

Policy

SUBSTITUTE TEACHERS

The superintendent shall make provision to employ the services of substitute teachers in order to maintain the effective operation of the educational program.

The board shall approve potential substitute personnel and the positions in which they may substitute. The employment of a substitute teacher prior to approval by the board is authorized only when such employment is required to maintain continuity in the educational program. Retroactive approval shall be asked from the board at the next regular meeting.

Teacher substitutes must have at least a valid substitute teaching credential issued by the Executive County Superintendent, and preferably hold a degree.

Any substitute teacher shall be entitled only to the wages approved by the board on a per diem basis, and to no other benefits.

A vacant teaching position shall not be filled in any school year by one or more individuals holding a substitute credential issued by the State Board of Education for a total amount of time exceeding 20 school days. The commissioner may grant an extension of up to an additional 20 school days upon written application from the district. The application shall demonstrate the district's inability to hire an appropriately certified teacher for the vacant position within the original 20-day time limit.

Persons employed as aides may not perform as substitutes for professional employees unless they are board approved substitute teachers.

The superintendent shall recruit, screen and recommend to the board candidates for employment as instructional substitutes. He/she shall:

- A. Develop procedures for the assignment of substitutes;
- B. Develop methods of evaluating substitute teachers and recommend the retention on the board's approved substitute list of those substitutes who have performed their duties satisfactorily.

Vacant Positions and Use of Substitutes

It is the goal of the district to provide continuity in the educational program by employing permanent qualified teaching staff. When a position in the district is vacant, the district shall observe the limits as provided for in law, in the employment of substitute teachers.

Definitions

- A. A *Substitute Credential* allows the holder to temporarily perform the duties of a fully licensed and regularly employed teacher.
- B. A *Certificate of Eligibility (CE)* is a credential with lifetime validity issued to persons who have completed a degree program of academic study and the applicable test requirements for certification. The CE permits the applicant to seek and accept employment in positions requiring certification through the State Alternate Route Program.

A *Certificate of Eligibility with Advanced Standing (CEAS)* is a credential with lifetime validity issued to persons

SUBSTITUTE TEACHERS (continued)

who have completed a degree program of academic study and the applicable test requirements and traditional professional preparation programs for certification. The CEAS permits the applicant to seek and accept employment in positions requiring certification.

Limits on Filling Vacant Teaching Positions with Substitutes

A vacant teaching position shall not be filled in any school year by one or more individuals:

- A. holding a substitute credential issued by the State Board of Education for a total amount of time exceeding 20 school days (N.J.S.A. 18A:16-1.1a);
- B. employed as a substitute teacher, holding a certificate of eligibility (CE) or a certificate of eligibility with advanced standing (CEAS) issued by the State Board of Examiners and *working in an area authorized by their credentials* for a total amount of time exceeding 60 school days (N.J.S.A. 18A:16-1.1b). If the substitute is employed more than 60 days, compensation shall be adjusted on a pro-rata basis, consistent with the salary provided to a teacher with similar credentials employed by the district;
- C. employed as a substitute teacher, holding a certificate of eligibility (CE) or a certificate of eligibility with advanced standing (CEAS) issued by the State Board of Examiners and *working in an area not authorized by their credentials* for a total amount of time exceeding 20 school days (N.J.S.A. 18A:16-1.1c);
- D. employed as a substitute teacher and holding a standard instructional certificate issued by the State Board of Examiners and *working in an area not authorized by their credentials* for a total amount of time exceeding 40 school days (N.J.S.A. 18A:16-1.1d).

The executive county superintendent of schools may grant an extension of time in accordance with law, upon written application from the district demonstrating the district's inability to hire an appropriately certified teacher for the vacant position within the original time limit.

Adopted: 1994
 NJSBA Review/Update: November 2008
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Key Words

Substitute Teachers, Vacant Position, Vacancy, Long Term Substitute

<u>Legal References:</u>	<u>N.J.S.A.</u> 18A:6-7.1 through -7.5	Criminal history record; employee in regular contact with pupils; grounds for disqualification from employment; exception ...
	<u>N.J.S.A.</u> 18A:16-1.1 <u>See Particularly:</u> <u>N.J.S.A.</u> 18A:16-1.1a through -1.1d	May appoint temporary officers and employees
	<u>N.J.S.A.</u> 18A:27-4	Power of boards of education to make rules governing employment of teacher, etc.
	<u>N.J.S.A.</u> 18A:27-4.1	Appointment, transfer, removal, or renewal of officers and employees; exceptions
	<u>N.J.S.A.</u> 18A:29-16	Emergency certificates; day-by-day basis substitute
	<u>N.J.A.C.</u> 6A:9-6.5	County substitute credential
	<u>N.J.A.C.</u> 6A:32-6.1 <u>et seq.</u>	School Employee Physical Examinations

SUBSTITUTE TEACHERS (continued)

P.L. 2010, c. 97, (N.J.S.A. 18A:16-1.1a) limits long term (over 20 days) employment of substitutes.

8 U.S.C.A. 1100 et seq. - Immigration Reform and Control Act of 1986

Sayreville Education Assoc. on behalf of Rucki et. al. v. Board of Education of the Borough of Sayreville, 193 N.J. Super. 390 (App.Div. 1984)

Lammers v. Board of Education of Borough of Point Pleasant, 260 N.J. Super. 390 (App.Div. 1992)

Possible

Cross References: *4111 Recruitment, selection and hiring
*4112.2 Certification
*4112.4 Employee health

*Indicates policy is included in the Critical Policy Reference Manual.