22 (District Recording of Teacher Licenses)  
Minn. Stat. § 122A.40, Subd. 13 (Employment; Contracts; Termination – Immediate Discharge)  
Minn. Stat. § 127A.42 (Reduction of Aid for Violation of Law)  
*Vettleson 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. VerPloeg), June 8, 1992, *affirmed*, 1993 WL 129639 (Minn. App. 1993)

**Cross References:** Southside Family Charter School Policy 306 (Administrator Code of Ethics)