

Adopted: November 17, 2003

Revised: March 16, 2004

424 LICENSE STATUS AND SUBSTITUTE TEACHER PAY

I. PURPOSE

The purpose of this policy is to ensure that qualified teachers are employed by the school district 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 the school district.
- B. No person shall be a qualified teacher until the school district verifies through the Minnesota education licensing system available on the Minnesota Department of Education website that the person is a qualified teacher consistent with state law.
- C. The school district has a duty to ascertain the licensure status of its teachers and ensure that the school district's teacher license files are up to date. The school district 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 district.

III. PROCEDURE

- A. The superintendent or the superintendent's 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 superintendent or the superintendent's 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 superintendent 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 superintendent 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 superintendent'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.
- E. Parents shall be notified according to state and federal statutes regarding the licensure of certified and non-certified staff members working with their children.
- F. Daily Substitute Pay. A person who is subject to call as a replacement for any regular teacher for any period of time under fifteen (15) consecutive days. Daily pay is to be established by the School Board.
- G. Short Term Substitute Pay. A person who is employed as a substitute teacher for a period of (15) consecutive days for the same regular teacher, but not to exceed a maximum of thirty (30) consecutive days. A short term sub after teaching fifteen (15) consecutive days shall have their salary adjusted to the starting salary of the BA degree and retroactive to the first day.
- H. Long Term Substitute Teacher. A person who is employed as a substitute teacher for a period of time over thirty (30) consecutive days for the same regular teacher. This person shall receive a substitute teacher contract and be subject to and governed by the Master Contract.
- I. Long Term Substitute Teacher – Rehire of Retired Becker Staff Member
A Becker staff member who retires, may be hired back as a long term substitute teacher after one day of retirement. This person will receive a substitute teaching contract and be subject to and governed by the Master Contract.

Legal References: Minn. Stat. § 122A.16 (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, 1993 Minn. App. Lesis 442 (Minn. App. 1993), April 27

Cross References: