

8710.0700 PROCEDURES FOR VOLUNTARY SURRENDER OF LICENSES.

Subpart 1. **Materials required to surrender license.** A person holding a license granted by the Board of Teaching may voluntarily surrender the license by submitting to the executive director of the Board of Teaching the following:

- A. a written request to surrender which specifies the license or licenses to be surrendered;
- B. the applicant copy of the license;
- C. the school district copy of the license, together with a written statement that the designated administrator of the employing school district or charter school has been notified that the employer's copy of the license has been removed from the school district or charter school files; and
- D. the required processing fee in part 8710.0200.

Subp. 2. **Surrender date.** When the executive director receives the materials listed in subpart 1 by January 1, the date of surrender is July 1 of that year. When the materials are received after January 1, the date of surrender is July 1 of the following calendar year. An applicant may revoke the request. The revocation must be made in writing to the executive director no later than December 31 of the year in which the request for voluntary surrender is received by the executive director.

Subp. 3. **When surrender is prohibited.** A person may not voluntarily surrender a license if any of the following exists:

- A. the school board has commenced proceedings to terminate the continuing contract, pursuant to Minnesota Statutes, section 122A.40, subdivision 9 or 13, or 122A.41, subdivision 6;
- B. the Board of Teaching has commenced proceedings to suspend or revoke the license pursuant to Minnesota Statutes, sections 122A.20 and 214.10 or part 8710.2100; or
- C. any educational agency or board has commenced proceedings which could result in alteration of the status of the license due to the person's conduct.

Subp. 4. **First professional license after surrender.** A person whose Minnesota license has been voluntarily surrendered may apply for first professional licensure in the subject or field for which licensure was previously surrendered. A first professional license shall be granted to the applicant if the following criteria are met:

- A. a licensure rule exists in the subject or field for which licensure was previously surrendered;

B. the applicant meets the first professional licensure standards which are in effect in the subject or field at the time of application and meets procedures set forth in Board of Teaching rules applicable to a first professional license; and

C. the required processing fee set forth in part 8710.0200 accompanies the application for first professional licensure.

Subp. 5. **Construction of rule.** Nothing in subparts 1 to 4 shall prohibit a person from holding or applying for a license in any subject or field upon surrender of a license in another subject or field.

Statutory Authority: *MS s 122A.09; 122A.18; 125.05; 125.185*

History: *8 SR 244; 15 SR 2267; L 1998 c 397 art 11 s 3; 23 SR 1928; 25 SR 805*

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