

**§13003. Mandatory certification; penalty**

**1. Certification.** A person must be certified by the commissioner under this chapter or chapter 502 in order to:

A. Teach in any public elementary or secondary school in the State; or [PL 1981, c. 693, §§ 5, 8 (NEW).]

B. Teach in any private school receiving basic approval under section 2901. [PL 1981, c. 693, §§ 5, 8 (NEW).]

[PL 1983, c. 845, §3 (AMD).]

**2. Penalty.** A person not certified under section 13001 is barred from receiving any salary or fringe benefits if that person teaches or performs any other professional function in a public school and that person:

A. Has never held the required certificate; or [RR 2019, c. 2, Pt. B, §23 (COR).]

B. Knew or should have known that the person's certificate had expired. Prima facie evidence of that knowledge would be records on file in either the department or the employing school administrative unit that the person was notified that the person's certificate had lapsed or that it would be lapsing on a given date. [RR 2019, c. 2, Pt. B, §23 (COR).]

The person shall forfeit to the employing school administrative unit any salary or fringe benefits received in violation of this subsection.

[RR 2019, c. 2, Pt. B, §23 (COR).]

**3. Exception.** This section does not apply to teachers in secondary schools approved under section 2901, subsection 2, paragraph A.

[PL 1981, c. 693, §§ 5, 8 (NEW).]

**4. Rules.** The state board may adopt rules to carry out this section.

[PL 1981, c. 693, §§ 5, 8 (NEW).]

**SECTION HISTORY**

PL 1981, c. 693, §§5,8 (NEW). PL 1983, c. 39, §2 (AMD). PL 1983, c. 806, §91 (AMD). PL 1983, c. 845, §3 (AMD). RR 2019, c. 2, Pt. B, §23 (COR).

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