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| Click here to choose a school board.                    |  |                                  |   |
| Monitoring:<br><b>Review: Annually,<br/>in February</b> | Descriptor Term:<br><b>Substitute Teachers</b> | Descriptor Code:<br><b>5.701</b> | Issued Date:<br>Click here to enter a date. |
|   |  | Rescinds:                        | Issued:                                     |

1 Substitute teachers are those teachers used to replace teachers on leave or to fill temporary vacancies.<sup>1,2</sup>  
 2 Substitute teachers may be employed and paid directly by the board of education or by a third party  
 3 public or private employer through an agreement between such third party employer and the board of  
 4 education.

5 Substitute teachers employed by third party entities shall be subject to the same unemployment benefit  
 6 eligibility conditions as substitute teachers employed directly by the board of education.<sup>2</sup>

7 **APPLICATION/QUALIFICATIONS**

8 Criminal history record checks and fingerprinting of applicants for substitute teaching are required.<sup>3</sup>

9 Applicants with revoked licenses or certificates according to the Department of Education shall not be  
 10 hired.<sup>4</sup>

11 Qualifications for substitute teachers shall be determined by the director of schools in compliance with  
 12 state laws and regulations.

13 A list of substitute teacher(s) will be prepared by the [*director of schools, personnel director, etc.*]  
 14 who will maintain file(s) which may include transcripts, credentials, recommendations, and other  
 15 pertinent information.

16 **COMPENSATION**

17 If employed directly by the board of education, the compensation of substitute teachers shall be  
 18 determined annually by the board.

19 Retired teachers serving as substitutes who do not have an active teaching license shall be paid the  
 20 same as a retired substitute teacher with an active teaching license. This only applies to teachers who  
 21 retired after July 1, 2011 through July 1, 2016.<sup>5</sup>

22 **CERTIFICATION**

23 When substituting for a regular teacher who has been absent for twenty (20) consecutive days, a  
 24 substitute teacher must possess a teaching certificate with endorsement in the discipline(s) to be  
 25 taught.<sup>6</sup> When substituting for a teacher without sick leave, the substitute shall be certified and paid  
 26 according to the state salary schedule.<sup>1</sup>

1 Retired teachers may substitute **one-hundred twenty (120) days per year** without loss of retirement ben-  
2 efits<sup>1</sup> and may substitute for additional days if the director of schools certifies in writing to the State  
3 Board of Education that no other qualified personnel are available to substitute teach.<sup>7</sup>

#### 4 **EMERGENCY NEEDS**

5 All teacher aides, secretaries, and clerks are approved substitute teachers for use in emergency  
6 situations. Emergency use shall be defined as less than a full day due to the regular or substitute  
7 teacher being unable to arrive on time or remain for the full day.

8 Said substitutes shall receive the proportionate equivalent salary regular substitute teachers would  
9 receive under similar circumstances or their regular salary, if higher; however, they shall not receive  
10 pay for both positions at the same time.

#### 11 **TRAINING AND ORIENTATION**

12 The director of schools shall be responsible for ensuring that there are appropriate training and  
13 development programs for substitute teachers.

#### 14 **RESPONSIBILITIES**

15 Substitute teachers shall assume the same responsibilities as the regular teacher, including, but not  
16 limited to, bus duty and playground supervision.

#### 17 **RE-EMPLOYMENT/TERMINATION**

18 On an annual basis, the director of schools, with input from the principals, shall determine which  
19 substitute teachers performed at an acceptable level. Substitute teachers who performed below an  
20 acceptable level shall not be re-employed.

21 All substitutes shall be responsible for providing correct addresses and phone numbers and for  
22 notifying the principal and/or third party employer if they wish to terminate their service as substitutes.

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#### Legal References

1. TRR/MS 0520-1-2-.04(6)
2. TCA 49-5-709
3. TCA 49-5-413(a)(2)
4. TCA 49-2-203(a)(15)
5. Public Acts of 2017, Chapter No. 387
6. TCA 49-3-312; TRR/MS 0520-01-02-.04(6)(b)
7. Public Acts of 2017, Chapter No. 287

