

**3512.2400 SUSPENSION AND REVOCATION OF LICENSES.**

Subpart 1. **Cause.** The license of a superintendent, principal, or director may be revoked or suspended for any of the following causes:

- A. immoral character or conduct;
- B. a breach of contract of employment without justifiable cause;
- C. overall gross inefficiency or willful neglect of duty;
- D. fraud or misrepresentation in obtaining a license;
- E. felony conviction which directly relates to the occupation for which licensure is held; or
- F. violation of part 3512.5200, code of ethics for school administrators.

Subp. 2. **Procedure for suspension and revocation of licenses.** The board may act to suspend or revoke the license of a person whose license was granted by the board after the following procedures have been followed:

- A. A written complaint that specifies the nature and character of the charges against the licensee is filed with the board by a student, parent, community member, or the school board employing the person.
- B. The board notifies the licensee of the allegations contained in the complaint, giving the licensee an opportunity to respond to the allegations.
- C. A hearing conducted according to the rules of the Office of Administrative Hearings, if not waived, must be held.

Subp. 3. **Revocation.** Revocation includes the cancellation or repeal of a license or renewal privilege. Revocation disqualifies a person from performing any function that is permitted on the basis of holding a license issued under the rules of the board. Revocation is final, except that a person whose license has been revoked may petition the board for licensure under subpart 6.

Subp. 4. **Suspension.** Suspension includes the temporary withdrawal of a license or renewal privilege. Suspension disqualifies a person from performing any function that is permitted on the basis of holding a license issued under the rules of the board. The length of each suspension and any terms and conditions attached to the suspension must be determined by the board on consideration of:

- A. the activity of the individual that led to the license suspension;
- B. any relevant mitigating factors that the individual may interpose;
- C. the prior administrative, supervisory, or teaching record of the individual; and
- D. other similar factors.

Subp. 5. **Applicability.** Unless otherwise provided by the board, a revocation or suspension applies to each license or renewal privilege held by the individual at the time final action is taken by the board. A person whose license or renewal privilege has been suspended or revoked is ineligible to be issued any other license by the board during the pendency of the suspension or revocation.

Subp. 6. **Issuance of license after revocation.** A person whose license or renewal privilege has been revoked by the board may apply for and may be granted an initial license upon presentation of reliable evidence that all terms and conditions that the board imposed have been fulfilled, and upon meeting current licensure standards.

Subp. 7. **Issuance or reinstatement of license after suspension.** A person whose license or renewal privilege has been suspended by the board may apply for reinstatement of that license according to this subpart.

A. If the suspended license was an entrance license that has lapsed during the suspension, that license must be reinstated upon proper application after the period of suspension has expired and upon presentation of reliable evidence that all terms and conditions that the board imposed have been fulfilled, if the applicant has had less than one year of administrative or supervisory experience while holding the entrance license. If the applicant has gained a year or more of experience on the entrance license before the suspension and the license has lapsed during the suspension, a five-year continuing license must be granted after all other conditions stated in this part have been met.

B. If the suspended license is an entrance license that has not lapsed during the suspension, the person may resume administrative or supervisory functions for whatever period of time remains on that license after the period of the suspension has expired and upon presentation of reliable evidence that all terms and conditions that the board imposed have been fulfilled.

C. If the suspended license is a continuing license that has not lapsed during the period of the suspension, the person may resume administrative or supervisory functions for whatever period of time remains on the continuing license after the suspension has expired and upon presentation of reliable evidence that all terms and conditions that the board imposed have been fulfilled.

D. If the suspended license is a continuing license that lapsed during the period of the suspension, the person may apply for another continuing license that must be granted if the suspension has expired, the person presents reliable evidence that all terms and conditions the board imposed have been fulfilled, and demonstrates the current continuing education requirements have been completed.

E. If the suspended license was a life license, the person may resume administrative or supervisory functions after the period of the suspension has expired and

after presenting reliable evidence that all terms and conditions imposed by the board have been fulfilled.

**Statutory Authority:** *MS s 125.05; L 1993 c 224 art 12 s 34; L 1996 c 412 art 9 s 14; L 2006 c 263 art 2 s 20*

**History:** *21 SR 804; L 1998 c 397 art 11 s 3; 33 SR 658*

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