



## Ohio Administrative Code

### Rule 3301-24-13 Relinquishment of license or teaching field.

Effective: January 1, 2016

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(A) Definitions:

(1) Educator means an individual who has been licensed by the state board of education to teach or practice in Ohio schools as defined in rule 3301-24-01 of the Administrative Code.

(2) Department under this chapter means the Ohio department of education as defined in section 3301.13 of the Revised Code.

(3) District under this chapter means all school districts as described under section 3311.01 of the Revised Code, educational service centers, community schools, county boards of DD or chartered non-public schools.

(4) License means the same as the term license as defined in division (A) of section 3319.31 of the Revised Code.

(5) State board under this chapter means the Ohio state board of education as defined in section 3301.13 of the Revised Code.

(6) Superintendent under this chapter means the superintendent of public instruction or his designee as provided by section 3301.13 of the Revised Code.

(7) Teaching field under this chapter means a specific grade level and/or subject area an educator is licensed to teach or perform an administrative duty.

(B) The superintendent of public instruction may accept the relinquishment of a license or teaching field. An educator who relinquishes a license shall agree, in writing, and his/her signature shall be acknowledged by two witnesses and notarized by a notary public. A relinquishment of a license or teaching field shall be submitted on the official form of the department. The document shall include



the following information:

- (1) The relinquishment of a license or teaching field is a permanent action; the state board shall not reactivate a relinquished license or teaching field;
- (2) The educator is precluded from holding any position in an Ohio school that requires the relinquished license or teaching field;
- (3) The state board shall evaluate any subsequent applications for licensure as if the relinquished license never existed. Candidates may apply only for licensure and teaching fields that currently exist in the Administrative Code at the time of application and shall meet requirements to obtain licensure or the teaching field;
- (4) The educator agrees to report the relinquishment to his/her employing school district, or any other employing agency, which requires licensure through the state board;
- (5) Except for the enforcement of the relinquishment, the educator shall release the state board and the department, its members, employees, agents, officers, and representatives, jointly and severally, from any liability arising from this matter;
- (6) The educator shall hold harmless, including proceeding with any action to recover attorney's fees from the state board and the department, its members, employees, agents, officers, and representatives jointly and severally;
- (7) The relinquishment contains the entire agreement and understanding between the state board and the educator and supersedes and replaces all prior conversations or agreements;
- (8) A copy of the relinquishment shall be sent to the educator's employing school district or other educational entity, and it shall be the educator's responsibility to provide a copy of the relinquishment to any new, potential educational employer before hire;
- (9) The relinquishment shall be considered a public record as defined in section 149.43 of the Revised Code; and



(10) The relinquishment may be reported to appropriate organizations, data banks and governmental agencies.

(C) The superintendent shall not accept the relinquishment of a license or teaching field if he/she knows or has reason to believe that the relinquishment is being done to avoid an investigation and/or action under sections 3319.31 and 3319.311 of the Revised Code.

(D) The relinquishment of a license or teaching field under this rule shall not be considered a disciplinary matter and shall not be subject to division (G) of section 3319.311 of the Revised Code.