

House Research Act Summary

CHAPTER: 201

SESSION: 1999 Regular Session

TOPIC: Persons convicted of child abuse or sexual abuse; teacher licensing ineligibility

Date: May 21, 1999

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Overview

This bill requires the state board of teaching and the state board of education to deny or take away the teaching license of individuals convicted of a felony-level sexual abuse crime or a child abuse crime. It also requires a school board to discharge a probationary or continuing contract teacher immediately upon receiving notice from the licensing board of its action. Court administrators are charged with notifying the appropriate licensing board when a licensed teacher is convicted one of these crimes.

Section

- 1 Grounds for revocation or denial.** Requires the state board of teaching and the state board of education, whichever has jurisdiction over a teacher's license, to deny or take away a teacher's license when a teacher is convicted of a felony-level sexual abuse crime or a child abuse crime under Minnesota law, the law of another state, or federal law. The board must take this action immediately and without a hearing upon receiving a certified copy of the criminal conviction. Directs the licensing board to send notice of this action to the school district currently employing the teacher.
Also provides a process for the board to reverse its licensing action if the teacher's conviction is overturned by a final decision of an appellate court or if the teacher receives a pardon. Under this process, the board may either reinstate the teacher's license or it may affirm its previous licensing action based on a finding that, notwithstanding the reversal of the conviction or the pardon, the teacher is disqualified from teaching on the grounds of immoral conduct or character.
- 2 Probationary period.** Requires a school board to discharge a probationary teacher immediately upon receiving notice from the licensing board that the board has revoked the teacher's license due to a conviction for felony-level sexual abuse or for child abuse.
- 3 Immediate discharge.** Requires a school board to discharge a continuing-contract teacher

immediately upon receiving notice from the licensing board that the board has revoked the teacher's license due to a conviction for felony-level sexual abuse or for child abuse.

- 4** **Grounds for discharge or demotion.** Requires a school board of a first class city school district to discharge a probationary or continuing-contract teacher immediately upon receiving notice from the licensing board that the board has revoked the teacher's license due to a conviction for felony-level sexual abuse or for child abuse.
- 5** **Licensed teachers.** Requires a court to determine whether a person is a licensed teacher when a person is convicted of felony-level sexual abuse or of child abuse and, if the offender is a licensed teacher, directs the court administrator to send notice of the conviction within 10 days to the licensing board having jurisdiction over the teacher's license.
- 6** **Effective date.** Makes sections 1 to 5 effective the day following final enactment and applicable to licensing actions occurring on or after that date.